

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
August 12, 2014

The Farmersville City Council met in regular session on August 12, 2014 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, John Politz, Russell Chandler and Jim Foy. Council member not present was Michael Hesse. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, City Attorney Alan Lathrom, Finance Director Daphne Hamlin, 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. Russell Chandler offered the invocation with Mayor Helmberger leading the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Chester Helmberger came as a visitor representing the Scott Turner Leadership Group.

Item II) CONSENT AGENDA

Council did not request any items be removed for discussion. Russell Chandler motioned to approve the Consent Agenda as presented with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item III) INFORMATIONAL ITEMS

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

ITEM IV – A) SECOND READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE REGULATING THE SALES OF E-CIGARETTES AND SIMILAR PRODUCTS

Mayor Helmberger stated the request to add liquid nicotine had been accomplished and the Council approved the ordinance at the first reading provided the liquid nicotine was added. Jim Foy motioned to approve the ordinance at second reading with Russell Chandler seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – A) CONSIDER, DISCUSS AND ACT UPON THE PROPOSED TAX RATE, SET TWO PUBLIC HEARING DATES FOR THE TAX RATE, AND DIRECT STAFF IN THE PREPARATION OF AN ORDINANCE FOR THE ESTABLISHMENT OF THE SELECTED RATE

Finance Director Daphne Hamlin came before the Council stating the current year's tax rate is \$0.69/\$100 valuation and the proposed tax rate is \$0.785 due to the 2012 bond. The taxes will increase \$82.99 for a \$100,000 home for next year.

Jim Foy stated the increase is due to the bond which the citizens voted for and approved. Had no bonds been involved in the calculation, the rate would have reduced. City Manager Ben White stated the first public hearing is scheduled for September 2nd which is a special Council meeting date. The second public hearing has been scheduled for September 9th. Russell Chandler motioned to approve the two public hearing dates and directed staff to prepare an ordinance to establish the selected rate. John Klostermann seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – B) CONSIDER, DISCUSS AND ACT UPON AN INTERLOCAL AGREEMENT WITH TEXOMA AREA PARATRANSIT SYSTEM FOR UTILIZATION OF PARKING STRUCTURE

The agreement presented had minor errors including the statement that the City of Farmersville was a Home Rule City. John Klostermann motioned to approve the agreement after corrections were made. John Politz seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – C) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION PETITIONING THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO MODIFY THE COMMISSION'S PREVIOUS ORDER REGARDING THE AREA WITHIN WHICH THE POSSESSION OF AN "OPEN CONTAINER" AND/OR THE PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES IS PROHIBITED

City Manager Ben White stated the original resolution gave a broad area that described the Central Business District. The District was changed and resubmitted to the Texas Alcoholic Beverage Commission (TABC) to redefine the parameters of the District. City Attorney Alan Lathrom indicated TABC allows the City to identify the area

as the Central Business District however deemed appropriate. Council received a map identifying the area around the Freedom Plaza as the Central Business District.

The issue has been the request to rescind the order from the TABC regarding possession/prohibition of an open container and/or public consumption of alcoholic beverages. By changing the area, this would open events that would benefit Farmersville and allow alcoholic beverages to be served at these events.

The resolution presented required the date to be changed, and with said change Jim Foy motioned to approve the resolution. John Klostermann seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – D) CONSIDER, DISCUSS AND ACT UPON PROCESSES AND REQUIREMENTS REGARDING SPECIAL EVENT PERMITS

Mayor Helmberger opened this item for discussion. Mayor Helmberger requested the word significant be removed from Section 60-1 on page 2 of 25. On page 5 of 25, Mayor Helmberger requested the traditional special events be reviewed to ensure the list is correct and complete. On page 12 of 25, Mayor Helmberger requested the removal of "TxDOT-controlled road" on item 4 and replace with Highway 380 and Highway 78 and include FM 2194. City Attorney Alan Lathrom will confer with TxDOT for their requirements.

According to item g on page 20 of 25, a copy of the current TABC permit must be submitted at least 12 days prior to the event. However, Mayor Helmberger discussed the time allowance in item f to be more stringent. Also, Mayor Helmberger requested the removal of the City Secretary to receive the application and change to allow the City Manager or his designee to receive the TABC permit, thereby having one permit and one application. Mr. White suggested having a form brought to the next meeting. Also the time for review needs to be consistent. Mayor Helmberger requested the permit be part of the application which should be included with the ordinance. City Attorney Alan Lathrom did not recommend this method and will revise the ordinance per the Council's recommendations with a form. No further action was taken by Council.

ITEM V – E) DISCUSS WASTEWATER RATES PER RECOMMENDATIONS FROM RATE STUDY PERFORMED BY NEWGEN STRATEGIES

City Manager Ben White discussed the wastewater rates as recommended by Chris Ekert with NewGen Strategies. Mr. White stated the last rate increase was originally planned from the rate study and the ordinance from 2011. Using 7,000 gallons as the sample rate, the sewer rate will increase \$16.67 per month.

Mayor Helmberger pointed out the method of calculation of the sewer rate is averaging the water use from December through February. There exists \$277,000 debt service in capital improvements; however due to other needs, the fund is almost a wash. Mayor Helmberger requested the numbers be verified and brought back in an ordinance format at the next meeting.

The excess funds were originally intended to help fund a regional wastewater treatment plant. Mr. White stated we are still utilizing Flo-Dar sensors to detect leaks.

One area may have been found as an issue. Jim Foy stated the Council needs to understand how much is budgeted and is in reserves for planning the future. Council requested Chris Ekrut to attend the next meeting. No further Council action was taken.

ITEM V – F) CONSIDER, DISCUSS AND ACT UPON AN INTERCONNECTION AGREEMENT WITH SHARYLAND UTILITIES

The interconnect agreement with Sharyland Utilities was presented to the Council. City Manager Ben White stated the exhibits coordinate with the references in the agreement. Exhibit E is for the substation and Exhibit F is for the interconnection. Greg Boggs has the document and we are awaiting his signature.

Jim Foy raised a question on page 15 of the agreement where the Peak Load is zero. Mr. White stated this is for an emergency interconnect. Russell Chandler motioned to approve the agreement as presented with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – A) DISCUSS PROPOSED FISCAL YEAR BUDGET 2014 - 2015

Council stated they did not have any items regarding the budget to discuss. Mr. White informed the Council the budget is balanced as it stands including the sewer rate increase. The automated infrastructure system may require a budget amendment but Mr. White stated he is not comfortable in presenting this info to the Council at this time.

ITEM VII) EXECUTIVE SESSION – DELIBERATION REGARDING PERSONNEL MATTERS REGARDING STAFFING CHANGES WITH FARMERSVILLE ELECTRIC

Council went into Executive Session at 6:44:20pm.

Council reconvened from Executive Session at 6:53pm with no action to be taken from the Executive Session.

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

No one requested items for future agendas.

ITEM IX) ADJOURNMENT

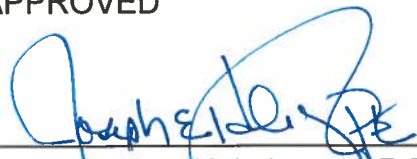
Council adjourned at 6:54:50pm.

ATTEST



Edie Sims, City Secretary

APPROVED



Joseph E. Helmberger P.E., Mayor

