

FARMERSVILLE CITY COUNCIL

MEETING MINUTES

January 13, 2015

The Farmersville City Council met in regular session on January 13, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, John Politz, Michael Hesse, Russell Chandler and Jim Foy. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, City Attorney Alan Lathrom, 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. Jim Foy 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 our Constable Joe Barton was laid to rest after a long battle with cancer.

Farmersville is getting public transportation through TAPS with Mayor Helmberger inviting all to utilize this opportunity.

Jim Foy commended staff on bookmarking the electronic version of the Council Agenda and Packet.

Item II) CONSENT AGENDA

Mayor Helmberger requested Item F – Warrant Officer Report and Item G – Public Works Report be withdrawn for discussion. Jim Foy requested Item B – Police Department Report and Item D – Fire Department Report be withdrawn for discussion. With no other reports being withdrawn for discussion, Russell Chandler motioned to approve Items A, C, E, H and I with John Klostermann seconding the motion.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 B – Police Department Report: Jim Foy commented on the annual reports provided with one accident being reported for 2014. Mr. Foy jovially asked if proper punishment had been issued. Mr. Foy also brought to everyone's attention the annual use of force during 2014 with two incidents being reported. With no further comments, Jim Foy motioned to approve the Police Department Report 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 D – Fire Department Report: Jim Foy stated Fire Chief Morris gave a report at the Rotary Club today which was very informative. Highlights of that report included the Fire Department responding to 1,040 calls during 2014. Those calls include first responder medical calls.

Item F – Warrant Officer Report: Mayor Helmberger questioned the level of outstanding warrants. Warrant Officer Rick Ranspot stated the Court has been working toward purging old warrants through the Court system. By this time next year, the Court will not hold any warrants more than 3 – 5 years old. The pursuit of warrants will continue. City Manager Ben White stated this topic was discussed at the last staff meeting as well. The goal is to clear the old back log. A brief discussion was held by Officer Ranspot stating the City is not in a position of flexibility to place warrants on the Regional Computer System due to the cost factor. Also having our warrants on the Regional Computer System is not practical as a defendant under arrest in another location will require 24 hours to pick up the defendant. Mayor Helmberger announced his pleasure with warrants being handled in the correct manner.

Item G – Public Works Report: Mayor Helmberger questioned the anticipated date the water meter change-out program would be completed and begin seeing results from the new meters. City Manager Ben White indicated meters along the west side of Highway 78 and inside Pecan Creek subdivision are completely installed. Water meters are also interfacing with electric meters. Prototypes are being installed behind Gaddy Center in Lincoln Heights subdivision. March is the anticipated date to have the meter change-out program completed. Presently, Public Works employees are working at the Service Center and water line projects on Washington and Sycamore Streets. Mayor Helmberger also questioned the storm water section of the report, what were the issues behind the May Furniture building. Mr. White indicated flooding occurs on the south parking lot behind the May Furniture building. This issue will not be addressed until the Candy Kitchen project is complete.

John Klostermann motioned to approve Items D, F and G 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 III) INFORMATIONAL ITEMS

Regarding Item III – L, Mayor Helmberger stated he would like an agenda item at the next Council meeting to replace two members of the Building & Property Standards Commission as attendance has become an issue. City Attorney Alan Lathrom indicated the ordinances allow alternate members to be appointed.

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

ITEM IV – A) SECOND READING – CONSIDER, DISCUSS AND ACT UPON REMOVING STOP SIGNS AT THE INTERSECTION OF ORANGE AND BEECH STREETS

With Council approving the first reading of this ordinance on December 16th, Russell Chandler motioned to approve the second reading with no changes. Jim Foy 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. Mayor Helmberger questioned how quickly the stop

signs can be removed. Once the ordinance has been published in the Farmersville Times, the signs can be removed.

