

FARMERSVILLE CITY COUNCIL  
MEETING MINUTES  
FEBRUARY 12, 2013

The Farmersville City Council met in a regularly called session on February 12, 2013 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. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, Court Clerk Christi Dowdy, Librarian Trisha Dowell, Finance Director Daphne Hamlin, City Engineer Eddy Daniel, 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. Bishop Marbles of the Church of Jesus Christ of Latter Day Saints - Farmersville offered the invocation with Mayor Helmberger leading the audience in the Pledge of Allegiance to the American Flag.

Mayor Helmberger offered the guests and visitors to speak on a non-agenda item with no one coming forward.

During the announcement section, Mayor Helmberger announced February is "Love Your Library" Month at the Rike Library. The Fire Department has accepted delivery of the new fire engine and first responder pick-up truck. Collin County Commissioner's Court will be holding Community Workshops regarding the Mobility Plan for 2013. Patience McGee, the Utility Services Coordinator, gave birth to her son Talon Bayne McGee, congratulations.

**Item II) CONSENT AGENDA**

Mayor Helmberger asked the Council if any items were needed to be pulled for discussion. Jim Foy requested Item B – City Financial Report be pulled and Mayor Helmberger requested Item H – Public Works Report be pulled for discussion. Billy Long motioned to approve all other items with the exception of Item B and H on the Consent Agenda 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 B – City Financial report: Jim Foy stated the financials appear to be in good shape but asked for clarification regarding the sales taxes. Daphne Hamlin, Finance Director, stated the sales tax reports are 30-60 days behind. The last report of sales taxes spent in Farmersville was for the November sales tax dollars. When the State Comptroller reports the updates, Ms. Hamlin stated she will report to the Council. Jim Foy motioned to approve Item B 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 H – Public Works Report: Mayor Helmberger requested City Manager Ben White to expound on the Special Projects regarding Farmersville Parkway Phase 3. Mr. White stated he has met with Collin County Engineering recently. Collin County has been discussing using discretionary funds to go forward with these bond projects which include Farmersville Parkway Phase 3. Collin County has requested to work with Farmersville to get this project underway. Under the terms of the bond agreement with Collin County, the City has a match of \$1,900,000. The project itself will take 4-5 years to complete. Mr. White encouraged the use of the discretionary funding through Collin County. Mayor Helmberger stated in an agreement between the City and Collin College, the City has agreed to have Farmersville Parkway completed by the time the doors open at the College. Since the plans were done several years



ago, new cost estimates will need to be acquired. Council concurred to work with Collin County regarding the use of discretionary funding to get this project off the ground. Billy Long motioned to approve Item H 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 III) INFORMATIONAL ITEMS

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

### Item IV – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A REQUEST FOR REPLAT IN THE ASTON ESTATES SUBDIVISION FOR THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS CHURCH LOCATED AT 513 SYCAMORE WHICH IS AT THE CORNER OF JOUETTE AND SYCAMORE STREETS

Mayor Helmberger opened the Public Hearing at 6:13pm and asked for those FOR the replat for the Church of Jesus Christ of Latter Day Saints Church to step forward. Don Vandiver, Architect for the project, came forward stating he is for the replat and will answer any questions. With no one else coming forward, Mayor Helmberger asked for those OPPOSING the replat. With no one coming forward, Mayor Helmberger closed the Public Hearing at 6:14pm.

City Manager Ben White indicated staff has recommended approving the replat and the replat was also approved by Planning & Zoning Commission. Mr. White also informed the Council a 12" water line will be in support of the project area which is to be paid by bond funds. Jim Foy questioned if all issues/problems have been resolved with Mr. White stating yes. The radiuses of the fire hydrants meet specifications and all drainage issues have been addressed. Per Mayor Helmberger, a great improvement will be the burning along the west fence of the Lincoln Heights Subdivision which will allow water to flow away from the existing homes.

