

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
MARCH 12, 2013

The Farmersville City Council met in a regularly called session on March 12, 2013 at 6:00pm in the Council Chambers at City Hall with the following members present: Russell Chandler, Michael Carr and Jim Foy. Absent were Mayor Joe Helmberger, Billy Long and Pansy Hundley. Staff members present were City Manager Ben White, Police Sergeant Brian Alford, Fire Chief Kim Morris, Assistant to the City Manager Paula Jackson, Court Clerk Christi Dowdy, Librarian Trisha Dowell, Finance Director Daphne Hamlin, City Attorney Alan Lathrom and City Secretary Edie Sims.

Item I) CALL MEETING TO ORDER, ROLL CALL

Mayor Pro-Tem Jim Foy called the meeting to order. Edie Sims called the roll and announced a quorum was present. Russell Chandler offered the invocation with Mayor Pro-Tem Foy leading the audience in the Pledge of Allegiance to the American Flag. All visitors were welcomed and offered an opportunity to speak on a non-agenda item with no one coming forward.

Mayor Pro-Tem Foy announced and welcomed Shannon Dekker as the newest employee of the City. Ms. Dekker will hold the position of Customer Service Representative.

Mayor Pro-Tem Foy announced a Proclamation observing Poison Prevention Week from March 17 – 23, 2013.

Item II) CONSENT AGENDA

Mayor Pro-Tem Foy asked the Council if any items were needed to be pulled for discussion. Michael Carr requested Item F – Fire Department Report be pulled and Item H – Public Works Report be pulled for discussion. Russell Chandler motioned to approve all other items with the exception of Item F and H on the Consent Agenda with Michael Carr seconding the motion. A poll of the Council was taken as follows: Michael Carr yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item F –Fire Department Report: Michael Carr gave congratulations to the Fire Department and all that participated for achieving an ISO rating from a 3 to a level 2. Per Fire Chief Kim Morris, this rating places Farmersville in the top 1.43% of all paid and volunteer Fire Departments. Fire Chief Morris also expressed thanks to the Public Works Department for their shared efforts in making this rating becoming a reality. City Manager Ben White stated level 3 offers cost savings for commercial businesses whereas level 2 saves money for residential properties. Russell Chandler motioned to approve Item F with Michael Carr seconding the motion. A poll of the Council was taken as follows: Michael Carr yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item H – Public Works Report: Michael Carr requested City Manager Ben White to inform the citizens of which projects are underway and the next project on the plan. Mr. White stated he will offer information with available avenues. Sycamore Street will be the first project which is planned to begin at the end of this week or the first of next week. The second project is Hamilton Street between Pendleton and Gaddy, which is being surveyed. Michael Carr motioned to approve Item H with Russell Chandler seconding the motion. A poll of the Council was taken as follows: Michael Carr 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 DISCUSS AND PROVIDE INPUT REGARDING THE FINAL PERFORMANCE AND A PROPOSED AMENDMENT TO ITS 2010 TEXAS CAPITAL FUND MAIN STREET CONTRACT 710232

Mayor Pro-Tem Foy opened the Public Hearing at 6:10pm and asked for those FOR the final performance and proposed amendment regarding the 2010 Texas Capital Fund Main Street Grant to step forward. With no one coming forward, Mayor Pro-Tem Foy asked for those OPPOSING final performance and proposed amendment regarding the 2010 Texas Capital Fund Main Street Grant to step forward. With no one coming forward, Mayor Pro-Tem Foy closed the Public Hearing at 6:11pm.

No action was taken by the Council.

