



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
for
July 12, 2016, 6:00P.M.**

I. PRELIMINARY MATTERS

- Mayor Piwko called the meeting to order at 6:00pm. Council members John Klostermann, Donny Mason, Michael Hesse, Mike Hurst, and Leaca Caspari were all present, as were City Staff members Chief Morris, Sargent Alford, and attorney, Alan Lathrom. Jason Dean led the invocation and Mayor Piwko led the pledges to the United States flag and Texas flag.
- Announcements/Calendar of upcoming holidays and meetings
 - Successful Prayer Meeting of several nomination of the First Baptist Church on Sunday.
 - There will be another Downtown Prayer Service that will begin at 6:30pm.
 - VFW will be hosting a Charity Softball Tournament on July 30th.
 - National Register public information meeting on July 20th at 5pm.
 - 4B will hold a budget workshop on July 25th at 5:45pm in council chambers
 - WFAA TV will be in town on Friday July 16th for a public interest segment
 - There will be a Parks & Recreation Board Meeting held on July 18th at 4pm

II. PUBLIC COMMENT

- Darrell Moore stated that there is a VFW service organization petition for relief of 1 of 2 electric bills so that the money could be placed into relief funds.
- Becky Rohr stated that since May 18th, brush limbs needed to be removed. City Manager Ben White agreed to look into situation.
- Clayton stated that a total of \$42,000 have been raised and \$42,000 matched.

III. CONSENT AGENDA

- Mayor Piwko pulled Police Department Report for further discussion, but moved to Code Enforcement regarding report.
- Motion to approve all other reports including Code Enforcement/Animal Control Report, Fire Department Report, Library Report and Main Street Report was made by council member Leaca Caspari.
- 2nd to approve was made by John Klostermann
- All council members voted in favor thereby approving the above reports.
- Item A: Police Department Report: Piwko asked Alford about the lawn mowing sign by IACC on highway 380 to which he responded he was not aware of the situation's status yet. Piwko also asked if the report for the ordinance can be sorted by address instead of incident number, and he responded that it is very difficult. Michael Hesse asked about wanting to see repeat offenders report. Brian responded that it is not a new report, but a supplement and that follow-ups and tracking does not show up on a monthly report. A report can be done every 3 months. Code enforcement has hit every address.
 - Motion to approve was made by John Klostermann
 - 2nd to approve was made by Mike Hurst
 - All council members were in favor thereby approving the City Financial Report.

IV. INFORMATIONAL ITEMS

- Leaca Caspari pulled item E.: Planning and Zoning Commission Minutes and Michael Hesse pulled Item H.: City Manager's Verbal Report.
- Motion to approve all other reports including items A, B, C, D, F AND G was made by council member Leaca Caspari.
- 2nd to approve was made by John Klostermann
- All council members voted in favor thereby approving the above reports.
- Item E: Caspari asked why minutes letter was sent to P&Z in April. City Manager Ben White responded that it originally went because of inconsistencies in enforcement letter. She then asked if issues were addressed and Mayor Piwko responded that indeed some issues were addressed.
- Motion to approve Item E was made by John Klostermann
- 2nd to approve was made by Michael Hesse
- Item H: Michael Hesse suggested that a report be added on City Manager's verbal report on equipment that was replaced or repaired. He then gave an example about a damaged truck in a shop. Attorney Alan Lathrom ordered to move forward and put it on future agendas.
- There was no motion and no action on item H.

V. PUBLIC HEARING AND FIRST READING OF ORDINANCE

- Mayor Piwko opened public hearing to consider, discuss, and act upon the first reading of Ordinance # O-2016-0712-001 and asked anyone from the audience for any comments. No one came forward.
- City Manager Ben White stated that this has been a long time coming and that this ultimately brings our specifications in alignment with each other. He also said that it is more transportable for the public works employees, along with added index and a lot of notes which has brought across standard details to provide consistency and resolve discrepancies. City Manager then stated that it is a big item to him because it provides a single document to hand to people and that following this there will be a standards of design specifications booklet. He noted that there is a hierarchy of laws to be followed such as state law and other authorities. Mayor Piwko then asked if this ordinance will handle repair actions to which Ben replied that it handles repairs to an extent but deals mostly with new construction.
- Eddy Daniel stated that all cities have standards or design manuals. This is especially for new growth, so developer can look at this and find clear and concise information. State standards, city, and NCTCOG rules that have to be followed. Ben replied that this reflects what already they currently do; just documenting in a better way. Also, Eddy Daniel stated that these items are not gold-plated, but are very much standard.
- Mike Hurst asked if the installer is responsible for cost and gave an example about ATMOS being responsible for repairing, to which Eddy Daniel complied. Hurst also asked if they must use parts specifically made by USA and Daniel responded that it is a standard of industry. Hurst then proceeded to inquire why contractors of a bid item were held to use these brands, to which Ben White replied that it is this way because they know the brands, and that it's the way they want to do things so that things last and city does not have maintenance issues. Hesse then proceeded to ask if this can be deviated if a better product comes out and so that they will not limit people and they can come to them and they can decide if quality is there. Ben replied that it will go through an update once a year or every two years.
- Piwko proceeded to ask if the ordinance must change when lamp posts do so. Ben White stated that yes, because that is how they maintain consistency and make it easier for repairs. Piwko then asked if Camden Park does not have to adhere to this to which attorney Alan responded that it depends since there may be a case where they have to follow. Eddy Daniels stated that everything Camden Park has in their package will substantially meet these standards. Piwko stated that there is nothing in the ordinance that mentions utilities underground and Eddy replied that