ITEM IV – B) FIRST READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE REGARDING DRIVEWAY APPROACHES, DRIVEWAYS AND PARKING HAZARDS

Mayor Helmberger stated he had several issues with the driveway/parking ordinance presented, beginning with the need of “parking” being defined. In the Zoning Ordinance, the requirement is concrete, but this ordinance speaks of concrete and asphalt. The two ordinances need to be consistent. A discussion occurred regarding types of improved parking surfaces. City Manager Ben White indicated he would not consider a request for decomposed granite as a proper surface.

Mayor Helmberger expressed the need to define loop driveways as the ordinance presented doesn’t allow two streets to be included with a looped driveway. City Attorney Alan Lathrom indicated the loop driveway from two streets is explained on page 5, 8(b). He will change the definition to explain the exception on a corner lot.

Sidewalk area is not defined as discussed on page 7. Restricted area is also not defined. Most sidewalks are located in the right-of-way. A clarification needs to be included where some sidewalks are located on private property. Jim Foy stated there are several areas where no sidewalks exist.

Mayor Helmberger denoted item 3 is identical to item 5 on page 5. On page 6, the word “area” was left out from the sentence ...area of the required front yard. The word lateral needs to be changed to linear on page 7 under Section 71-170. Jim Foy stated the crux of the ordinance is relayed under Section 71-169 on page 7.

Mayor Helmberger requested the last 5 words from Section 71-179(b) on page 10 be removed as we do not have nor would allow any drives on any railway tracks. Jim Foy indicated the ordinance will apply to existing homes as well as new homes. Council concurred there will be challenges to the enforcement of this ordinance.

City Manager Ben White indicated the Planning & Zoning Commission spent quite a bit of time on this ordinance. A discussion that came out of this ordinance was overflow parking in dense areas. Another discussion was gravel driveways. If the driveways are being used for parking, the graveled areas must be improved to meet the criteria of this ordinance. City Attorney Alan Lathrom indicated grandfathering existing surfaces is not in this ordinance. Mayor Helmberger requested a section be added to grandfather if the surface is improved with curb cuts and will need improvements at a later time. Mayor Helmberger also recommended leaving the gravel driveways and select enforcement with no surface types. Jim Foy stated there will be feed-back so the City must be prepared for these problems. City Manager Ben White re-instated the reason for the ordinance was to take care of parking issues. Police Chief Mike Sullivan stated our code enforcement is currently complaint driven.

Jim Foy indicated if gravel is to be grandfathered, indicate the area is not to be yard or dirt. Any all weather surface is to be approved by the Building Official. With all the changes indicated, Mayor Helmberger requested the ordinance be re-written and brought back as the first reading. Council concurred with no action.

ITEM IV – C) FIRST READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE REGARDING REGISTRATION OF CONTRACTORS WITHIN THE CITY OF FARMERSVILLE

City Manager Ben White recommended Council approve the ordinance presented. The registration will be accepted with acceptable credentials. The City will not charge a registration fee. The ordinance is intended to protect our residents. Jim Foy 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 IV – D) ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE REGARDING A FRANCHISE AGREEMENT WITH SHARYLAND UTILITIES

City Manager Ben White introduced Paul Schulze, representative for Sharyland Utilities, who stated the area Sharyland now serves is Willow Brook Estates. The franchise annual amount will be \$2,900. Mayor Helmberger expressed concern regarding the lengthy term and asked to have the term changed from 10 years to 5 years. Mr. Schulze requested the frequency of payment be changed from quarterly to annually. Jim Foy stated Sharyland has the right to run lines and maintenance as required. City Attorney Alan Lathrom indicated a change needed to be made to the general liability insurance. Jim Foy motioned to approve the ordinance with the following changes: term change from 10 to 5 years; payment change from quarterly to annually; insurance changes per agreement between Sharyland and City attorneys. 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 IV – E) ONLY READING – CONSIDER, DISCUSS AND ACT UPON A BUDGET AMENDMENT REGARDING SERVICE CENTER FUNDING