Jim Foy questioned the screening of the dumpster which will be located on the Church's property. Mr. Vandiver indicated the gate style has not been addressed but a masonry screen wall will be included with the permitting process.

Russell Chandler motioned to approve the replat for the Church of Jesus Christ of Latter Day Saints 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 IV – B) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON THE ONLY READING OF AN ORDINANCE TO AMEND THE PLANNED DEVELOPMENT ORDINANCE FOR THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS LOCATED AT 513 SYCAMORE STREET, FARMERSVILLE

Mayor Helmberger opened the Public Hearing at 6:19pm and asked for those FOR the amendment to the Planned Development Ordinance for the Church of Jesus Christ of Latter Day Saints. Kirk Curden, a member of the LDS Church, stated the Church has a great desire to have their own building and be a part of this community. With no one else coming forward, Mayor Helmberger requested those OPPOSING the Planned Development Ordinance amendment to come forward. With no one coming forward, Mayor Helmberger closed the Public Hearing at 6:20pm.

Jim Foy questioned if the site plan presented replaces the previous version. Alan Lathrom, City Attorney, came forward to clarify the ordinance and site plan hierarchy. An original Planned Development for the LDS Church was approved by ordinance in 2002. After which, a second site plan was approved in 2005; however an ordinance was not presented to



approve the changes documenting the second site plan. The ordinance presented properly tracks the changes made and documents proper approval. Jim Foy motioned to approve the ordinance as presented approving the Planned Development for the Church of Jesus Christ of Latter Day Saints. Billy Long 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 IV – C) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A RECOMMENDATION TO ADOPT THE NEW COMPREHENSIVE PLAN AND REPLACE THE EXISTING LAND USE PLAN BY FIRST READING OF AN ORDINANCE**

Mayor Helmberger opened the Public Hearing at 6:23:30pm and asked for those FOR the adoption of the new Comprehensive Plan and to replace the existing Land Use Plan. Eddy Daniel, City Engineer, stated his firm has worked directly with Janet Tharp who has been the Planner working on this project. The Comprehensive Plan is a very extensive product being prepared at a good time. There was a previous issue regarding mixed use, but this has been rectified and added to the Plan presented.

Mayor Helmberger stated there is a timing factor needing to be clarified under Chapter 7: Strategy. The timing of implementation of strategies will be determined by the amount of funding which becomes available. Targets are necessary but with minimal staff, the operation of the City comes first. Eddy Daniel stated the timeline gives the expectancy of time to complete a goal. The implementation of the Plan makes the Plan effective. Mayor Helmberger also stated the continuity reflects the way Farmersville will grow.

Jim Foy stated we must all be more conscientious of keeping the Plan updated. Mr. Foy also encouraged the audience and all citizens to read the document. City Manager Ben White expressed great appreciation to the Farmersville Economic Development Corporation for funding this project. Billy Long motioned to approve the first reading of the ordinance which adopts the Comprehensive Plan with Russell Chandler seconding the motion. Jim Foy added this Plan includes the Thoroughfare and Land Use maps. 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 – A) SECOND READING TO CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO AMEND/CHANGE THE REGULATIONS FOR THE USE OF THE CHAPARRAL TRAIL**

The Council approved the first reading of an ordinance to amend/change the regulations for the use of the Chaparral Trail. Russell Chandler motioned to approve the second reading of said ordinance 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) ONLY READING TO CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO AMEND ORDINANCE # O-2012-1113-002 REGARDING FUNDING THROUGH THE GENERAL FUND FOR THE MAIN STREET LIGHTING PROJECT**

City Manager Ben White encouraged the Council to approve the ordinance so the Main Street Lighting Project could be completed in conjunction with the Texas Capital Fund grant which is funding the downtown sidewalk/lighting project. Billy Long motioned to approve the ordinance as presented 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 V – C) ONLY READING TO CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO AMEND THE BUDGET ALLOWING A RIFLE PURCHASE PROGRAM EXPENDITURE**

