

FARMERSVILLE CITY COUNCIL  
MEETING MINUTES  
APRIL 10, 2012

The Farmersville City Council met in a regularly called session on April 10, 2012 at 6:00pm in the Council Chambers at City Hall with the following members present: Pansy Hundley, Paul Kelly, Russell Chandler and Jim Foy. Staff members present were Interim City Manager Ben White, Police Chief Mike Sullivan, City Attorney Alan Lathrom, Fire Chief Kim Morris, Finance Director Daphne Hamlin, and City Secretary Edie Sims.

CALL MEETING TO ORDER, ROLL CALL

Mayor Pro Tem Paul Kelly called the meeting to order. Edie Sims called the roll and announced a quorum was present. Mayor Pro Tem Kelly welcomed all guests and visitors.

Charlene Greenway, residing at 1009 Westgate, expressed concerns of the recent sewer rate increase. As a widow on a fixed income, Ms. Greenway requested the Council to reconsider the rate increase.

Gene Sera, residing at 2707 Northview Drive, McKinney, introduced himself as the candidate for Collin County Court At Law #2 and requested support and for everyone to vote on May 29<sup>th</sup>.

Russell Chandler announced the Annual Fire Department Fish Fry on May 19<sup>th</sup> at the Farmersville Cafetorium at the High School.

Jim Foy announced a successful Chamber of Commerce banquet and announced the winners of the Citizens of the Year Award as Ricky and Edie Sims.

CONSENT AGENDA

Jim Foy requested Item B – City Financial Reports be pulled for discussion.

Jim Foy motioned to approve the Consent Agenda with exception of Item B. Russell Chandler seconded the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item B – City Financial Reports: Jim Foy questioned the revenues for the water and wastewater departments. Finance Director Daphne Hamlin reported the revenues are respondent to the seasonal use and we have not reached the hot months yet. Mr. Foy also questioned when Sharyland will start their payment under the new contract; it was thought the new contract payments would begin with the first quarter beginning in October. Ms. Hamlin stated she will report back to the Council with this information. Russell Chandler motioned to approve Item B with Jim Foy seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

INFORMATIONAL ITEMS

All Informational Items were presented to the Council. Council did not request further information or clarification regarding Informational Items.

READING OF ORDINANCES – SECOND READING: CONSIDER, DISCUSS AND ACT UPON BUDGET AMENDMENT ORDINANCE # O-2012-0410-001 TO FUND THE REPAIRS TO THE PUBLIC SAFETY BUILDING

First reading of Ordinance # O-2012-0410-001 was passed on March 27<sup>th</sup>. Russell Chandler motioned to approve the second reading of Ordinance # O02012-0410-001 with Jim Foy seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes,



Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

FIRST READING – CONSIDER, DISCUSS AND ACT UPON BUDGET AMENDMENT ORDINANCE # O-2012-0508-001 TO FUND EMERGENCY SIRENS, RADIOS, ISO RATING IMPROVEMENTS, SOUTHLAKE CLUBHOUSE DEMOLITION, OFFICE FURNITURE AND PUBLIC WORKS DEPARTMENT VEHICLE

As the first reading, Jim Foy clarified the Ordinance is formalizing the decision from the City Manager's discussion during the March 27<sup>th</sup> Council Meeting. Siren #1 is still out of service and must be installed to provide safety measures for the City. Regarding the Southlake Clubhouse, the contractor must abate the asbestos and will then demolish the structure. Russell Chandler motioned to approve the first reading of Ordinance # O-2012-0508-001 with Pansy Hundley seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

FIRST READING – CONSIDER, DISCUSS AND ACT UPON ORDINANCE # O-2012-0424-002 REGARDING CHANGES TO THE MASTER FEE SCHEDULE FOR THE SALE OF ROCK AND SAND

Council discussed the option of affording rock and sand to residents. Previously the City sold these items at a cost of \$30 for a bucket load of rock and \$10 for a bucket load of sand. A bucket load is considered the front end bucket of the backhoe. A limit of 3 loads per resident per month will be implemented should this Ordinance pass. City Manager Ben White stated the costs were reconsidered to cover the City's expenses. Jim Foy motioned to approve the first reading of Ordinance # O-2012-0424-002 with Paul Kelly seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

