

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
July 14, 2015

The Farmersville City Council met in regular session on July 14, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Joe Helmberger, John Klostermann, John Politz, Michael Hesse, Leaca Caspari and Jim Foy. Staff members present were City Manager Ben White, Police Patrol Officer John Williams, Fire Chief Kim Morris, City Attorney Alan Lathrom, Warrant Officer Rick Ranspot, Finance Director Daphne Hamlin, 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, Associate Pastor of First Baptist Church of Farmersville, offered the invocation with Mayor Helmberger leading the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Several visitors came to the meeting to speak during the forum on non-agenda items.

Donna Williams, residing at 1985 SH 78 N, stated she understands the Council had a discussion regarding handicapped parking at a recent meeting. Ms. Williams stated she has handicapped customers into her store on a weekly basis and is in favor of having more handicapped parking spaces. Her husband also requires a handicapped space. Ms. Williams also stated she would like to see the trash can in the center median on the east end of the square be moved to allow a no parking area for more visibility coming onto and leaving the square.

Mike Hurst, residing at 1302 Red Oak, stated there are civil statutes and provisions regarding cemeteries. Mr. Hurst was concerned of the policing of the Muslim cemetery and how it will be cared for. Graves should be marked and platted with the County. Muslims have a custom of burying their dead within 24 hours of death and they do not embalm. Mr. Hurst urged the Council to investigate these issues before approving the Muslim cemetery.

Betty Mondy, residing at 211 S Washington, stated before the Muslims are forced on Farmersville, she requested the public take a vote. She also stated she would like to see a meeting held with the Muslims to discuss how they think and feel. It would be helpful to know who people are dealing with.

David Curry, Pastor of Grace Fellowship Church located at 206 East Audie Murphy Parkway, stated he is concerned of the Muslim religion. Any religion that promotes violent activity should be banned. The Council are our City's gatekeepers. The watchmen have notified the gatekeepers when the enemy is approaching. The gatekeepers are the decision makers. Some places won't allow the Muslims to enter their communities. Look at the newspapers and the world news. If the Muslims won't pledge to our flag, then why

would we allow them to dominate here? Mr. Curry read 2 John 1: 10-11 and 2 Corinthians 10:4.

David Meeks, Pastor of Bethlehem Baptist Church located at 6615 CR 664, quoted Jay Sekulow who is the Chief Counsel of the American Center for Law and Justice stating "liberty hangs in the balance." Baptists stood up for religious liberties. The Muslims are not about religious liberty and they know what people believe. The Muslims are not worthy of our 1st Amendment. There are numerous terrorist plots. Mr. Meeks continued of 81% of American Mosques, violent material is available to advocate violence. He felt it was his duty and right to proclaim the dangers of inviting Muslims. Mr. Meeks also asked the gatekeepers to review history and look at writings from John Quincy Adams who expressed the essence of Islam is violence and lust which has waged war upon earth.

David Owen, residing at 12000 CR 1065, stated he didn't understand why more research has not been done. What happens when the Muslims want to build a Mosque? Mr. Owen expressed there is missing information and there must be something behind what is being presented. France is trying to get rid of the Muslims. Once Muslims come into a place, they take over with Sharia Law. The government backs the Muslims with their religion, but we can't have our Bible? The Muslims want to teach us the Quran. Mr. Owen stated he doesn't want the Muslims and is concerned our governmental body will not stand up.

Sandra Murphy Patterson, mailing address of PO Box 110, Princeton, stated she represents Nadine Murphy and the family of Audie Murphy. She was astonished the Muslim cemetery is being considered. Ms. Patterson states she works for a Muslim and has for 28 years. It is concerning as you don't know the Muslims who are radical. Ms. Patterson stated opening the doors to Muslims is like opening Pandora's Box. Once it is opened, you can't take it back. Not all Muslims are bad or violent, but this cannot be said of all Muslims.

Gwen Kakaska, residing at 5258 CR 660, stated she knew that 90% of Farmersville residents are Christians. Per a Murphy City Council, Muslims came to their City asking for variances and exceptions but were voted down. Ms. Kakaska asked the Council to look at the Muslim cemetery in Denton which is in complete disrepair. The Denton cemetery should be a physical demonstration gone terribly wrong. The City of Denton is now being asked to improve and maintain the Muslim cemetery.

