

FARMERSVILLE CITY COUNCIL  
MEETING MINUTES  
July 9, 2013

The Farmersville City Council met in regular session on July 9, 2013 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, Michael Hesse, Russell Chandler and Jim Foy. Absent was Michael Carr. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, City Attorney Alan Lathrom, Assistant to the City Manager Paula Jackson, Librarian Trisha Dowell 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. Benny Mondy from Gallaway Memorial Church of God 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. Benny Mondy came before the Council expressing concern and need of improvements to Locust Street directly behind Gallaway Memorial Church of God. For years the Church has been on the "back burner" in regards to having this street properly paved. There are not heavy vehicles that travel Locust Street and the heaviest use is by the Church membership. Mr. Mondy pleaded to have the City pave this street with asphalt.

Mayor Helmberger announced the Sparks of Freedom event was very successful with approximately 3,500 people in attendance. Chief Kim Morris stated the band Short Fuse was also very successful and donated their time for the event. Police and Fire Departments were commended for their efforts with crowd control. Chief Morris thanked all the City Departments for their efforts.

**Item II) CONSENT AGENDA**

Mayor Helmberger asked the Council if any items were needed to be pulled for discussion. Mayor Helmberger requested Items G – Public Works Report be pulled for discussion & I – City Manager's Report be pulled for discussion. Jim Foy requested Items A – City Council Minutes be pulled for discussion and E – Fire Department Report be pulled for discussion. Russell Chandler motioned to approve Items B, C, D, F and H with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item A – City Council Minutes: Jim Foy indicated the statement made regarding sprinkler systems versus residential hand watering was reversed during the June 11<sup>th</sup> meeting while discussing specific watering days. The change will be corrected. Jim Foy motioned to approve the minutes with the correction with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item E – Fire Department Report: Jim Foy stated the charts were confusing as there are two different charts both reflecting County Responses. Fire Chief Kim Morris stated one of the graphs should have stated Mutual Aid Responses. The graph will be corrected. Jim Foy motioned to approve with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.



Item G – Public Works Report: Mayor Helmberger asked about the Lakehaven MUD Agreement. City Manager Ben White stated the Council approved an agreement, but when it was evaluated by Lakehaven's attorneys, more changes arose. We are presently working through those changes. The investors now have comments needing clarification. One of those clarifications is the wording regarding to whom can build with capacity first. Our City Attorney will review once again and will return the document to Lakehaven's attorneys. Mayor Helmberger stated to ensure the TCEQ permit is included as we have not seen a copy of the permit to date.

Under Special Projects – the City was declined a grant through the Texas Parks & Wildlife Grant Program. City Manager Ben White stated the match will be a little harder to attain, but funding through the Collin County Open Space Grant is expected to complete the Chaparral Trail. Mr. White indicated he will hopefully be funded \$60,000 from the Farmersville Community Development Corporation (FCDC) next year and \$60,000 the following year and have the project finished October 2014. This item will be on FCDC's agenda on July 29<sup>th</sup>.

Jim Foy questioned General Obligation Bond projects #2 Orange Street Overlay and #4 Hamilton Street Overlay. Construction is scheduled to begin August 2013. Mr. White indicated we need to move the lift station cover. Engineering is 70-80% complete. The right-of-way will need to be checked. This is an overlay project only by Collin County therefore right-of-way is not needed. This project is continuing the County's plan to improve all rock roads. Mr. Foy stated he understood the project was more than an overlay project and understood ditches would be reshaped. Mr. White stated he is aware that the liftstation and a 4" water line is in the road and would like to move but must have funding to do so.

Hamilton Street overlay project is also expected to start in August 2013. This project has been pushed back in order to finish Sycamore panel project. Sycamore is close to completion with an added gravity main that was not expected at the beginning of this project. Hamilton Street will be bid out for a contractor to complete.

Mayor Helmberger questioned when the Public Safety Plaque would be ready for installation. Paula Jackson, Assistant to the City Manager, replied the plaque is almost ready to ship. Mayor Helmberger, Mr. Foy and Fire Chief Morris discussed potential dates to have a dedication ceremony. One thought was to hold the event on Old Time Saturday in October. After a short discussion, the group agreed on August 10<sup>th</sup> as a date to hold the dedication ceremony.

With no further questions, Jim Foy motioned to approve Item G with Russell Chandler seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Item I – City Manager's Report: Mayor Helmberger stated appreciation for the continued work on the Ordinance Codification process. Mayor Helmberger questioned the painting of fire hydrants ordinance and why has remained on the ordinance backlog. City Manager Ben White stated the City does not currently have an ordinance which specifies which color fire hydrants should be painted. An ordinance will be prepared in the future that addresses this issue.

Mayor Helmberger stated some progress has been made regarding the Interlocal Agreement with the Collin County Tax Office regarding the Tax Increment Reinvestment Zone (TIRZ); however we are presently awaiting development. The County is collecting the taxes and the ILA will properly allocate the funds from the TIRZ and City tax collections.