that will be forthcoming in written specifications. Ben White also stated that electrical specifications are not ready yet and Eddy said that when updating design manuals everything must be updated as they were dated from 2006.

- Motion to approve was made by Michael Hesse
- 2nd to approve was made by Mike Hurst
- All council members were in favor thereby approving 1st reading

VI. REGULAR AGENDA

- A. Consider, discuss, and act upon a request from the Planning and Zoning Commission that City Council pursue the research and creation of a preservation ordinance for the City's historic downtown area
- Klostermann said this stems from re-building in downtown; Piwko asked Alan to research and also for him and Mary Tate to look at samples.
 - Piwko also requested P&Z do the initial reviews
 - Motion to approve was made by John Klostermann
 - 2nd to approve was made by Donny Mason
 - All council members were in favor thereby approving the direction of P&Z to direct staff to draft ordinance.
- B. Consider, discuss, and act upon the Caddo Waterline Connection and Water Purchase and Sale Agreement
- Ben White stated that this has been years in the making and that U.S government will pay for all costs and that additionally, a 2in tap is sufficient.
 - Piwko asked if there is a purpose since there is no future development, and Ben White replied that US Army Corp of Engineers have the right to ask for whatever they want and this happened to be what they have asked for.
 - Alan stated that there is the ability to put a larger line and they will still pay for 2in cost. This can be done in case there are people in the future who want to tap in, they can do so.
 - Piwko then proceeded to ask if the US Army Corp cannot sell water off this to which Alan replied no, since they are not licensed to do so.
 - Motion to approve was made by John Klostermann
 - 2nd to approve was made by Leaca Caspari
 - All council members were in favor thereby approving Item B.
- C. Consider, discuss, and act upon amending certain provisions of the International Fire Code, as previously amended, through the amendment of Sec. 29-55 of the Farmersville Code
- Ben White stated that there is a section in a paragraph in Farmersville code that cannot be found in the 2009 International Fire Code. Ben stated that Fire Marshall's

suggestion is to strike entire paragraph from Farmersville code because it is more restrictive in that it mentions 6,000 square feet as opposed to 12,000 square feet stated in International Fire Code. He also advised staff to come up with ordinance that deletes this issue and also have the Fire Marshall speak to nuisances.

- Mayor Piwko said she is concerned that remodels would be affected and Ben White suggested Fire Marshall can address later.
 - No motion, no action
- D. Consider, discuss, and act upon a contract amendment with Collin County to provide fire inspection and fire plan review for the 2016-2017 fiscal year
- Mayor Piwko asked if city is collecting on these costs because as a building owner, she had not been charged. Ben White replied that Fire Marshall bills property owners, and agrees to look into it.
 - Motion to approve was made by Mike Hurst
 - 2nd to approve was made by Donny Mason
 - All council members were in favor thereby approving contract amendment (Item D.)
- E. Consider, discuss, and act upon a proposed boundary agreement between the City of Farmersville and the City of Princeton
- Piwko stated that Ben White and her met with the Mayor and City Manager of Princeton to see if the city would move boundary east so that they may deal with IACC cemetery since technically the cities do not touch. Piwko says that this does not seem to be feasible.
 - Ben White stated that in order to expand limits, stripping of annex must occur. Leaca Caspari stated that over the past year, cities have agreed on boundaries within last 6 months. She stated that she believes that they are teetering on some issues and they should move on.
 - No motion, no action
- F. Consider, discuss, and act upon the service of Charter Communications, formerly Time Warner, and its acquisition of Bright House
- Ben White stated that this is an informational item only. John Klostermann asked if they rent from them to which Ben White responded that currently only franchise agree, but this could be considered in the future.
 - No motion, no action
- G. Consider, discuss, and act upon tree maintenance and removal procedures in the historic downtown area and parkway areas throughout the City including the reconsideration of an earlier discussion regarding the removal and relocation of certain trees located in front of 100 and 101 McKinney Street occupied respectively by Red Door Antiques and Carrie's Floral Creations
- Leaca Caspari stated that she requested an overall tree ordinance for the city but said this was not what she was looking for. She stated that she would take this specifically and direct staff to research tree

ordinances. Caspari also mentioned that this tree had some safety issues because trees are blocking stop signs.

