

FARMERSVILLE CITY COUNCIL  
MEETING MINUTES  
August 28, 2012

The Farmersville City Council met in a regularly called session on August 28, 2012 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Joe Helmberger, Pansy Hundley, Billy Long and Jim Foy. Russell Chandler and Michael Carr were absent. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, Finance Director Daphne Hamlin, 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. Pastor Paul Mack of Mount Calvary Baptist Church offered the invocation.

Emily Dillard, a director of the Chamber of Commerce came to ask the Council for volunteer efforts to support the upcoming Trick It Up Bike Ride and the Scare on the Square events in October.

**Item II – A) PUBLIC HEARING – ONLY PUBLIC HEARING TO RECEIVE PUBLIC COMMENT FOR THE (4A) ECONOMIC DEVELOPMENT CORPORATION PROPOSED BUDGET YEAR 2012-2013**

Mayor Helmberger opened the Public Hearing at 6:05pm and asked for those in the audience FOR the proposed budget as presented by 4A Economic Development Corporation to come forward. With no one coming forward, Mayor Helmberger asked for those in the audience AGAINST the proposed budget to come forward. With no one coming forward, Mayor Helmberger closed the Public Hearing at 6:05:30pm.

**Item II – B) PUBLIC HEARING – ONLY PUBLIC HEARING TO RECEIVE PUBLIC COMMENT FOR THE (4B) COMMUNITY DEVELOPMENT CORPORATION PROPOSED BUDGET YEAR 2012-2013**

Mayor Helmberger opened the Public Hearing at 6:06pm and asked for those in the audience FOR the proposed budget as presented by 4B Community Development Corporation to come forward. With no one coming forward, Mayor Helmberger asked for those in the audience AGAINST the proposed budget to come forward. With no one coming forward, Mayor Helmberger closed the Public Hearing at 6:06:30pm.

**Item II – C) FIRST PUBLIC HEARING – TO RECEIVE PUBLIC COMMENT ON THE PROPOSED 2012 PROPERTY TAX RATE FOR THE CITY OF FARMERSVILLE**

Mayor Helmberger opened the Public Hearing at 6:07pm and asked for those in the audience FOR the proposed 2012 property tax rate to come forward. With no one coming forward, Mayor Helmberger asked for those in the audience AGAINST the proposed tax rate to come forward. With no one coming forward, Mayor Helmberger closed the Public Hearing at 6:07:20pm.

**Item II – D) ONLY PUBLIC HEARING – TO CONSIDER, DISCUSS AND ACT UPON A REQUEST TO CHANGE THE ZONING IN THE PLANNED DEVELOPMENT OF CAMDEN PARK AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION**

Mayor Helmberger opened the Public Hearing at 6:08pm and asked for those in the audience FOR the zoning change request for Camden Park to come forward. Ted Zadeh, developer of the property, came forward. A few years ago, Mr. Zadeh came before the Council with a Concept Plan to develop this property; however the overall plan was different that what is



presented today. Mr. Zadeh has realized a need for the aging community and has developed a plan to accommodate the aging population by offering an adult living area which includes skilled nursing and medical facilities. By creating this community of single family units, the lots will need to be smaller as the goal is to have lots that have little to no maintenance. The entire community will be based on age 55+ and all aspects will be geared to those needs. Mr. Zadeh stated he would eventually like to have a day surgery facility on the property.

Mayor Helmberger asked for those AGAINST the zoning change request to come forward. With no one coming forward, Mayor Helmberger closed the Public Hearing at 6:12pm.