Item V – A) SECOND READING TO CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO AMEND THE MASTER FEE SCHEDULE TO INCREASE THE WATER AND SEWER RATES EFFECTIVE MARCH 1, 2013; ADD AN ADMINISTRATIVE FEE; AMEND THE ZONING AND REZONING APPLICATION FEES WHICH INCLUDE SPECIFIC USE PERMITS, AND APPEALS TO THE BOARD OF ADJUSTMENT; AND ADD A PRE-PERMIT PLAN REVIEW RETAINER FEE

The Council approved the first reading of the ordinance presented at the last Council meeting. Russell Chandler motioned to approve the second reading of said ordinance with Michael Carr seconding the motion. A poll of the Council was taken as follows: Michael Carr yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item V – B) FIRST READING TO CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ADOPT THE 2009 INTERNATIONAL FIRE CODE

City Manager Ben White encouraged the Council to approve the ordinance. With the City approving the 2009 International Fire Code, the ISO Level 3 can be lowered to a Level 2. ISO Level 3 offers monetary savings for commercial properties whereas Level 2 offers monetary savings for residential properties. Going to Level 2 gives all citizens the benefit of lowered insurance rates which is a cost savings. Mr. White and Chief Morris reviewed the changes from the existing 2006 Code to the proposed 2009 Code. There were minimal changes that would affect our City in a substantial manner. The Chamber of Commerce was asked to inform the Chamber membership if there were problems or concerns regarding implementing the 2009 version with no one responding. Mr. White indicated he does not see down side and recommends the Council to approve the ordinance as presented. Russell Chandler motioned to approve the ordinance as presented with Michael Carr seconding the motion. A poll of the Council was taken as follows: Michael Carr yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – A) CONSIDER, DISCUSS AND ACT UPON AWARDED THE BID FOR PHASE 2 OF THE CHAPARRAL TRAIL PROJECT

Per City Manager Ben White, the bidding process provided Northstar Construction as the recommended bid award for Phase 2 of the Chaparral Trail project. The bid amount was \$236,527.50 which came underbid of the project which will allow alternate items to be added to bring the project total to \$300,000. Another positive which came from the bidding process was a high recommendation of Northstar from one of their competitors. Once construction documents are completed, the construction is expected to be complete within 90 days which

means mid-summer for this portion of the project. Russell Chandler motioned to award the bid for Phase 2 of the Chaparral Trail project to Northstar Construction with Michael Carr seconding the motion. A poll of the Council was taken as follows: Michael Carr yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – B) PRESENTATION OF THE FISCAL YEAR 2011 – 2012 ANNUAL AUDIT REPORT FROM RUTHERFORD, TAYLOR AND COMPANY

Robert Lake, CPA and representative of Rutherford, Taylor and Company came before the Council prepared to answer any questions or concerns regarding the 2011 – 2012 Annual Audit. Mr. Lake came to the last Council meeting on February 26th with the original presentation of the audit; however Mayor Helmberger was not present and the Council did not review the documentation prior to the meeting. With that, Mr. Lake stated that a few components of the audit had changed from previous audits which included a supplement for the Economic Development Corporation and the Community Development Corporation rather than blending those Corporations into the audit as a whole. With this separation, Mr. Lake feels it is better for those organizations and the City. Net assets for the City are at \$9.3 million. Mr. Lake also indicated a full accrual accounting process in regard to items such as warrants which have a value of \$400,000 will be significant to determine the allowance uncollected. A realistic percentage would be 75% of allowed uncollected warrants, but it depends on warrant collections. Another change occurred to segregate the Public Works funds which would allow the funds to be followed by each project.

The City's income statement reflects an increase of \$1.6 million with capital outlays due to the bond funds. Under the Proprietary Funds, the electric system reflects a different net asset from what McCord Engineering is projecting; however through the audit process, the system is looked at through a historical perspective.

The water and sewer funds lost overall \$92,000 which was not unexpected. This amount is not something to be overly concerned as it can be absorbed. The water and sewer operations are operating well and look very positive.

Mr. Lake was pleased to state that the City of Farmersville received an unqualified audit which is the best audit report a City can receive. There were no deficiencies or significant difficulties. There have been major improvements with the reconciliation processes and progress is being made in regard to policies and procedures. Russell Chandler motioned to accept the audit as presented with Michael Carr seconding the motion. A poll of the Council was taken as follows: Michael Carr yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval. Jim Foy requested the auditor return to the next Council meeting to allow the Council to review the information since it was received at the present meeting. This would allow for any questions or concerns to be discussed at that time, and allow the Mayor an opportunity to review the data.