- Mayor Piwko stated that some safety concerns are outside her front door based on sign placement not tree.
- John Klostermann asked who placed stop sign to which Ben White city, but it must meet specifications. Leaca Caspari stated that the stop sign is not visible because of the tree. She also said that city should not be spending so much time on this that it hinders them from doing their job to trim tree.
- Ben White stated that live oak trees are not meant to be next to maintenance building because of safety issues involving rubbing against building that gives several reasons not to have trees there. He states that he does not care who owns the building or what color the building is, his priority is to take care of city safety. He came to the conclusion to remove tree and replace with trees at a different location, then place something more sizeable in the same spot.
- Hurst then asked if same issues will arise with the signs in the center of the street, to which Ben replied that these have room to grow, but if there were a decision to remove those, he would like to speak with downtown merchants.
- Linda Barnette stated that both trees under discussion have been trimmed and look good. She suggested that if they are talking about preservation and beautification, the trees set the city apart. She stated that they need to be preserved and maintained, not cut down. Piwko replied that trees are most definitely welcomed. Donna Williams stated that last council approved a person to come in and made this an issue of discussion. Mike Hurst states that they make a suggestion to trim the tree and come back to this later. Caspari then stated that she does not want to micro manage staff so that they cannot do their job. Hurst declared that everyone stop bickering and trim the tree.
- Mayor Piwko declared to sign the issue. 1st motion to approve the removal of tree is made by Leah Caspari, to which then Diane Piwko stated that Ben White and Adah Leah have had complaints about removal. Leaca Caspari suggested she remove the motion until downtown merchants are consulted to which Ben White agreed. Katherine Hershey asked if trees could not be pruned to grow around building, and Ben replied that that will come with time.
- Action: Trim tree and research tree ordinance

H. Consider, discuss, and act upon accepting a private donation in the amount of \$250.00 given to the Farmersville Volunteer Fire Department

- Motion to approve was made by John Klostermann
- 2nd to approve was made by Leaca Caspari
- All council members were in favor thereby approving Item H.

VII. BUDGET WORKSHOP UPDATES

- After presentation of PowerPoint, Ben White stated that city cannot afford anything; they are just trying to sustain at this time. He said it is not prudent at this point to add another position or items until they can afford to get money to the general fund. Piwko stated that they could have saved \$12,000 on mowing contract but discussion was dismissed. Ben said in order to move forward, they will do what is needed to maintain a balanced budget and keep staff raises.
- Piwko agreed with keeping fireman and staff increases, and Daphne Hamlin stated that the strategy is to not take away from enterprise funds, and that she is hoping electrical fund will perform.
- Hesse stated that \$93,000 for mowing is a lot and that there are ways to save money. He stated that he signs a lot of checks and he wonders where some of it is going. In addition, Hesse stated that the city should be able to hire temporary help and that there are ways to cut. Ben White replied to Hesse by assuring he has done it both ways and that there is a lot of overhead. Hesse then stated that they have done it successfully before and that things can be looked at more closely to save money. He then tells everyone to be open-minded. Ben white suggested he would be happy to review end of year contract on how much was actually spent. He then asked if their strategy is okay, and assured he is trying to balance amounts before adding anything.
- John Klostermann stated that no Public Works Director be added, and to keep Fireman. Donny Mason suggested no public works director, and to keep fireman along with staff raises. Hurst stated that they balance budget as close as they can since these are bigger issues than a tree and other big issues need to be within their boundaries and make some head way. Leaca Caspari suggested some decisions need to be deferred to city staff on issues that they deal with every day. She also stated that it is not in the cards right now to add things; only what is necessary.
- Diane Piwko stated that city keep fireman, staff raises, street construction, let go of Public Works Director, and keep matching grant. Ben White interrupted by saying that with her additions, he would have to cut personnel. Caspari stated that everyone is going to have to suck it up. Diane, confused, asked there was a deficit last meeting and now, to which Daphne Hamlin replied yes. Mike Hurst asked what revenue was expected from Camden Park, and what capacity can be handled. Eddy Daniels also proceeded to ask when revenue can be expected from Camden Park if they started today. Since it takes about 1-2 years to construct, and they are not going to get build out for five years. It will probably be 100 homes per year. Hurst replies that 100 homes a year would be great and that they need to be ready with infrastructure. Eddy stated that he reviewed the plan for wastewater in order to plan so that they are ready.
- Ben White stated that they put numbers together for 500 homes and possible revenue.

VIII. EXECUTIVE SESSION 9:04pm excused for session.

IX. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE at 10:25pm.

- No action needed to be taken

X. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Michael Hesse requested Equipment report.
- Mike Hurst requested updates on formerly adopted Robert's Rule of Order and on Tree Ordinance discussion.


XI. ADJOURNMENT

Meeting was adjourned at 10:39pm.

APPROVE:


Diane C. Piwko

ATTEST:


Paula Jackson, Interim City Secretary