Police Chief Mike Sullivan came before the Council describing details of the program. The firearm purchased by the City must be completely paid during the course of the fiscal year from each officer. Payment will be paid through each officer's paycheck until the firearm is paid for. Mayor Helmberger stated at the last meeting in January, Council requested City Manager and Police Chief to move forward with this process allowing the City to purchase a rifle and allowing the officers to purchase the rifle through the City incrementally. Billy Long motioned to approve the ordinance 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 V – D) ONLY READING TO CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO AMEND THE SPEED LIMIT ALONG HIGHWAY 380 DURING THE CONSTRUCTION OF HIGHWAY 380**

City Manager Ben White stated the Council approved an ordinance to reduce the speed limit from 50 mph to 35 mph along the construction zoned area on Highway 380. After speaking with TxDOT, it is clear the speed limit will not be lowered to 35 mph. TxDOT will support a 40 mph speed limit and have enforceable signage. The local TxDOT office will submit the ordinance to Austin for final approval. Jim Foy motioned to approve the ordinance amending the speed limit from 35 mph to 40 mph. Billy Long 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 VI – A) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION TO ADOPT THE RIFLE PURCHASE PROGRAM AND POLICY**

Police Chief Mike Sullivan reviewed the Rifle Purchase Program Policy informing the Council the City will purchase the rifles through utilizing the City's buying power. Each officer will have payroll deductions during the same fiscal year in which the purchase was made. The officer must have the purchase completely paid by the end of the fiscal year. Chief Sullivan also informed the Council in the event an officer terminates his employment with the City, repayment of the full amount due will be paid through deduction of the last paycheck. Russell Chandler stated he spoke with Rockwall Police Department and this program has been very successful. Other departments as well were contacted and a successful report was given for each department. No issues have been reported. Mr. Chandler continued if an officer owns the firearm, the officer will take better care of the property. Billy Long motioned to approve the resolution adopting the Rifle Purchase Program and Policy 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 VI – B) CONSIDER, DISCUSS AND ACT UPON A PRESENTATION FROM A REPRESENTATIVE WITH DIANA MCIVER & ASSOCIATES REGARDING A POTENTIAL DEVELOPMENT AT MURPHY’S CROSSING AND A REQUEST FOR FUNDING**

A contact from Diana McIver & Associates contacted City Hall today informing the project has been placed on hold. There will not be funding in their budget this year to continue with the development project.

**ITEM VI – C) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT WITH LAKEHAVEN MUD**

Kyle Kruppa, representative for Lakehaven MUD, came before the Council to discuss the agreement between the City of Farmersville and Lakehaven MUD. The negotiating point has been the wastewater treatment facility which Lakehaven MUD has recently attained a wastewater permit through Texas Commission on Environmental Quality (TCEQ). When Lakehaven is developed, the District will need 500,000 gallons per day of wastewater treatment which meets their needs for expansion. The area is convenient for the City as well and would allow the City to expand the wastewater needs to that area.

Kyle Kruppa stated Lakehaven would like to obtain a wastewater treatment plant agreement with the City of Farmersville and North Texas Municipal Water District (NTMWD). This would allow a plant to be built and allow expansion to that area as well as needed capacity for the current City system. The Agreement will express how transactions will be performed between the City and Lakehaven MUD. Mr. Kruppa stated that a wastewater treatment permit has been obtained with an agreement to include the City of Farmersville and NTMWD. This permit will allow the City and NTMWD to operate the facility and the MUD will be the third operator on the list.

Mayor Helmberger stated the main issue for the City is having a plant in operation. With this agreement, the land is secured and gives the City the ability to use the plant and the City will gain the land as well once the development has been annexed into the City.

The property includes 476 acres and 10 acres will be dedicated to a wastewater treatment facility. Mayor Helmberger stated the number one goal other than having a quality development is to have zero cost to the citizens of Farmersville to provide public services to this development. Once the development has been brought into the City, the City will incur zero debt from the development. Also the cost of all infrastructure will be upon the developer and not the City.

