

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
DECEMBER 11, 2012

The Farmersville City Council met in a regularly called session on December 11, 2012 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Joe Helmberger, Pansy Hundley, Billy Long, Russell Chandler and Jim Foy. Michael Carr was absent. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, Assistant to the City Manager Paula Jackson, Librarian Trisha Dowell, City Attorney Alan Lathrom 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 Bart Barber of First Baptist Church Farmersville offered the invocation.

Mayor Helmberger offered the guests and visitors to speak on a non-agenda item with Kimberly Trieu, owner of the shopping center located at 701 South Highway 78 came forward. Ms. Trieu requested the Council consider a zoning change or a Specific Use Permit that allows a game room to be located at her shopping center. Ms. Trieu also offered to donate \$15,000 to the City if this request is approved.

Mayor Helmberger announced that Police Chief Mike Sullivan has been appointed as a committee member for the Texas Police Chief's Association Foundation Recognition Program. Chief Sullivan explained that this position will allow him to inspect other police agencies as a board for industry standards. This is quite an honor to have our department participate with this program. Chief Sullivan's term will expire 2015.

Mayor Helmberger acknowledged the Chamber of Commerce for their efforts for the most attended Christmas Parade this past Saturday. The parade was a huge success thanks also to City staff. Pansy Hundley requested better lighting on the vehicles to read the signage.

Item II) CONSENT AGENDA

Mayor Helmberger requested to pull Item A – City Council Minutes. No other items were pulled for discussion. Billy Long motioned to approve the items B, C, D, E, F, G, H, I and J of the Consent Agenda as presented with Pansy Hundley seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item A – City Council Minutes: Mayor Helmberger stated on page 121 under Section IV-A, annexation was mentioned twice which is in error. Under Section V-C, Mayor Helmberger questioned the LED lighting in conjunction with the sidewalks being installed at the Bain-Honaker House. City Manager Ben White clarified that the LED lights tied in to the sidewalk grant which will allow lamp posts to be free to be used at the Bain-Honaker House where the sidewalks will be installed. Further down on this same topic the minutes reflected "The operation of LED lights would be approximately \$450 versus the cost of metal halide installation cost which is \$100." City Manager Ben White stated this should be a wattage comparison with LED being equivalent somewhat to 150 watt Metal Halide light, but will check the recording. Further in the section, Mayor Helmberger asked to strike the statement "center median." In section VI-E, Mayor Helmberger requested to strike "per day" in reference to the cost of a package plant. Jim Foy motioned to approve the minutes with the revisions as stated. Russell Chandler seconded the motion. A poll of the Council was taken as follows: Pansy Hundley

yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item III) INFORMATIONAL ITEMS

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

Item IV – A) READING OF ORDINANCES – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ANNEX 5.921 ACRES INTO THE CITY LIMITS OF FARMERSVILLE

Mayor Helmberger announced that the first reading was approved at the last meeting regarding the annexation of property purchased by the Community Development Corporation. With no discussion, Billy Long motioned to approve the second reading of the ordinance to annex 5.921 acres into the City of Farmersville with Russell Chandler seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item IV – B) FIRST AND ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ESTABLISH A SPECIFIC USE PERMIT FOR AMERICAN GLORY GAME ROOM LOCATED AT 2202 W. AUDIE MURPHY PARKWAY

Due to a posting error on the agenda, this topic is not allowed to be discussed as it was to have a Public Hearing prior to discussion. Therefore, City Manager Ben White recommended this topic be delayed to the next meeting.

Item V – A) CONSIDER, DISCUSS AND ACT UPON AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY REGARDING THE COLLIN COUNTY OPEN SPACE GRANT FOR CONSTRUCTION OF THE CHAPARRAL TRAIL, PHASE II

City Manager Ben White discussed the opportunity of continuing phase 2 of the Chaparral Trail project with funding from the Collin County Open Space Grant. With this grant, a total of \$300,000 will be spent on this project with \$150,000 being offered through the grant, \$50,000 being offered through the Farmersville Community Development Corporation and the remaining \$100,000 will be funded through City funds. Billy Long motioned to approve the Interlocal agreement with Jim Foy seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item V – B) CONSIDER, DISCUSS AND ACT UPON EXTENDING AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR ANIMAL SHELTERING SERVICES FOR \$9,586.00 FOR FISCAL YEAR 2012-2013