Mayor Helmberger opened the item for discussion with the Council. Mayor Helmberger also indicated that an actual ordinance will be presented making the revisions that the Council approves referring to this development on 100 acres of land. Jim Foy stated this sounds like a great development and something that is greatly needed. Mr. Foy expressed concern that the lots are very small (40x80) and questioned if the 5' side yard setback is sufficient. Mr. Foy was informed of many conversations held by Planning & Zoning Commission on this very topic. The question was reviewed by building officials and our fire department who both stated the space is sufficient. Questions were also raised regarding the placement of the air conditioner units which typically are placed on the side yard of homes. This topic was also discussed by the Planning & Zoning Commission and was understood that the unit will be placed in the back of the home and not on the side yard. City Manager Ben White indicated that the design of the project will accommodate the side yard setback. Mr. Foy stated he would request this design become a part of the Planned Development Ordinance. City Manager Ben White stated the City processes will ensure that this project will meet all applicable city codes and any other building codes. Jim Foy also questioned the depth of the driveways and having enough parking area. Sidewalks are another question for Mr. Foy. With the type of subdivision, Mr. Zadeh explained that the main facet of this development will be the greenbelt which will interconnect all the single properties into a unified area. All the garages will be at the "back" of the home which will actually face the street. The "front" of the home will face the greenbelt. Parking will be available to each homeowner to include a two vehicle garage, and two vehicle parking on the driveway. Mr. White stated the 20' setback for the driveway is correct with our current building codes. Mr. White also indicated that sidewalks will be placed along the street which meets our sidewalk ordinance; however the developer is not asking for an exemption around this topic.

Billy Long asked if there was a similar development that he or others could visualize. Plano has a development on some standards similar to the proposed development, but it is vastly different as well. Mr. Long also questioned how the "back" of the homes will be landscaped as this will be the first sight seen by potential buyers. Mr. Zadeh indicated that all homes, front and back will be landscaped and visually appealing. Mr. Long also questioned if visitors would enter the "back" or walk around the home to the "front." A clear answer was not given, although Jeff Crannell, who joined the meeting a bit late, offered that both entries would be accessible. The most important aspect of this development will be to accommodate the homeowner's needs. The idea is to have the homeowners mingle with each other and not segregate; the atmosphere will be created to bring people together to enjoy the beauty of the outdoors.

Jeff Crannell, engineer for the project, came in to add more information including the placement of benches and a nearby gazebo to encourage people to gather together. This product is originally from a plan in Houston. The key for these homeowners of the 55+ age



group is to have amenities they don't have to maintain, so the developer is planning to get as close to zero maintenance as possible.

Jim Foy continued to have concerns regarding the front setback of 20' and an individual could have an 18' long vehicle. Mr. Crannell stated the hope is to have one vehicle, at least, parked in the garage with an allowance of two parking spaces on the driveway. This issue could be self policed or through a Home Owners Association. Mr. Crannell indicated that all homes will not have a 20' setback but this will be the minimum. The property site also includes a mini storage warehouse which should also minimize the probability of parking and the resident's overflow can be storage in the warehouse rather than the garages.

With this type of community needed, Mr. Foy also stated a concern of the rezoning having extremely small lots consisting of a 1200 square foot home on a 3200 square foot lot. The question was posed that if the economy crashes and some of the homes were built, what is to keep the homes from being sold to younger aged people. Mr. Crannell strongly encouraged that this type of behavior would strongly ruin the dynamics of the project. All agreed that having age limits on this development is in the best interest of Farmersville as well as the development. As Mr. Crannell stated, this synergizes the community. The community is also totally enclosed with no significant access to minimize access on purpose. There are no other plans other than what has been presented. There are no plans of deviating from this plan presented as an active adult plan. The zoning is already in place; however due to the change in dynamics brings forward the need for the rezoning. The shuffling from the original Planned Development opens the property to more open space areas with having zero lot line homes. This development is setting in motion the need for independent, high rise, adult living.

No further discussion was held by City Council.

**Item III – A) FIRST READING OF ORDINANCE – TO CONSIDER DISCUSS AND ACT UPON AN ORDINANCE TO INCREASE THE WATER AND SEWER RATES EFFECTIVE SEPTEMBER 1, 2012**

City Manager Ben White reminded the Council of Ordinance # O-2011-0426-002 which includes the scheduled water and sewer rate increases per the rate study. The increase as discussed will be the second part of Fiscal Year 2012 which is implemented by the Master Fee Schedule Ordinance as presented. The second increase was delayed from being implemented during the summer months to help customers with summer consumption. There will be a third increase in March 2013 as opposed to January. Jim Foy motioned to approve the first reading of Ordinance # O-2012-0911-007 with Billy Long seconding the motion. Jim Foy pointed out that the increase will be approximately \$20 for water and sewer. Mr. White indicated staff recommended a chart to be transparent showing the rate increase. Mr. White also stated the water and sewer funds are just now starting to break even due to the rate increases. Again the rate increase will be effective September 1, 2012. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes and Jim Foy yes. Motion passed with full Council approval.

