

FARMERSVILLE CITY COUNCIL

MEETING MINUTES

April 28, 2015

The Farmersville City Council met in regular session on April 28, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, Michael Hesse and Jim Foy. Councilmembers absent was John Politz and Russell Chandler. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, City Attorney Alan Lathrom, Finance Director Daphne Hamlin, Librarian Trisha Dowell, Main Street Manager 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. 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 proclaimed May as Motorcycle Safety and Awareness month. Pictures were taken with the local motorcycle group.

Adah Leah Wolf came and received the proclamation dedicating the month of May as Preservation Month in Farmersville.

Mayor Helmberger proclaimed April 25, 2015 as Joe Hayes Day.

Item II – A) CONSIDER, DISCUSS AND ACT UPON CITY FINANCIAL REPORTS

Mayor Helmberger responded to the note on the Financial Memo regarding the TIRZ account. The TIRZ account received \$34,714.29 from the City of Farmersville. Collin County will send a follow up check in the amount of \$4,838.47. After 3 years of having the TIRZ account, the balance is now approximately \$53,000.

Jim Foy noted the permit revenues were impressive and seeing growth. Michael Hesse motioned to approve the City Financials as presented with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM II – B) RECEIVE ENGINEER PRESENTATIONS FROM KIMLEY-HORN AND ASSOCIATES INC. (KIMLEY-HORN) AND LOCKWOOD, ANDREWS & NEWNAM, INC (LAN) REGARDING ENGINEERING SERVICES FOR THE WASTEWATER TREATMENT PLANT PROJECT

Mayor Helmberger recused himself from this item. Jim Foy, Mayor Pro-Tem, took over the proceedings. City Manager Ben White instructed the presenters of the process. A group will be brought outside the Council Chambers while the other firm introduced their presentation. Each presenter will have 10 minutes for their presentation and then the Council will take 10 minutes for a question and answer session.

Kimley-Horn was asked first through alphabetical choosing. Jeff James, Project Manager, began his presentation showing a power point presentation. With a cost-savings mindset, Mr. James' firm introduced an idea to utilize the existing sewer plant. He also proposed an alignment for the interceptor line along the existing creek to the new

sewer plant location south of the City. He proposed a 1,000,000 gallon capacity phase at the new 10 acre site and allow to grow in phases.

Eddy Daniel, City Engineer with Daniel & Brown, Inc., informed the Council as part of the WWTP Evaluation Team, he has reviewed all the information and verified Kimley-Horn's references. All checked positively.

City Manager Ben White questioned for the citizens regarding smell, noise and traffic issues. Mr. James stated his firm has not only performed this type of project, but has worked well with these issues. He is focused and in tune with the needs of the public. Once the sewer plant is in place, the public will not be aware of the plant's existence with the latest odor technology that has been improved over the past few years. All these factors will be taken into consideration when the plant and interceptor line is being designed.

Eddy Daniel questioned the timing factor. Mr. James stated his firm and team is ready to begin this project when the City is ready. His team researched and found the City has already attained funding through the Texas Water Development Board. This is a huge step in moving forward that the City has already undertaken. Mr. James also informed the Council his staff is very flexible and can start tomorrow if ready. Since the City has taken the largest time factor out of the equation, the next and longest step will be attaining easements along the alignment.

Jim Foy questioned how the design is different from another firm's design. Mr. James explained all customers are different and equal. His firm has handled many wastewater treatment facilities the same size as Farmersville's and has a working understanding of the needs of Farmersville individually. Easements were also questioned. His firm is capable of handling attaining all easements.

The next team to discuss their presentation was Terrace Stewart with LAN. Seth Cooksey would be the Project Manager for this project. Mr. Stewart began his presentation by stating his firm has worked extensively with North Texas Municipal Water District. Phase 1 would include a 1,000,000 gallon capacity plant. Phase 2 would allow adding capacity to the plant.