City Manager Ben White indicated that the request presented is for this years' budget item; however the initial contract with Collin County for animal sheltering services expires 2016. The amount proposed is the correct amount the City has in this year's budget. Chief Sullivan also stated that the amount budgeted equals to about 80 animals per year utilizing the sheltering services which is on target with our quantity over the past several years. Pansy Hundley motioned to approve extending the Interlocal agreement for animal sheltering services with Jim Foy seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item V – C) CONSIDER, DISCUSS AND ACT UPON EXTENDING THE CONTRACT WITH GAY, MCCALL, ISAACKS, GORDON & ROBERTS, ATTORNEYS FOR THE COLLECTION OF DELINQUENT TAXES FOR THE CITY OF FARMERSVILLE

City Manager Ben White stated that the law firm stated serves several cities and that the contract presented is a standard contract. The firm will make collections on all delinquent property taxes. Jim Foy stated the 15% charge is standard. Russell Chandler motioned to approve extending the contract with Gay, McCall, Isaacks, Gordon and Roberts for their services to collect delinquent property taxes for the City of Farmersville with Jim Foy seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item V – D) CONSIDER, DISCUSS AND ACT UPON RECOMMENDATION FROM CITY ENGINEER FOR THE CONSTRUCTION OF THE TEXAS CAPITAL FUND MAIN STREET SIDEWALK GRANT – PHASE 2 AND ALLOW THE CITY MANAGER TO EXECUTE ALL FUTURE DOCUMENTATION REGARDING THIS GRANT

City Manager Ben White informed the Council that Phase 2 of the Main Street Sidewalk Project will fulfill the grant through the Texas Capital Fund. Daniel and Brown have recommended SFCC, Inc. as the contractor to be awarded the project and proceed with just the sidewalks. The City is working with the Farmersville Historical Society on the fence at the Bain-Honaker House. Mr. White recommended SFCC, Inc. to be approved so the project can move forward. Cycle time for completion is 60 days. Pansy Hundley recommended utilizing Collin County inmates to provide labor for the fence work at the Bain-Honaker House. Mr. White informed the Council of other areas that will have upgrading of the sidewalks and include ramps to meet ADA Compliance that will be transitional changes. Mr. White stated he will provide more details of the project at the next meeting. Russell Chandler motioned to approve SFCC, Inc. as the bid award for the sidewalk grant with Pansy Hundley seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item V – E) CONSIDER, DISCUSS AND ACT UPON AN INDIRECT SALES AGREEMENT WITH ITRON FOR SOFTWARE USED WITH THE AUTOMATED METER READING SYSTEMS

City Manager Ben White informed the Council of the automated meter reading systems and the need for the indirect sales agreement with Itron. This sales agreement will protect proprietary software and devices which is a standard form used for these purposes. Mr. White suggested completing the contract by adding the total amount of endpoints which will include all the systems to be installed along with a few extra for the future expansion of water metering devices. By completing the contract with the total amount of endpoints, this will also eliminate the need to return to the Council for a continuing contract for more endpoints. Per Pansy Hundley's question whether this system will be used for water and electric, Mr. White stated the water system will be the only system utilizing the automated meter reading systems. Mr. White reviewed the reasons of prototyping 50 units which will allow the trial of the technology and work out any bugs or flaws before fully investing in a complete system. If the system does not work, we are allowed to return the units. However, all the data will belong to the City of Farmersville. Jim Foy expressed concern of contracting for the full amount and preferred the City contract for 50 endpoints. The Council concurred to contract with Itron for 50 endpoints. Jim Foy motioned to approve an indirect sales agreement with Itron for 50 endpoints with Billy Long seconding the

motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item V – F) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION FOR PUBLICLY OWNED ITEMS TO BE SOLD AT AN AUCTION

Police Chief Mike Sullivan informed the Council that the property to be sold at an auction was awarded to the Police Department through the court system as seized vehicles. Jim Foy motioned to approve the Resolution with Pansy Hundley seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – G) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION TO NAME THE PUBLIC SAFETY BUILDING THE CHARLES R. CURINGTON PUBLIC SAFETY BUILDING