**Item IV – A) CONSIDER, DISCUSS AND ACT UPON FISCAL YEAR 2012-2013 CITY OPERATING BUDGET AND SET THE 2012 TAX RATE**

Daphne Hamlin, City Finance Director, came before the Council presenting the changes to the budget per the Council's last direction. The vehicles have been added back into the budget and by using the \$0.6975 tax rate; \$82,000 will be taken out of reserves to balance the budget. Currently \$68,000 is being held in surplus funds due to the correction payment we received from sales tax receipts. So correctly speaking, only \$14,000 will be taken directly from



our reserve funds. City Manager Ben White replied that he and the Finance Director are still being very conservative in regard to sales tax income; however we did see a recent increase in sales tax revenues. A meeting has been scheduled with the Texas Comptroller's Office in a couple of weeks to help the City work with the sales tax which in turn will help manage and better project those income dollars.

Ms. Hamlin informed the Council that other requests made were accomplished including adding \$5,000 to the Council budget and placed funds in the TIRZ fund. Jim Foy noted that the City's operations budget is \$21,000 lower than last year.

No further discussion was held by Council on this topic.

**Item IV – B) NTMWD WATER RATE INCREASE DISCUSSION**

Mayor Helmberger stated that North Texas Municipal Water District will have representatives at our next City Council meeting on September 11<sup>th</sup> to discuss the water rate increase as well as pipeline installations and other issues related to NTMWD. Bill Harrison will also be present, the City's representative on the NTMWD Board of Directors.

Jim Foy indicated that NTMWD will have a rate increase of 14% in October which equates to \$0.20 per 1,000 gallons of water use. With infrastructure being built, all NTMWD customers will be affected by the rate increases. The rate increase by NTMWD is a pass thru cost. The increase in water use that we have seen recently is due to road construction, per City Manager Ben White. The pass through rates will also include our wholesale as well as retail customers.

**Item V – A) SET DATE FOR THE ADOPTION OF THE 2012-2013 CITY OPERATING BUDGET AND SET THE 2012 TAX RATE**

The first public hearing to set the tax rate was on this meeting's agenda. The second public hearing is scheduled for a special meeting to be held September 4<sup>th</sup> with final approval of the budget and tax rate scheduled for September 11, 2012.

No further action was taken by Council on this topic.

**Item V – B) RECEIVE A PRESENTATION REGARDING THE FARMERSVILLE RECYCLING CENTER**

Judy Brandon came before the Council and introduced the need to give a presentation to the Council letting them know how well the program is working. This program has been in place for over 20 years with Judy Brandon and Nona Gooch being two of the founding members. The program was initiated on June 28, 1990 and started in the back parking lot of City Hall; moved to the School's bus lot, and then finally the last location of the past 12-15 years has been the City's Maintenance Facility. With only volunteers at the beginning, the Council worked a couple of weekends and decided to make this a paid employee position through the contract with IESI. The program has been very successful by utilizing community service program workers. The Recycling Center is open to the public on Saturdays only from 8am-11am. IESI has been extremely supportive and has made accommodations far exceeding expectations. During the time open, the facility averages 30 cars. The service is for those who don't live inside the City of Farmersville who want to recycle. This includes Blue Ridge, Merit, and Copeville. There is even a resident from Sulphur Springs who brings recyclables. As of the first of 2012, the Recycle Center has recycled 13 ½ tons of cardboard, 19 tons of paper, 4 tons of slicks, 1 ½ tons of steel and almost 1 ton of aluminum. IESI has agreed to allow the Recycling Center to keep the steel and aluminum. Those items are hauled and sold and those funds have been donated to the Garden Club to put back into the community. To date, the Garden Club has received \$9,218 just from the sales of steel and aluminum. In 2010, the group



decided to give half the cost of the aluminum cans to the Food Pantry. Farmersville works great together and this is just another aspect of helping hands helping the community. Mrs. Brandon gave accolades to the City Employees for their help.