Per Mr. Kruppa, having this development will be a tool to utilize the wastewater treatment permit and allow the City to use the land for the wastewater treatment facility. Mayor Helmberger stated the needs for the City’s sewer system are reaching a capacity issue that must be rectified. Having a wastewater treatment facility and connecting our existing wastewater lines to the new facility located in the MUD’s jurisdiction will not be a long term solution, but this will give us time to plan for future wastewater needs. City Manager Ben White encouraged the Council to rethink the existing plan with our City Engineer Eddy Daniel.

Jim Foy questioned if Farmersville Investors, owner of the Lakehaven MUD, claim bankruptcy will the City be responsible or affected. City Attorney Alan Lathrom indicated the City will not be responsible for existing debt. Debt will be dealt with through the bankruptcy proceedings. Jim Foy also questioned the agreement presented as not specifying ambulance or First Responders as an emergency service provided. Fire Chief Kim Morris stated Collin County provides funds for our department to go outside the City limits. However, a formula is being prepared by the Collin County Fire Association which may include the population count and the number of calls. City Attorney Alan Lathrom stated the agreement can be modified to



define fire services and include First Responders. Details have not been worked out to determine the payment for police services; however, this issue will be resolved to also include a dedicated office, equipment, and an area for fire trucks. The formula may be based on meter connections. City Attorney Alan Lathrom stated it is not as easy to allocate funds to provide police services with Mayor Helmberger adding to document expenses once this development requires services. Chief Sullivan added that with the anticipated population after build out to be upwards of 4,000, Police Officers would be dedicated to the District. Manpower will be based upon the growth rate.

Jim Foy questioned whether the annexation would occur 15 years or 20 years after the agreement with Mr. Lathrom stating the development agreement is under the general contracting terms to allow annexation after 20 years. Mr. Foy requested clarification regarding the infrastructure with Mayor Helmberger emphasizing the Utility District must install all infrastructure under City standards but will be owned by the District. There will be no obligation costs to the City. Homeowners will, upon purchase of their home, pay back toward the cost of the bond. Jim Foy motioned to approve the agreement providing terminology is added regarding First Responder services. Billy Long 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 VI – D) CONSIDER, DISCUSS AND ACT UPON SHARYLAND UTILITIES ANNUAL REPORT**

Greg Boggs, Paul Schultz and Dwight Yarborough, all representatives of Sharyland Utilities, came before the Council presenting the 2012 Annual Report. Sharyland constructed 4 new service connections during 2012 and completed work along Highway 380 relocating the electric facilities for the highway expansion project. The annual tree trimming program was completed in December 2012 which was equivalent to 2.24 miles of trees being trimmed costing \$19,930. The expectation is to reduce the number of outages due to tree limbs in the electric lines. Three major causes create outages which include lightning, animals and trees coming into contact with the power lines. During 2012, Sharyland restored power for 26 outages. The average outages have been 32 during the past 5 years. There were no major outages involving a substation in which a piece of equipment failed during 2012. When an outage does occur, the City pays the equipment costs and Sharyland provides all the labor costs. City Manager Ben White informed the Council the transformers are Sharyland Utilities' equipment, the City does not own this function. All representatives thanked the Council and the City for continuing a relationship with Sharyland and look forward to another year of service in 2013.

No action was taken by Council as this was an annual report.

**ITEM VI – E) PRESENTATION FROM COMMUNITY WASTE DISPOSAL REGARDING ANNUAL REPORT**

Casey Zandt, representative of Community Waste Disposal (CWD), came before the Council to present the 2012 Annual Report. CWD has began promoting commercial recycling and hope to have a good response. Only 1 incident occurred during 2012 which involved the CWD driver clipping tree branches which constituted a complaint by a resident. During 2012, CWD worked with the Farmersville ISD where over 2,400 pounds of recyclables was picked up. Jim Foy stated he appreciates CWD working with our recycling center that is open on Saturday's at the Public Works Maintenance Barn. All the metal being collected is sold and the funds go back to the Garden Club and the Food Bank.