City Manager Ben White reminded the Council of a \$600,000 loan for the electrical system which included Service Center improvements. Since the improvements were not completed during last year's fiscal year, the funds are being requested to carry over into this fiscal year. 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, John Politz yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – A) CONSIDER, DISCUSS AND ACT UPON A NOTICE TO AWARD CONTRACT WITH VESSELS CONSTRUCTION AND AUTHORIZE THE MAYOR TO SIGN THE NOTICE TO PROCEED REGARDING THE ASPHALT OVERLAY PROJECT PHASE II THROUGH THE GENERAL OBLIGATION BOND STREET PROJECTS

City Manager Ben White indicated the Council awarded the street project to Vessels Construction during the December 16, 2014 Council meeting. The contractor

has 150 calendar days to complete the project which includes Santa Fe, North Washington, Sid Nelson, and Locust Streets. The work on Locust Street will be sub-surfacing and surfacing only. No curbs will be installed. Russell Chandler motioned to approve the contract and authorize the Mayor to sign the Notice to Proceed 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 V – B) CONSIDER, DISCUSS AND ACT UPON A CONTRACT WITH DANIEL & BROWN, INC. TO SUPPLY ENGINEERING SERVICES FOR THE CDBG SEWER GRANT PROJECT

Mayor Helmberger expressed concern regarding the Special Services for \$10,000 included on Part III of the contract. Clarification was requested whether the special services would be in addition to the \$40,500 contract for the sewer grant. The information is very nebulous at this point. No action was taken by Council at this time.

ITEM V – C) CONSIDER, DISCUSS AND ACT UPON A CONTRACT WITH GRANTWORKS, INC. TO SUPPLY ADMINISTRATION SERVICES FOR THE CDBG SEWER GRANT PROJECT

Mayor Helmberger stated the special services are specific in the contract with Grantworks, Inc. Jim Foy motioned to approve the contract with Grantworks, Inc. 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 V – D) CONSIDER, DISCUSS AND ACT UPON NON-CONFORMING SIGNS

Jim Foy requested this topic for discussion. There are a number of signs along Highways 78 and 380 that do not meet the Sign Ordinance requirements. Mr. Foy requested a discussion to consider how to handle these issues. Mayor Helmberger stated a list and description of signs would need to be presented. There would also need to be understanding of conforming versus non-conforming signs. The Sign Ordinance was last adopted in 2007 and there are allowances for lawful non-conforming uses. However, when a business is abandoned or no longer in operation, the sign can now be considered a public nuisance. Russell Chandler stated the City needed to include our signs as well by having them repaired or removed. Jim Foy stated the non-conforming definition is not clear.

City Manager Ben White stated the Code Enforcement Officer will attain a list of all signs, whether grandfathered or not. Once established what is needed to be remedied, then Council can further decide how to handle this situation.

ITEM V – E) CONSIDER DIRECTING PLANNING & ZONING COMMISSION TO DRAFT AN ORDINANCE REGARDING PARKING RESTRICTIONS IN RESIDENTIAL NEIGHBORHOODS

City Manager Ben White stated the Planning and Zoning Commission expressed concerns regarding parking issues in residential neighborhoods in front of homes. Police Chief Sullivan stated as long as the flow of traffic is not blocked, there are no

laws or statutes that regulate parking on residential streets. Mr. White indicated the Commission's concern of emergency apparatus having room to drive through these congested areas. Another concern was parking in front of fire hydrants. Since this is a question from P&Z, Council must decide if this issue needs further discussions to include an ordinance prohibiting parking in specified sections of streets. Council concurred this would not be an issue to consider at this time. Council took no action.

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

Mayor Helmberger requested an agenda item to discuss reducing the speed limit on all residential streets from collector streets down.

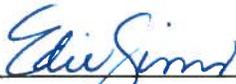
City Manager Ben White requested an agenda item to discuss the State of the City with a year-end presentation and goals for 2015.

No one else requested items for future agendas.

ITEM VII) ADJOURNMENT

Council adjourned at 7:34pm.

ATTEST



Edie Sims, City Secretary

APPROVED



Joseph E. Helmberger, P.E., Mayor