Mayor Helmberger stated he has been approached by several residents of Farmersville to have the Public Safety Building named after Charles Curington. Mayor Helmberger then read an article regarding Mr. Curington when he and his wife were inducted in the Farmersville ISD Hall of Fame. Mr. Curington was also acclaimed for his organization of the gun fighter event at Old Time Saturday by Pansy Hundley. Jim Foy also indicated how Mr. Curington has been extremely active by serving as the President of the Collin County Fire Association from 1984-1999 and is a current member of the Farmersville Ex-Student Association. Having the building named after Charles Curington is very appropriate. Mayor Helmberger read the resolution presented with Russell Chandler making a motion to name the Public Safety Building the "Charles R. Curington Public Safety Building." Jim Foy seconded the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – H) UPDATE ON COMPREHENSIVE PLAN

City Manager Ben White informed the Council that a review of the draft plan including a map review will be accomplished on December 13th with Janet Tharp. At that time, this session will allow the review of the completed product and a briefing prior to the Farmersville Economic Development Corporation Board on December 19th. With minor updates, the plan should be ready for the approval stages through the Planning and Zoning Commission on January 24th and final approval through the Council on February 12th. Public review will be made available on the website as soon as appropriate. Good progress is being made toward the Comprehensive Plan being completed.

ITEM V – I) UPDATE ON THE ELECTRICAL SYSTEM

With the Economic Development Corporation funding the model and inventory of our electrical system, City Manager Ben White indicated that the inventory is 50% complete. The deadline is scheduled for March 2013 to have the entire inventory complete and be ready for suggested improvements to be presented to the City Council for review.

The surcharge rate for the electric bills will be added to the January agenda as the second reading was not on the December agenda. This surcharge will generate the funds needed for the relocation of electrical utilities for the Safe Routes to School grant.

Mayor Helmberger stated the inventory will help assess whose property is located on the light poles and who is responsible for specific lines. The model is complete except for the adjustments from the inventory. The deficiencies will be shown as well.

Jim Foy stated Sharyland is to come before the Council in February for their annual report per our contract. No action was taken by the Council.

ITEM V – J) CONSIDER, DISCUSS AND ACT UPON A REVOCABLE LICENSE AGREEMENT WITH ONEOK STERLING III PIPELINE, LLC REGARDING THE PERMISSION TO CONSTRUCT AND INSTALL AN UNDERGROUND NATURAL GAS PIPELINE CROSSING THE CHAPARRAL TRAIL

Darlene Tanner, representative for Oneok Sterling III Pipeline, LLC, came before the Council to answer questions surrounding the revocable license agreement. Mayor Helmberger requested a change added under "Installation and Maintenance of Improvements" to include or other utilities so licensed by the City. The exhibits need to have the word "easement" removed and the detail from Exhibit A needs to reference this agreement.

Ms. Tanner stated that normal crossings, the recipient is offered \$500, but because Oneok wishes to be good neighbors they would like to make an offer of \$2,500 for the revocable license for permission to construct and install an underground natural gas pipeline crossing the Chaparral Trail. Council discussed if the offer on the table covers all the costs incurred by the City. Presently, attorney fees incurred equal \$705. Mayor Helmberger stated he wanted to have the depth checked to ensure that nothing is disturbed or encroached upon. Jim Foy motioned to approve the Revocable License with the changes stated and a payment of \$3,000. Darlene Tanner replied done. Russell Chandler seconded the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – K) UPDATE ON HIGHWAY 380 TXDOT PROJECT

City Manager Ben White gave an update on the Highway 380 TxDOT Project by reading the progress schedule as provided by TxDOT. Jim Foy questioned if the Main Street Bridge will have one lane open at a time. Closings will be from time to time and will be different closures at different times. The Main Street Bridge itself will be down for a period of time after outside lanes are built first. Mr. White stated he will attain clarification and present it at the next meeting. Mr. White stated he will speak with TxDOT to find ways to shorten the time that Main Street will not be accessible.


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

Pansy Hundley questioned if the Seaway pipeline would have a presentation in January. Jim Foy requested an item for the January 8th meeting to discuss the portion of the Sign Ordinance as it relates to digital signs.

ITEM VIII) ADJOURNMENT

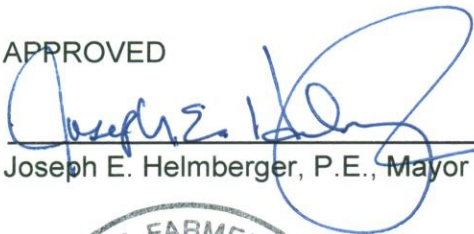
Council adjourned at 7:11pm.

ATTEST



Edie Sims, City Secretary

APPROVED



Joseph E. Helmberger, P.E., Mayor