A traffic control engineer will be utilized through this project to ensure the safety of the public and construction workers throughout this project life. Also, odor will be controlled and aesthetics will protect the plant from the residents in the near area. Mr. Stewart also encouraged the Council that noise will also be greatly paid attention to during the time of construction.

Eddy Daniel questioned the timeframe for the construction to begin with Mr. Stewart stating approximately 12-15 months. The planning process can begin immediately. LAN is fully staffed for in-house right-of-way and easement acquisitions. Timing is being factored in for condemnation issues should they occur.

Jim Foy questioned if the current plant would be decommissioned once the new plant was activated. Mr. Stewart replied the current plant can be reutilized and supplement the new facility.

The Council discussed LAN's presentation. City Manager Ben White stated the Evaluation team analyzed the information from all the Request for Qualifications. A weighted matrix was used to grade each RFQ based on several criteria. Kimley Horn scored 1530 whereas LAN 1488. The other RFQ's scores fell 1262, 1247 and 899. The Evaluation Team felt it best for the Council to make the final selection.

The chosen team will be offered the opportunity to negotiate their contract with the City. The Council presently cannot discuss the contract or fees as this is part of the negotiation process. The Farmersville Economic Development Corporation is funding most of the fees for this portion of the project.

City Attorney Alan Lathrom indicated if the Council is unable to reach an agreement with the candidate, the candidate would need to be formally rejected and offer negotiations to the next firm.

Michael Hesse requested Eddy Daniel's advice. Both firms are qualified; however Kimley Horn had the highest ranking through the weighted matrix and recommended offering negotiations to Kimley Horn. Both presentations were expressed differently yet both were consistent with the needs of the City. With the City already utilizing funds and having the process through Texas Water Development Board underway, the timing factor has been lessened. Council discussed further the differences of the presentations and specifically how the existing plant was discussed. Both presenters spoke of aesthetics and other factors such as odor and traffic. Jim Foy stated he preferred Kimley Horn's answer of utilizing the existing plant. Eddy Daniel stated he preferred Kimley Horn's use of capital assets we already have. Mr. White stated he like having backup capability with the old plant. Kimley Horn showed a higher score through the weighted matrix although both are very qualified. There was also a great attention to cost and cost-convenience from Kimley Horn. Kimley Horn expressed their efforts in preparation.

John Klostermann motioned to begin negotiations with Kimley Horn with Michael Hesse seconding the motion. Motion carried unanimously.

ITEM II – C) CONSIDER, DISCUSS AND ACT UPON MAINTENANCE ACTIONS PROPOSED ON THE TEXAS NEW MEXICO TRANSMISSION LINE SUPPLYING ELECTRICITY TO THE FARMERSVILLE ELECTRIC SUBSTATION

City Manager Ben White informed the Council of maintenance on the transmission lines being performed by Texas New Mexico Power. This transmission line will use the interconnection with Sharyland which may affect the City of Farmersville on the west side. A debriefing will be held next Monday, but the maintenance should be for one day only. Testing will occur before the switch is made. This means we will be temporarily switched to Sharyland until after the maintenance is complete, then switched back for normal service. Mr. White stated he will monitor the rates charged by Sharyland. Jim Foy noted Sharyland currently is involved in a lawsuit regarding transmission charges and doubling the bills. No action was taken by the Council.

ITEM II – D) CONSIDER, DISCUSS AND ACT UPON MATERIAL USED TO CONSTRUCT FIRE LANES

Mayor Helmberger requested this item to be discussed due to the recent request from the School District. FISD has requested the Council grant a variance to allow gravel to be used rather than concrete for the parking area. The future plans show the area to be developed into another section of the school. If concrete is placed, then the concrete would be removed in the near future. Per the City's ordinances, concrete is required. Collin County Fire Marshal's office has agreed to allow the gravel parking area even though our ordinances state concrete.

City Attorney Alan Lathrom indicated the Council could amend with portion in conjunction with the International Fire Code to state "or other approved surface" and have approved by the City. No further action was taken on this matter.