Mr. Zandt informed the Council that new programs are being implemented to include door to door hazardous waste removal which is an extreme green program.

No action was taken by Council as this was an annual report.

**ITEM VI – F) CONSIDER, DISCUSS AND ACT UPON THE FLAG POLE/GARDEN PROJECT IN FRONT OF CITY HALL**

City Manager Ben White stated that flag poles have been installed at the Senior Center, Library and Public Safety Building. Mr. White would like to extend the front area and place 3 flags in front of City Hall. The Farmersville Community Development Corporation has funded the extension project which is comprised of taking up the parking spaces in front of the building and making the entry to City Hall ADA compliant.

Oak Grove Landscaping was asked to provide a plan of where to place the flag poles and show gardens and the re-setting of the monument sign. By placing flag poles in front of City Hall, the improvements will be attractive in front of the building and solve ADA compliancy issues. Foliage and irrigation will be installed at a later time. The parking will be shifted between City Hall and the Visitor's Center with a proper pad entry into City Hall. Perhaps in next year's budget, we can plan for a retainer wall and move the City's monument sign. The Farmersville Community Development Corporation is paying for the placement of the flag poles. Mayor Helmberger stated the Marketing Committee will fund the revitalization of the sign to give it new life.

City Manager Ben White requested the Council to direct whether they would like to move forward and since given the bare bones of this project, more details could be presented at a future agenda. With ADA being a serious problem, Jim Foy motioned to approve moving forward with the flag pole/garden project in front of City Hall with Billy Long 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 VI – G) CONSIDER, DISCUSS AND ACT UPON AWARDING THE BIDS FOR LED AND LIGHT POLES AND AN ELECTRICIAN REGARDING THE TEXAS CAPITAL FUND GRANT FOR THE DOWNTOWN LIGHTING PROJECT AND ALLOW THE CITY MANAGER TO EXECUTE ALL DOCUMENTS REGARDING THE PROCUREMENT OF THIS PROJECT**

Eddy Daniel, City Engineer, presented the Small Purchase Procurement documents regarding the three sections bids for the Texas Capital Fund Grant Project and his recommendations for awarding the bids. With each section, a separate vote was taken as follows:

For the LED Lights, Russell Chandler motioned to award the bid to Elliott Electric Supply with Jim Foy 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.

For the Street Lights, Billy Long motioned to award the bid to Brandon Industries, Inc. 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.

For the Electrician, Russell Chandler motioned to award the bid to Foltz Electric with Jim Foy 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.

City Manager Ben White stated the City will provide labor and use the \$40,500 grant funds to cover the costs of material. Any costs over the \$40,500 provided through the grant will be incurred by the City.



#### **ITEM VI – H) UPDATE ON MAIN STREET/LIGHTING PROJECT**

City Manager Ben White informed the Council the old lamp posts have been removed from the downtown square area in preparation of the new specified lamp posts to be installed by February 24<sup>th</sup>. With the lamp posts down on the square, the area is very dark. Grant funds were provided to make this project happen with City funds to complete the project. No action was taken by Council as this was an update report.

#### **ITEM VI – I) UPDATE ON CHAPARRAL TRAIL PROJECT**

City Manager Ben White informed the Council that Phase 1 of the Chaparral Trail project will be completed by the end of February. Due to weather and other issues, this phase took longer than expected. Mayor Helmberger stated the camping area came out very well. The decomposed granite is a very good walking surface.

City Manager Ben White also informed the Council that the Farmersville Community Development Corporation funded \$5,000 for sod which will complete the area very nicely.

Phase 2 of the project will be funded 1/2 through the Collin County Open Space funds, \$50,000 is being provided by the Farmersville Community Development Corporation and \$100,000 is being provided through City funds. When the Chaparral Trail is completed with all phases, it is anticipated the \$950,000 will have been spent to improve this park area. Mayor Helmberger stated the Trail is amazing and our section has had high regard from other areas including the North East Texas Trail Association.