Tiffany Long, residing at 1894 Kristen Court, Caddo Mills, informed the public that Camden properties is under investigation along with Lincoln Park in Little Elm. Chapter 77 of the City's Code of Ordinances states if the property is located in the extraterritorial jurisdiction, the land should conform to the City's Comprehensive Plan. Ms. Long questioned if the City offered the land in exchange for something else. If the Thoroughfare Plan was reviewed, did the City give away the landowners rights and not contact the adjoining landowners? Ms. Long stated the City should follow their own ordinances.

Mont Hendricks, mailing address of PO Box 31, Farmersville, stated he owns property on both sides of the proposed cemetery and felt the cemetery will decrease the property values. Mr. Hendricks stated he has confidence the City will look at the properties and do the right thing.

Item II) CONSENT AGENDA

John Klostermann requested Item G – Public Works Report be pulled for discussion. Jim Foy requested Item H – Library Report be pulled for discussion. With no other reports being pulled for discussion, Leaca Caspari motioned to approve Items A, B, C, D, E, F and I with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Item G – Public Works Report: Under the wastewater system portion of the report, the quantity limit is an issue. City Manager Ben White indicated several manholes have integrity issues and they are on his priority list. Lincoln Heights is being worked on now with inflow issues. Flo-dars are being used to indicate problem areas. Over the past 3 months, the wastewater has shown spikes over the required limit which is a regulatory issue. These issues are being addressed with all due haste. The focus has been on the wastewater areas as the City could be in jeopardy. Michael Hesse motioned to approve Item G with John Politz seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Item H – Library Report: Jim Foy offered congratulations to Trish Dowell for the program in conjunction with Audie Murphy Day. There was an amazing performance at the Library. City Manager Ben White noted circulation has been up and has shown an increase over the past few years. Mr. White stated Ms. Dowell is doing a fine job with the Library. Jim Foy motioned to approve the Library Report with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Item III) INFORMATIONAL ITEMS

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

ITEM IV – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A SPECIFIC USE PERMIT ON THE PROPERTY IDENTIFIED AS LOT 2A, BLOCK A OF THE FARMERSVILLE ORIGINAL DONATION, FARMERSVILLE, COLLIN COUNTY, TEXAS, MORE COMMONLY KNOWN A 201 MCKINNEY STREET, FARMERSVILLE, TEXAS, TO OPERATE A “SPECIALTY FOOD PROCESSING” BUSINESS

Mayor Helmberger opened the Public Hearing at 6:40pm and asked for those FOR the Specific Use Permit to come forward. Gwen Kakaska, residing at 5258 CR 660, came

forward stating she is for the Specific Use Permit as the City needs more diversity. This business would be good for the community and adds ambiance to the town.

Jim Terrell, owner of The Happy Cucumber, stated he is looking forward to having a store front for his jams and jellies.

Mayor Helmberger asked for those OPPOSING the Specific Use Permit to come forward. With no one opposing the Specific Use Permit, Mayor Helmberger closed the Public Hearing at 6:42pm. Jim Foy motioned to approve the Specific Use Permit with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – A) SECOND READING TO CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO AMEND CHAPTER 74 “UTILITIES” AND ADOPTING A NEW ARTICLE VI “ON-SITE SEWAGE FACILITIES” TO UPDATE AND ADOPT NEW RULES FOR ON-SITE SEWAGE FACILITIES CONSISTENT WITH THE REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

John Klostermann motioned to approve the ordinance as presented with Leaca Caspari seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – A) RECEIVE, DISCUSS AND ACT UPON REQUESTS FOR QUALIFICATIONS FOR CITY AUDITOR

Finance Director Daphne Hamlin stated two Request for Qualifications was received. One from BrooksCardiel and Conway Company CPAs. Anthony Cardiel, a representative from BrooksCardiel, was present for the bid opening. After the bid opening, Mr. Cardiel spoke with staff and gave information regarding audit practices that would help throughout the year. BrooksCardiel is a firm out of The Woodlands. Questions were raised how they would handle us from such a long distance. Ms. Hamlin stated the majority of the work can be supported through a secure website or the City’s ftp site. John Politz stated it seems BrooksCardiel is proactively involved with clients. John Klostermann motioned to offer contract negotiations with BrooksCardiel as the City Auditor with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – B) CONSIDER, DISCUSS AND ACT UPON COBRA CONTINUATION OF COVERAGE ADMINISTRATIVE AGREEMENT WITH TML MULTI-STATE INGERGOVERNMENTAL EMPLOYEE BENEFITS POOL

Daphne Hamlin, City Finance Director, stated the agreement is a renewal of our previous agreement. All information is status quo with zero changes. Michael Hesse motioned to approve the contract as presented with Leaca Caspari seconding the motion.