ITEM VI – C) PRESENTATION FROM PROGRESSIVE WASTE SOLUTIONS (PREVIOUSLY KNOWN AS IESI) FOR THEIR YEAR-END REPORT

Dick Demein, representative for Progressive Waste Solutions, came before the Council to present the year-end report. Mr. Demein is the Municipal Marketing Coordinator for Progressive and stated the company has spent \$65,000 for toters during this past year. Bulky waste and brush pickup is provided. Commercial dumpster customers total 83 for the City of Farmersville. Mr. Demein reported that 5 or fewer complaints have been issued from the City of Farmersville which includes 4,393 services per month with a customer satisfaction rate of 99%.

City Hall and the Public Safety Building are provided free service and Progressive Waste appreciates the continued business with the City of Farmersville.

Jim Foy questioned brush pick up and pointed out the continued issue of brush not being picked up at residences. Mr. Demein stated brush is a problem with all their cities. Mr. Demein also stated he will encourage more information to the public regarding their brush.

Michael Carr stated the dumpster truck drivers need to be more courteous about the landing of the dumpster rather than crashing down causing a loud, earth shattering quake. Drivers begin picking up trash and dumpster removal at 7am.

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

ITEM VI – D) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION TO ADOPT AN ADA TRANSITION PLAN

City Manager Ben White indicated that an ADA Transition Plan has been in the making for the past 4 – 5 months. The last Transition Plan was completed in 1986. Services were contracted to evaluate all city owned property and identify areas that need ADA compliancy. The major public area identified was City Hall. A checklist has been created to designate the time frame to complete requirements over the next few years. There are costs associated with these items and the correct time frame will depend upon budgeting for the correction of specific items. The City has formalized a task force to include City staff and members of the community with disabilities. The efforts are to reach out to adapt for a broad range of difficulties which will assist with the priorities needed to be changed.

Russell Chandler motioned to approve the Resolution as presented to adopt an ADA Transition Plan with Michael Carr seconding the motion. A poll of the Council was taken as follows: Michael Carr yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – E) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION TO CONCUR WITH COLLIN COUNTY AND NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS TO SUPPORT CHANGING US 75 FROM A COMMUTER HIGHWAY TO AN INTERSTATE

City Manager Ben White encouraged the Council to support Collin County and North Central Texas Council of Governments to support changing US 75 from a commuter highway to an interstate. Russell Chandler motioned to approve the Resolution as presented with Michael Carr seconding the motion. A poll of the Council was taken as follows: Michael Carr yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – F) UPDATE ON POTENTIAL BURN ORDINANCE CHANGES/MODIFICATIONS

Fire Chief Kim Morris came before the Council stating he visited with the County Fire Marshal regarding allowing specific burning within our City. The Fire Marshal highly discouraged this, as Farmersville would be the only City within Collin County that would make such an allowance. Per Chief Morris, the recommendation is to disregard the request for specific burning options as smoke from a fire is the biggest problem. Even if an individual has attained a legal permit, a neighbor could call in a nuisance fire and the Fire Department would have to put out the fire. Chief Morris recommended leaving the burning ordinance as it stands.

Russell Chandler questioned if a centralized location could be provided to allow people to bring brush for the City to burn. This also is highly discouraged as this was an option many years ago; however because of abuse by the public including tires, paint cans and other non-flammables, this option was revoked.

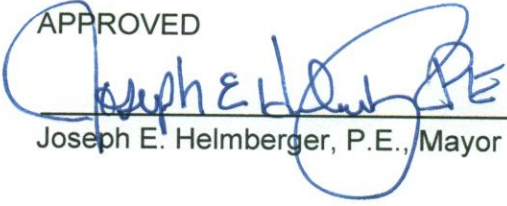
ITEM VII) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

No one requested items for future agendas.

ITEM VIII) ADJOURNMENT

Council adjourned at 7:08pm.

APPROVED



Joseph E. Helmberger, P.E., Mayor

ATTEST



Edie Sims, City Secretary