Mayor Helmberger also questioned the IT portion of the City Manager Report regarding the installation of fiber-optic cabling. Mr. White indicated the cost is prohibitive from integrating



the City buildings with fiber-optic cabling. This idea is very forward thinking to connect the Library, Public Safety Building, Public Works, Chamber, Best Center and City Hall.

Internet capabilities are presently not available at the Best Center. With Representative Turner now officing from the Best Center, it would be good to offer this service. Several ideas have been brought forward, but nothing has come to fruition as costs are prohibitive in many aspects.

John Klostermann motioned to approve Item I with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse 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. Mayor Helmberger stated a policy has been put into place regarding quorums for Boards and Commissions. Recently a very important meeting was scheduled; however there was a lack of a quorum to hold the meeting. Each Board or Commission Staff Liaison has been asked to contact each Board or Commission member the day of the meeting to ensure a quorum will be present. If a quorum is not confirmed, the President or Chairman will make the decision prior to the meeting to cancel the meeting if a quorum cannot be verified.

Mayor Helmberger stated he appreciates the volunteers who serve on these Boards and Commissions and felt the City should make every extra effort to ensure attendance.

Mayor Helmberger stated the Parks Board is working on "Adopt-A-Spot" projects on the Chaparral Trail in ½ mile sections. Mayor Helmberger expressed concern for this length if volunteers are expected to mow and trim the grass. City Manager Ben White indicated the volunteers would be picking up trash only. The City will continue to keep the area mowed and trimmed.

Mayor Helmberger announced two new items have been added to the Informational Items list to include Item K – Farmersville Public Housing Authority which Mr. White recently attended and Item L – North Texas Municipal Water District Board Agenda.

#### **Item IV – A) SECOND READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE AMENDING THE WATER MANAGEMENT PLAN**

City Manager Ben White indicated the ordinance presented is a correct version of the Water Management Plan. John Klostermann motioned to approve the ordinance with a date correction. Russell Chandler seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

#### **Item IV – B) FIRST READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE AMENDING THE MASTER FEE SCHEDULE ALLOWING FOR A \$1,000 RETAINER FEE TO BE CHARGED FOR PLATS**

City Manager Ben White indicated a retainer fee was added recently for Building Permits; however we need to have a retainer fee for plats as well. The ordinance presented will allow a developer to pay a retainer fee when platting property. Mayor Helmberger addressed the Council stating plats are submitted to the City and forwarded to the City Engineer. Those costs should be passed through to the developer. The remainder of the retainer fee not used for expenses created by the developer will be refunded. If, however, costs exceed the original retainer fee of \$1,000 and further expenditures are required, an additional retainer fee will be required of the developer. Russell Chandler motioned to approve the first reading of the ordinance as presented with John Klostermann seconding the motion. A poll of the Council was



taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

**Item IV – C) FIRST READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO AMEND THE ROBBIN LAMKIN MEMORIAL SPLASH PAD TIME OF OPERATION**

City Manager Ben White stated the Parks Board has approved the request to have the Splash Pad open on Mondays. Through the existing ordinance, the Splash Pad is closed on Monday's and operates on Sundays 1pm – 6pm. The Water Management Plan will mandate the operation of the Splash Pad while under water restrictions. Council discussed the operation time and concurred to have every day consistent. Jim Foy motioned approve the ordinance with an amendment to have the Splash Pad opened 7 days a week from 10am – 9pm. Russell Chandler seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM IV – D) FIRST READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO RENEW THE JUVENILE CURFEW**

Police Chief Mike Sullivan reported the ordinance presented is proper and we are in compliance with having the renewal every three years. Jim Foy motioned to approve the ordinance as presented at first reading with Russell Chandler seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM V – A) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION REGARDING AN APPLICATION FOR GRANT FUNDS THROUGH THE COLLIN COUNTY OPEN SPACE PROGRAM**

Mayor Helmberger requested a change to the Resolution to read "the City Council recognizes the importance of completing the hard surface for a multi-use trail and installing amenities that will enhance the accessibility and encourage additional use of the Chaparral Trail." Michael Hesse motioned to approve the Resolution with the change made. Jim Foy seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM V – B) CONSIDER, DISCUSS AND ACT UPON AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR DISPATCH SERVICES**

With the same cost as last year, John Klostermann motioned to approve the Interlocal Agreement with Collin County for Dispatch Services. Michael Hesse seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM V – C) CONSIDER, DISCUSS AND ACT UPON PLACING SHACEE JACKSON AS AN ADDITIONAL SIGNATORY ON THE POLICE SEIZURE ACCOUNT**

Police Chief Mike Sullivan requested the Council place Shacee Jackson as an additional signer on the Police Seizure Account. This was previously done when Debbie Thomas worked as Public Safety Secretary. Russell Chandler motioned to approve this item with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.