FIRST READING – CONSIDER, DISCUSS AND ACT UPON ORDINANCE # O-2012-0424-003 REGARDING THE TEMPORARY DECREASE IN PRIMA FACIA SPEED LIMIT ALONG A DESIGNATED SECTION OF HIGHWAY 380 WHILE HIGHWAY 380 UNDERGOES CONSTRUCTION

City Manager Ben White stated he had been working with TxDOT to have the speed limit reduced along the construction areas of Highway 380. A recent major accident shows another reason why the speeds need to be lowered as a near fatality accident occurred. Repeated letters had been submitted and TxDOT had been implored to change the speed limit. TxDOT finally answered that they could reduce the speed 10 mph during construction only. Per Mr. White, the ordinance is important to potentially save lives. Jim Foy motioned to approve the first reading of Ordinance # O-2012-0424-003 with Paul Kelly seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

FIRST READING – CONSIDER, DISCUSS AND ACT UPON BUDGET AMENDMENT ORDINANCE # O-2012-0424-004 TO ACCOMMODATE OVERAGES FROM THE APPROVED BUDGETED EXPENSE FOR THE PURCHASE OF A POLICE PATROL CAR AND AN EXPENSE OF A DEFIBRILLATOR FOR THE FIRE DEPARTMENT

City Manager Ben White indicated the purpose of the budget amendment is to clean up actions that the staff has found. Regarding the police vehicle overage, the Chief turned in the correct amount; however the budget amendment was not completed in order to make the



necessary corrections to the budget. This is an instance where the amount was not budgeted enough to cover all the costs. Pansy Hundley questioned the Fire Chief if he and his department were experienced in using a defibrillator with Fire Chief Kim Morris replying this type of equipment has been used by the department for years. Russell Chandler motioned to approve the first reading of Ordinance # O-2012-0424-004 with Jim Foy seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

RECEIVE, CONSIDER AND ACT UPON AN ANNUAL REPORT FROM COMMUNITY WASTE DISPOSAL

Casey Zandt, representative for Community Waste Disposal (CWD), presented their annual report to the Council. Mr. Zandt reported that residential recycling has been on the incline with this year having 11% increase of recycling over last year. Mr. Zandt also reported that the company has had only one negative incident during last year's service. Reported savings during 2011 included 197 tons of was recycled which saved 2,686 trees; 60,040 gallons of oil and 1,106,000 gallons of water. Mr. Zandt highly commended Farmersville for their recycling efforts and stated that for a city this size, the recycling is "phenomenal." Jim Foy asked that more businesses take advantage of the recycling opportunity. Mr. Zandt stated he will focus on the commercial businesses and hopefully improve that opportunity. Mr. Zandt presented an award to City Manager Ben White for the recycling achievements during 2011.

CONSIDER, DISCUSS AND ACT UPON AN APPOINTMENT TO THE NORTH TEXAS MUNICIPAL WATER DISTRICT BOARD OF DIRECTORS

City Manager Ben White announced that Mayor Helmberger has conferred with Bill Harrison, our current Director on the NTMWD Board, who is willing to continue his service. Jim Foy motioned to appoint Bill Harrison as Farmersville's representative on the NTMWD Board of Directors with Russell Chandler seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

CONSIDER, DISCUSS AND ACT UPON RESOLUTION # R-2012-0410-001 TO ADOPT THE CREDIT CARD POLICY AND PROCEDURES

City Attorney Alan Lathrom indicated a revised Resolution different from the one presented in the packet which ties the Personnel Manual and the Credit Card policies together. Russell Chandler motioned to approve Resolution # R-2012-0410-001 with Pansy Hundley seconded the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

CONSIDER, DISCUSS AND ACT UPON RESOLUTION # R-2012-0410-002 TO REFINANCE A FIRE TRUCK IN AN AMOUNT NOT TO EXCEED \$245,000.00