ITEM II – E) CONSIDER, DISCUSS AND ACT UPON ADOPTION OF LIFE, SAFETY AND HEALTH INSPECTION FOR RENTAL AND RESIDENTIAL PROPERTY

Mayor Helmberger opened this item stating the he had a concern of residential property and having the property inspection for health and safety purposes prior to having the structure occupied. This does not relate to rental properties only but any property that may have an issue regarding the safety and well-being of the residents. Mayor Helmberger also stated he is for private property rights, but dilapidated structures are a concern.

City Manager Ben White offered information regarding how the City of Commerce handled property issues. The City of Garland has set a legal precedence as well to abate dilapidated properties. The Property Maintenance Code is invoked to build upon our existing Code. Mr. White indicated the City currently issues a permit when a residential structure is built, but not a Certificate of Occupancy each time the occupancy changes. The City does attain a Certificate of Occupancy when businesses change to ensure the codes are met for the specific use. After a residential structure is built, there are no inspections coming forward other than code enforcement issues as seen from the outside. If a complaint is brought to our Code Enforcement Officer inviting her in, the City does not have the right to inspect inside a structure. Renters have the power if there are structural issues that are inappropriate which constitutes the Property Maintenance Code to be invoked.

Mayor Helmberger encouraged this dialogue to continue with a meeting of local property owners who have rental properties. Landlords will be invited to this upcoming meeting to discuss this topic. Mayor Helmberger encouraged the use of a "life safety inspection" to help address issues within residential structures. Mayor Helmberger's intent is to make Farmersville a safe place to live. Jim Foy stated he was at a conference recently in Sulphur Springs where code enforcement was attributed to improving their downtown area.

Michael Hesse stated he wants to have a positive experience and make a safer environment to live. Jim Foy stated we may not need a new ordinance, just enforce what we currently have. Maybe enhance how to enforce the current ordinances would be

helpful. After the meeting with property owners, Mayor Helmberger stated this item will be brought back to the Council for an update or discussion.

ITEM II – F) DISCUSSION RELATED TO CONSTRUCTION OF THE HERITAGE MUSEUM

Janis May, Chairman of the Farmersville Heritage Museum Board, came before the Council informing of construction beginning at the museum site at the Onion Shed #2 site. Ms. May stated until a variance is settled, the contractor would like to continue working on the structure by improving the roof.

Mayor Helmberger questioned how the fundraising for the museum was coming along with Ms. May stating very well. There is a concern of the funding being used quicker than anticipated due to the condition of the structure. Currently the floor, railing and ADA compliant ramp has been installed. There has been enough funds through fundraising to complete the first 3 phases of the project which will construct the interior walls and dry in the facility.

The funds required to complete the project will be \$150,000. This will be the overall project amount for all 5 phases and construction will continue as funding allows.

The windows will not be functional and the exterior structure is expected to be completed by Fall or Winter. Mayor Helmberger suggested removing the Onion Shed from the City's ownership however the City could provide electricity and water to offer support.

ITEM II – G) UPDATE ON CHAPARRAL TRAIL PROJECTS

City Manager Ben White stated the Open Space Grant is progressing on the Chaparral Trail with bollard configurations and having installed at the 4.5 mile marker and road crossings. There is also new benches, trash cans, storm water ditches and decomposed granite being installed. Kiosks will be next. Eddy Daniel stated everything else is being completed in a timely manner. The kiosks are being ordered now. Trash cans and benches are being anchored. The decomposed granite must wait until the ground dries after the rains.

ITEM II – H) UPDATE ON STREET, WATER AND WASTEWATER GENERAL OBLIGATION BOND PROJECTS

City Manager Ben White informed the Council the bonding company is preparing for the last letting of the bond this summer. The waterline/sewer project on South Washington and Side Nelson is now ready for asphalt. There were many infrastructure issues that were improved before the street project could be completed. Mr. White stated the overlay project on Sid Nelson from South Washington to Hamilton Street is next on the list. If funding allows after this project, Locust Street will be done with curbs. If the Council desires to not install curbs on Locust to save money, that will be accomplished as well. With curbs though, it helps with storm water dramatically unless there are defined ditches. Mr. White encouraged the installation of curbs.