A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – C) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT WITH COLLIN COUNTY FOR JAIL SERVICES

City Manager Ben White stated the agreement is a continuation of previous of services through Collin County. The base charge of \$69.75 has not changed. Staff recommends approvals. Michael Hesse motioned to approve the agreement as presented with Leaca Caspari seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – D) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT WITH COLLIN COUNTY FOR DISPATCH SERVICES WHICH INCLUDES THE VIRTUAL PRIVATE NETWORK (VPN) AGREEMENT

Mayor Helmberger stated he has a problem with the Dispatch Service Agreement through Collin County. During recent meetings with Sheriff Box, Judge Self, County Commissioner Chris Hill and other Emergency Service Providers, Collin County has stood firm to no longer providing dispatch services after September 2019. In Mayor Helmberger's opinion, if the agreement is signed, then we sign away all our options. The City Managers of the affected cities will be meeting tomorrow and the Mayors will be meeting with Sheriff Box. Currently Sheriff Box will only dispatch for Fire Departments and not Police Departments. City Manager Ben White was asked to get with County Administrator Bill Bilyeu to discuss this issue further. If the County continues on its trek to not offer dispatching services, each city will need to fund a dispatch of their own or fund a regional dispatch center within 4 years. Either way, the cost is extremely high for all the small cities being affected. Jim Foy motioned to table this item with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – E) CONSIDER, DISCUSS AND ACT UPON CHRISTI ADAMS' RESIGNATION FROM THE FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION BOARD

Leaca Caspari motioned to approve Christi Adams' resignation with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – F) CONSIDER, DISCUSS AND ACT UPON A REPLACEMENT ON THE FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION BOARD

Leaca Caspari motioned to appoint Kim Potter to fill the vacant position on the Farmersville Community Development Corporation Board with John Politz seconding the

motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – G) DISCUSS POTENTIAL CHANGE TO THE ZONING ORDINANCE AND OTHER CITY CODES REGARDING ALLEYS

Jim Foy stated he requested this item due to the discussion of Camden Park. Currently the City does not require alleys in residential areas. With the plans of Camden Park recently where smaller lots are planned, parking becomes a problem. Having alleys eliminates blocking of sidewalks and some parking issues. The appearance is more attractive and Mr. Foy felt the alleys increase property values. Alleys also help with traffic issues. Alleys also provide a better way to handle trash and recycling pickups.

Reasons not to have alleys include the maintenance. More space may be required. We do have standards if alleys are included. John Politz stated alleys would have made a difference in Lincoln Heights Subdivision. Council concurred to send to the Planning & Zoning Commission to evaluate and make a recommendation.

ITEM VI – H) CONSIDER, DISCUSS AND ACT UPON BIDS FOR THE HIGHWAY 78/LOCUST/ABBEY ROAD WASTEWATER PROJECT

City Manager Ben White stated pipe bursting was an alternate bid item but should have been part of the project. This is a newer technique by using the pipe this is already in the ground and places a new pipe in the same void as the original pipe. This process is economically better. The problem presented regards the bids not equally compared. Mr. White recommended all bids be refused and re-bid requesting the pipe bursting method. This way all bids will be equal. Mayor Helmberger agreed with this statement. Using the pipe bursting method versus the conventional method is quite a difference in cost which is a savings to the City. Jim Foy motioned to refuse all bids with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VII) BUDGET WORKSHOP

Finance Director Daphne Hamlin came before the Council stating final numbers for the budget will be provided at the next Council meeting. We are waiting on the Appraisal District who will have information on July 24th to plan for the tax rate. Jim Foy questioned if the City will increase the tax rate by 3% as in years past. Further discussions will be had to make that decision.

Ms. Hamlin presented the proposed budget for 2015-2016 which included adding individual performance increases, bunker gear for the Fire Department, cost of living increase for all employees, dispatch increase, backhoe lease, SAN for the City Hall server, and the lease agreement for 2 patrol cars. An additional fireman, full-time library employee and an additional Code Enforcement Officer was not included with the budget.