City Manager Ben White introduced the Resolution as the appropriate measure to begin the long process of refinancing the Quint. In order to reach ISO Level 3, a new pumper truck must be purchased. The refinancing will include the refinance of the Quint and include the new pumper truck. By taking this action, the City is saving money and allowing us to attain ISO Level 3 which will in turn save homeowners approximately \$250 per year on their insurance cost. Mr. White is trying to attain \$16,000: \$8,000 from Gerdau Ameristeel and \$8,000 from Advanced Fixtures, Inc. Once refinanced, the payments will equal raise from \$56,000 to \$59,494.74 per year. The interest currently on the Quint equals 4.89%. The refinance interest equals 3.89%. By refinancing, the Quint, new pumper and tool package can be accomplished



and locking in the price. The truck will take approximately one year to build, thereby making the first payment December 2013. Additionally, the Old Southern is being planned to be stored at a new location at the Public Works lot. It's only use is for parades and kept for our historical purpose. City Manager Ben White reviewed the Resolution in depth and informed the Council that the Debt Service will not be the same. The Rescue Truck that is currently under our Debt Service will be paid off in 2 years. With \$145,000 down, the Debt Service can remain the same. Mr. White stated this is the one thing to directly impact the citizens to save them money. Paul Kelly stated having the new pumper truck looks very attractive to upcoming businesses. This action will also affect Lakehaven MUD, the future college and Camden Park. Russell Chandler concurred that this is one of the first things that businesses look at. Farmersville is currently at ISO Level 5. Russell Chandler motioned to approve Resolution # R-2012-0410-002 with Pansy Hundley seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

DISCUSS, CONSIDER AND ACT UPON THE MUSEUM COMMITTEE CONVERTING ONION SHED #2 INTO A MUSEUM

Linda Dawkins came before the Council representing the Museum Committee. The 4B Community Development Corporation has awarded seed money to help the Museum Committee get off the ground with their project of converting Onion Shed #2 into a Museum. The Committee has ascertained guidance and suggestions from the Main Street Architect along with potential plans as provided by Jim Dawkins. The goal is to keep the Onion Shed #2 in its preservation as the rustic, historical building; all the while enhancing the use. The drawings depict the Onion Shed as it exists today and the enclosed area is set back between the columns into the main portion of the building. With large picture windows, the museum artifacts will be available for viewing even if the museum is closed for foot traffic. Pansy Hundley stated she had a citizen contact her with concern that the Onion Shed conversion would change the historical status of the Onion Shed. Ms. Hundley also expressed concern regarding the large windows for security reasons. Linda Dawkins stated the Museum Committee's goal is to preserve and protect our history. Paul Kelly stated he liked the design and idea. Mr. Kelly asked about funding for the museum. Ms. Dawkins stated fund raising from the community will be their means of support to make the museum a reality. Ms. Dawkins is requesting approval of the Council to take the \$5,000 seed money and get started on the museum. She anticipates having the museum completed in 1 year. Jim Foy stated safety is certainly warranting concerns and to maintain the historical identity of the Onion Shed. To clarify, Mr. Foy stated that the Museum Committee is requesting an expression of support from the Council as the building belongs to the City. Jim Foy motioned to express support of the concept of utilizing the West Onion Shed as a Farmersville Historical Museum and that the Council commend the progress that has been achieved thus far. Paul Kelly seconded the motion. Paul Kelly stated that if the museum failed, for whatever reason, the Onion Shed would be reverted back to its original condition. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

CONSIDER, DISCUSS AND ACT UPON INTERLOCAL AGREEMENTS WITH THE FARMERSVILLE HISTORICAL SOCIETY AND THE FARMERSVILLE BOY SCOUTS TO CONTINUE PAYING UTILITIES FOR THESE NON-PROFIT ORGANIZATIONS

The Council concurred that the Agreements between the Farmersville Historical Society and the Farmersville Boy Scouts will be beneficial for future reference. Jim Foy stated he would



like to have an addition to the Resolution establishing a clause relaying how the Bain-Honaker House provides a public purpose. Jim Foy motioned to table this item until the May meeting with Council concurring. No action was taken on this item.