Mayor Helmberger stated an inaugural event will take place on May 18<sup>th</sup> called "Meet in the Middle." Equestrians, bike enthusiasts, runners and walkers will be beginning at either point of the Trail and meet in Paris, Texas which is the middle area between New Boston and Farmersville. A golden spike is to be driven in Farmersville at the beginning of the Trail at 7:00am and the same will occur in New Boston. This will be quite the event according to Mayor Helmberger. No action was taken by Council as this was an update report.

#### **ITEM VI – J) UPDATE ON ELECTRICAL SYSTEM**

City Manager Ben White stated McCord Engineering has completed the inventory of the electrical system and has approximately 25% of the appraisal activity completed. Planning of the electrical system is on track and will be reported at a future Council meeting. No action was taken by Council as this was an update report.

#### **ITEM VI – K) UPDATE ON MAIN STREET BRIDGE, CLOSURES AND HIGHWAY 380 IMPROVEMENTS**

With the Main Street Bridge being struck again, plans for demolition came together this past Friday between TxDOT and the City of Farmersville. Within 24 hours, the Main Street Bridge came down and traffic has been routed accordingly. The original bridge was built in 1942. City Manager Ben White stated he is continuing to work with TxDOT to provide proper signage through the construction of the Main Street Bridge area. The jughandles (ramps) are to be repaired by TxDOT to give a better surface for travel. With having the Main Street Bridge down, TxDOT stated that particular part of the project will be longer about having a new bridge installed due to the timing. No action was taken by Council as this was an update report.

#### **ITEM VI – L) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION TO CEASE COLLECTING A 1% FEE FROM CABLE SERVICE PROVIDERS FOR A MUNICIPAL STATION**

City Secretary Edie Sims recommended the Council approve the Resolution as the City does not have intentions of providing a televised channel through the City. Russell Chandler



motioned to approve the Resolution as presented with Billy Long 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 VI – M) DISCUSS SOIL CONDITIONS OF DELINTING PROPERTIES OFF BUCKSKIN AND SUMMIT**

Jim Foy requested this item to be discussed by the Council. Mr. Foy indicated that the City of McKinney had received grant funds to assist private land owners which would have soil tested and move forward with Brownfields assessments. There is a property in Farmersville located to the east of Buckskin where delinting transpired during the cotton ginning time. Mayor Helmberger stated since this is private property, it is unclear what the City can do. Council concurred to pursue information and report back to the Council.

**ITEM VI – N) DISCUSSION REGARDING INCIDENT AT QUICK CHECK ON JANUARY 23, 2013**

Police Chief Mike Sullivan came before the Council and informed of an incident that occurred at Quick Check on January 23, 2013. An officer engaged with a male suspect which was believed to be wanted on federal warrants. The suspect ran inside Quick Check and was pursued in the restroom where a physical confrontation took place. The officer unholstered his gun in preparation to protect himself. The suspect's girlfriend came into the restroom where the officer fought off both individuals. During the struggle, the officer accidentally pulled the trigger while trying to holster his gun. No one was injured during the confrontation. After having the situation under control, the male suspect was charged with having methamphetamines and the female was charged with interfering with an officer's duties. Collin County was contacted and an investigation concurred that the bullet hole that was in the restroom wall was consistent with trying to reholster the gun. Chief Sullivan offered to pay for damages to the restroom and all issues have been resolved at Quick Check. No action was taken by Council as this was an update report.

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

Billy Long requested the Council visit the burning ordinance in place and see if burning could be allowed under certain circumstances.

No one else requested items for future agendas.

**ITEM VIII) ADJOURNMENT**

Council adjourned at 8:09pm.

ATTEST

  
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Edie Sims, City Secretary

APPROVED

  
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Jim Foy, Mayor Pro-Tem