**Item V – C) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT BETWEEN 4B COMMUNITY DEVELOPMENT CORPORATION AND THE CITY OF FARMERSVILLE REGARDING MAINTENANCE OF PROPERTY PURCHASED BY 4B ADJACENT TO THE SPAIN ATHLETIC COMPLEX**

City Manager Ben White presented the agreement between the City of Farmersville and the 4B Community Development Corporation. Mr. White indicated that the City agrees to maintain the property, including but not limited to, mowing, landscaping, tree trimming, storm water drainage, fence row clearing, entrance maintenance and utility installation and maintenance, including but not limited to, water, sewer and electricity. The City further agrees to burden the cost of said maintenance at no cost to the 4B Community Development Corporation. Basically, the City will take care of the land purchased. Due to the fact that 4B has a loan on this property, it cannot be deemed City property until the loan is paid off; but at that time the property will be transferred to the City. Billy Long motioned to approve the agreement as presented with Pansy Hundley seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes and Jim Foy yes. Motion passed with full Council approval.

**Item V – D) CONSIDER, DISCUSS AND ACT UPON A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE 4B COMMUNITY DEVELOPMENT CORPORATION AND THE CITY OF FARMERSVILLE FOR THE MAIN STREET MANAGER**

City Manager Ben White recommended the approval of the Professional Services Agreement between 4B and the City for the Main Street Manager to bring this position under the City's organization. This arrangement is seen as the norm throughout other Main Street cities. With benefits being offered as a City employee that 4B could not offer, it makes sense for this agreement to occur. 4B, according to the agreement, will be paying the full amount of salary, benefits and cost of supplies at the first of each fiscal year. This will also open more financial opportunities for 4B since the City has more buying power. Jim Foy motioned to approve the Professional Services Agreement as presented and indicated this was a great idea. Pansy Hundley seconded the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes and Jim Foy yes. Motion passed with full Council approval.

**Item V – E) UPDATE ON WEST NILE VIRUS INFORMATION RELEVANT TO THE CITY OF FARMERSVILLE**

With West Nile virus plaguing the North Texas area, City Manager Ben White informed the Council that Collin County is taking an active role in trapping and intervention practices. The virus is transmitted by a certain type of mosquito which causes flu like symptoms. Most people do not know they have West Nile virus as their immune systems are strong. A secondary group succumbs to flu like symptoms. A third group is a great risk due to immune systems being low which is where most deaths are coming from. The virus is transmitted from birds to mosquitoes and then carried to humans. Collin County has a monitoring system at Southlake which is one of several test sites throughout Collin County. Presently there are no positive results in Farmersville. The only case near us is at the southwest part of Lake Lavon at Highland Park.

Wylie, Frisco, McKinney and Plano are spraying. The City of Farmersville has mosquito control pills that are used for standing water that will kill the larvae. Mr. White indicated he is listening to Collin County Epidemiologists and their suggestions if this problem continues to



worsen. Presently the best answer is to encourage citizens to take care of themselves by wearing long sleeved shirts, spray with repellent if you are going to be out at dusk when the mosquitoes are the worst, and remove any standing water in and around your home as this is a breeding area. Mayor Helmberger stated he encourages people to clean their gutters for leaves and standing debris as this too is a breeding ground for mosquitoes.

City Manager Ben White stated he is also taking measures through the Code Enforcement Department regarding old tires which are setting around holding water. Jim Foy recalled the City had a mosquito sprayer at one time. What if we needed to spray, how quickly could the City move forward? Mr. White indicated very quickly. In fact, a company contacted the City today offering to spray for mosquitoes. Mr. White stated he is also looking at what other cities are doing and Collin County is notifying us daily of updates. Mr. White also stated he is happy to have the mosquito control pills provided to citizens. Mayor Helmberger stated we need to stay on top of this issue and be proactive. Best method is to keep watch of the data and react accordingly. To date, there is not a defined outcome of the spraying, but Jim Foy stated there has been shown decreases of mosquitoes by aerial spraying.

**Item VI) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS**

No one had items to be placed on future agendas.

**Item VII) ADJOURNMENT**

Council adjourned at 7:17pm.

APPROVED



Joseph E. Helmberger, P.E., Mayor

ATTEST



Edie Sims, City Secretary