CONSIDER, DISCUSS AND ACT UPON REMOVAL OF REFUSE, A CITY WIDE CLEANUP WITH A SERIES OF ARTICLES TO INFORM CUSTOMERS

City Manager Ben White indicated he would like to inform the citizens of the method of refuse removal by having a series of articles in the Farmersville Times. Mr. White stated the articles will be noteworthy and informative to the public so that brush piles and other refuse removal can be rectified. No action was taken on this item.

CONSIDER, APPROVE OR DISAPPROVE REMOVING STOP SIGNS ON FARMERSVILLE PARKWAY

Councilman Russell Chandler requested the Council discuss this item of possibly removing the three stop signs on Farmersville Parkway. The roadway has dips at the stop sign areas. Mr. Chandler stated the Parkway is meant to be a slower means of travel through Farmersville. Jim Foy indicated that the Parkway is on the City's thoroughfare plan. Jim Foy stated he would like to see the stop signs removed along with Pansy Hundley. According to City Attorney Alan Lathrom, the City does not have liability through the Tort Claims Act which protects the City from liability from damage to undercarriage of vehicles for those that may hit the dip while traveling too fast. Jim Foy requested to have on the May 8 agenda as a discussion item and have time to talk with citizens on this topic. No action taken by the Council.

DISCUSS AND DIRECTION TO SEND RESIDENCY ON THE FIRST FLOOR IN THE CA DISTRICT BACK TO P&Z FOR REVIEW AND RECOMMENDATION

Mayor Helmberger requested this item come before the Council as a discussion item. During the last Council meeting when the residency on the first floor of the CA District was presented, sensed there may be some willingness to consider allowing such residency if it were left only to the owner/occupant. Russell Chandler indicated the ordinance was originally prepared as owner/occupant. Jim Foy stated he would like to send back to Planning and Zoning Commission and have the ordinance reconsidered. Diane Piwko came before the Council and stated she did not feel an ordinance could be crafted with those terms and be feasible for the City and its residents. City Attorney Alan Lathrom indicated the P&Z's questions and discussion regarding owner/occupancy and how to enforce. Jim Foy motioned to send the residency on the first floor in the CA District back to P&Z for review and recommendation with Paul Kelly seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

APPROVE TIRZ DOCUMENTS INCLUDING BYLAWS, INTERLOCAL AGREEMENT, FEASIBILITY ANALYSIS, FINANCE PLAN AND PROJECT PLAN

City Manager Ben White stated the TIRZ documents are a technicality. The TIRZ Board has approved all documents regarding the TIRZ District. Jim Foy motioned to approve the documents as presented with Paul Kelly seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

EXECUTIVE SESSION – DISCUSSION OF MATTERS PERMITTED BY THE FOLLOWING SECTIONS OF TEXAS GOVERNMENT CODE CHAPTER 551: SECTION 551.074, DELIBERATION REGARDING PERSONNEL MATTERS – CITY MANAGER'S COMPENSATION PACKAGE

Council went into Executive Session at 7:37pm.

Council reconvened from Executive Session into Regular Session at 8:04pm.

ACTION REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION

Jim Foy motioned to approve the employment agreement with Ben White contingent upon the compensatory clause and to have the Mayor and City Secretary sign. Paul Kelly seconded the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

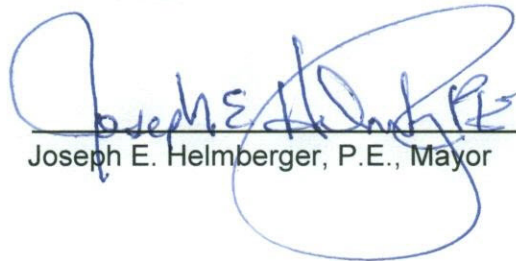
REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

Pansy Hundley requested the Council discuss nuisance issues at the Onion Shed.

ADJOURNMENT

Council adjourned at 8:11pm.

APPROVED

  
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Joseph E. Helmberger, P.E., Mayor

ATTEST

  
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Edie Sims, City Secretary