The above noted budgeted items are funded through the General Fund. City Manager Ben White stated his budget philosophy has changed after dealing with the Electric Fund this past year, which is funding a lot of items. The Electric Fund revenues are not delivering as predicted. With one year of experience, we can better predict the upcoming year's finances. Mr. White stated he prefers to pay off debts then work with recurring funds which are permanent. This philosophy allows the City to have more flexibility. Revenues in the Electric Fund are becoming more conservative. Also, by paying off debt, the Electric Fund will not be burdened.

Fire Chief Kim Morris stated he should not need another fire truck for a while. Mayor Helmberger expressed concern when dispatch services will no longer be provided by Collin County. Presently, the cities in Collin County will require dispatching services up and running before 2019. Funding needs to be set aside for this major expenditure over the next 3 years. Fire Chief Kim Morris also stated it will be another 2 years before radios will need to be changed. Another Federal unfunded mandate requires Fire and Police Departments to have P25 radios. The Fire Department will require 25 radios and the Police Department will require 12 plus equipment for the squad cars.

Overtime for the Police Department needs to be reviewed per John Politz. Jim Foy stated sales tax has reduced from last year. Ms. Hamlin stated the figures are consistent, but the projections are very conservative. Pages 4-22 of the Budget Workshop packet is a line-by-line detail.

Mr. White was pleased to state the Electric Fund balanced. The explanation on page 23 does not include transfers out of the Electric Fund. If revenues increase during July, August and September, the cut items could possibly be added into the funded items; or at minimum the cut line could be moved further down the list. Ms. Hamlin stated the transfers are imperative to the General Fund for support due to the lack of roof tops and no new businesses to support the General Fund.

Mayor Helmberger expressed concern the Water and Wastewater Funds are not performing as expected after a 5 step rate increase. Mr. White stated even after increasing the rates, people turn off their water and people are more efficient with their water use. The City encouraged everyone to be very conservative with water during the drought. With the Take & Pay method through North Texas Municipal Water District, our quantity has been dropping which is hurting the City. NTMWD is trying to pay for a lot of infrastructure as well. NTMWD is considering changing their method from Take & Pay to direct use. If this is changed, many cities served by NTMWD will be adversely affected. If growth comes, we will see the gap closing per Mr. White.

A list of all cities in Collin County showing their tax rate has been provided on page 36 of the Budget Workshop packet. Farmersville has the highest property tax value compared to the other cities. Mr. White stated he has made a change regarding the obligations for infrastructure. The Interest and Sinking Fund is paying the debts rather than being funded through transfers from the Enterprise Funds. Per the tax rates shown,

Wylie has the highest tax rate. Jim Foy noted \$.15 of the property taxes were the result of the bond issue approved by the voters. The last issue of the bond funds will occur in August.

The preliminary numbers from the Collin County Appraisal District are leading us to have a tax rate of \$0.822575 which will generate \$1,369,640. Of that, \$0.388126 rate will be for the Interest and Sinking Fund generating \$646,255. The Maintenance and Operations rate will be \$0.434449 which will generate \$723,385. The Interest and Sinking Fund covers the bond payments.

Jim Foy noted \$108,179 was to be paid through water and sewer revenues but last year the General Fund continued supporting the Water and Sewer debt. Mr. White stated this year all the Enterprise Funds should be self-supported. By making the Enterprise Funds self-supporting, Jim Foy stated the increase should allow for the Code Enforcement Officer addition. Michael Hesse questioned why code enforcement is only accomplished 11 out of 30 days per month.

Mayor Helmberger stated dispatch, dispatch, dispatch. Going back to page 38, Ms. Hamlin stated if the City adopted the tax rate of \$0.835608, the amount would generate an additional \$20,000 more than last year. Ms. Hamlin also reminded the Council that approximately \$20,000 would be paid from the General Fund to the TIRZ account.

Salary allocations were also presented with no salaries being paid with bond funds. Lexington Medical Lodge will be seen on the tax rolls for next year. Mr. White stated growth is steady but slow.

John Politz asked for a list of other cities projected tax rate at the next meeting.

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

No one requested items to be placed on a future agenda.

ITEM VIII) ADJOURNMENT

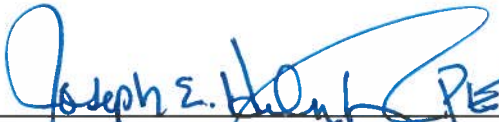
Council adjourned at 7:43:33pm.

ATTEST



Edie Sims, City Secretary

APPROVED



Joseph E. Helmberger, P.E., Mayor