The gravity main project on Locust Street will be following. Jim Foy stated there are only 2 homes and 2 churches affected by this improvement and Locust are sparsely

populated. Mr. Foy questioned if the funds on Locust could be reutilized on heavier used streets.

Mayor Helmberger questioned Orange Street. Also there are significant cracks on Beech and North Central. Mr. White indicated Orange Street has more than cracks, it failed on both sides. A 2" overlay was installed with no curbs and the area is terrible. Jim Foy stated he would rather see funds used on Jackson and North Washington as these streets impact more people than Locust. Eddy Daniel stated Orange Street will be partially funded by Collin County, but they have not done their part yet. The subgrade will need to be investigated and planned. The ditches can be formed and further defined which will offer the remaining funds toward Jackson Street.

City Manager Ben White stated the next water project will be on Rike, Houston and Austin Street. This is a big priority to loop the water lines. Maple Street should be added for a 2" galvanized line replacement. The scope of the project will need to be changed.

ITEM II – I) UPDATE ON HIGHWAY 380 PROJECT

City Manager Ben White indicated the ramp work is being done by TxDOT. One half of the railroad bridge is being installed. There is a bridge super structure being built with the second railroad bridge to be completed in June 2015. The second railroad bridge will affect the Main Street crossing in July. There is definite progress.

ITEM II – J) UPDATE ON COLLIN COUNTY DISPATCH SERVICES

Mayor Helmberger stated he will be meeting with the County Judge Friday, May 1st. At the most recent meeting, there was not input from the County regarding the dispatch situation. There is much talk about regionalization but nothing concrete. A meeting is scheduled with Sheriff Box the following Friday and this topic will be continued. Candidate for Sheriff Jim Skinner has the same viewpoint as Sheriff Box to disband the dispatch for area cities.

ITEM II – K) RECEIVE, DISCUSS AND ACT UPON INFORMATION REGARDING PLATTING, PERMITTING AND APPLICATION OF THE INTERNATIONAL CODES IN THE CITY'S EXTRATERRITORIAL JURISDICTION, AND THE "CITY-COUNTY PLAT APPROVAL AGREEMENT (EXCLUSIVE CITY CONTROL)" ("1445 AGREEMENT") PREPARED BY COLLIN COUNTY AND ENTERED INTO BY AND BETWEEN COLLIN COUNTY AND THE CITY

City Attorney Alan Lathrom stated he will check to see if a General Law city can follow the same proceedings as Frisco to make the City-County Plat Approval Agreement enforceable. A letter has been requested to the Attorney General's Office for an opinion on this matter from the Collin County Auditor. However, the letter was submitted from the Home Rule perspective.

City Manager Ben White stated he is experiencing different things that are impacting Farmersville. We must continue to push this topic to come to a resolve. Our City has signed an agreement for platting and related permits. The City has also adopted ordinances regarding building permits within our Extra Territorial Jurisdiction (ETJ).

A property that is platted within our ETJ must fall into our Subdivision Ordinance requirements. Mayor Helmberger will also be meeting with the Mayor of McKinney.

III) – EXECUTIVE SESSION

An Executive Session was not required.

IV) – RECONVENE FROM EXECUTIVE SESSION

An Executive Session was not required.

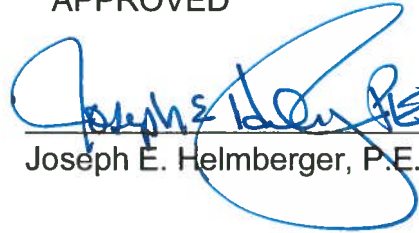
V) – REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

No one requested any items to be discussed for future agendas.

ITEM VI) ADJOURNMENT

Council adjourned at 8:08pm.

APPROVED



Joseph E. Helmberger, P.E., Mayor

ATTEST



Edie Sims, City Secretary