**ITEM V – D) RECEIVE PRESENTATION REGARDING LIBRARY PROGRAMS INCLUDING SUMMER READING CLUB**

Librarian Trisha Dowell came before the Council with a power point presentation depicting the upgrades in the Library and showing different programs that have been implemented. The Library has a new message board to help communicate information to the patrons. New computers, chairs and computer tables have been installed and has enhanced the Library. A new display has been installed featuring Audie Murphy memorabilia. Membership is up from 236 last year to 313 members this year with a total of 4,422 total members. Food for Fines is a new program during June and July where patrons with a fine can bring one non-perishable food item in exchange for \$1.00 of fine relief. The food items will be given to the Food Pantry.

**ITEM V – E) UPDATE ON ELECTRICAL SYSTEM**

City Manager Ben White reported he and McCord Engineering have been investigating the insurability of our electric system. Other cities use TML insurance, and Mr. White understood that one city was covered for the entire system, not just equipment. Further investigation is needed, but will continue to see if TML can provide this coverage.

Mr. White reported some good news. More power was available on the transformer at the substation which would allow us to prepare for Collin College without major expense.

Preliminary costs of electric power could be in the 5¢ to 6¢ range. A calculation will be presented in July. Mr. Foy questioned if the 6¢ includes the PCRF with Mr. White replying this is raw power only. Currently the City is paying 7¢. Greg Boggs with Sharyland will be meeting with the Mayor and City Manager Thursday. This will be a meeting to broach the issue of substation ownership and the future of our electric utility. Contractor Steve Moppit with Schneider Engineering will be used as a consultant to negotiate power contracts. His expenditure could be \$15 – 20,000. This price seems high, but he comes highly recommended from Garland Power and Light. The Farmersville Economic Development Corporation has indicated they will help fund the costs regarding the electrical system. This expenditure will be presented to the FEDC to see if they will provide a potential funding source. The funds the City has are encumbered are for upgrades only.

In the meantime, Mr. White has asked Sharyland for a detailed electric billing spreadsheet. This detailed information will provide information for residential and commercial customers including meter numbers.

**ITEM V – F) UPDATE ON THE CHAPARRAL TRAIL PROJECT**

City Manager Ben White reported that Phase 2 is going splendidly well. The decomposed granite looks great. The “S” curve has been formed. Bollards and signage will be installed shortly. A 2” line will be bid by the contractor to tap into and we will be a customer of Caddo Basin’s water supply to provide water for grass to be installed along the Trail. Funds for Cole Construction, who performed Phase 1 construction, are being held until the last two items have been fixed. Phase 3 grant application was declined by Texas Parks and Wildlife; however we have applied for a grant through Collin County Open Space to complete the Trail. The match may be an issue as the Open Space Grant is a 50/50 match.

**ITEM V – G) UPDATE ON THE MAIN STREET BRIDGE, CLOSURES AND HIGHWAY 380 IMPROVEMENTS**

Per City Manager Ben White, not much has changed with the Main Street Bridge and Highway 380 improvements since the last status update. Per TxDOT, the plan is to have the Main Street Bridge constructed by September 2013. Although this is very optimistic, it is not



possible. Mayor Helmberger has a meeting with Barry Heard, Area Engineer for TxDOT scheduled. Mayor Helmberger stated at minimum, the Main Street Bridge will be 6 months away from completion. There is a beam problem. The workers may leave the project since the work is slowing down. The main concern for the City is to have the Main Street Bridge completed.

Mayor Helmberger stated South Hamilton was promised to be an access route, but instead has been closed. The contractor is responsible for maintenance along the construction area, but it has been a vicious cycle between the contractor and TxDOT to have potholes and dangerous sinking areas repaired.

**ITEM V – H) CONSIDER, DISCUSS AND ACT UPON APPOINTING AN AD HOC MEMBER RESIDING IN THE EXTRA TERRITORIAL JURISDICTION TO SERVE ON THE CAPITAL IMPROVEMENTS ADVISORY COMMISSION**

Jim Foy stated he spoke with Dr. Goldstein and he stated he will serve as the Ad Hoc member on the Capital Improvements Advisory Commission. Jim Foy motioned to appoint Mike Goldstein to the position on the Capital Improvements Advisory Commission with Russell Chandler seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

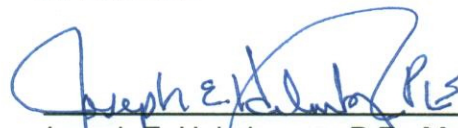
**ITEM VII) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS**

No one requested items for future agendas.

**ITEM VIII) ADJOURNMENT**

Council adjourned at 7:26pm.

APPROVED



Joseph E. Helmberger, P.E., Mayor

ATTEST



Edie Sims, City Secretary

