

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
July 23, 2013

The Farmersville City Council met in regular session on July 23, 2013 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, Michael Carr, Michael Hesse and Russell Chandler. Jim Foy was not present. Staff members present were Police Sergeant Brian Alford, Fire Chief Kim Morris, Finance Director Daphne Hamlin, City Attorney Alan Lathrom, Librarian Trisha Dowell and City Secretary Edie Sims. City Manager Ben White was not present.

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. Russell Chandler offered the invocation with Mayor Helmberger leading the audience in the Pledge of Allegiance to the American Flag.

Mayor Helmberger announced the dedication ceremony for the Charles R. Curington Public Safety Building to be held August 3rd at the Public Safety Building at 9:30am.

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

Item II – A) PUBLIC HEARING TO AMEND CHAPTER 77, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF ARTICLE III "NEW TYPES OF LAND USE; DISTRICTS," BY DELETING EXISTING SECTION 77-138, "SPECIFIC USE PERMITS," IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 77-138 THAT IS ALSO ENTITLED "SPECIFIC USE PERMITS"; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Mayor Helmberger opened the Public Hearing at 6:03pm and asked City Attorney Alan Lathrom to explain the changes to the Specific Use Permitting process. Mr. Lathrom stated the Council asked the Planning & Zoning Commission to investigate modifying the process for the Specific Use Permits pertaining game rooms. The existing ordinance was determined to have little guidance vital to the Planning & Zoning Commission and the Council to determine if the use being requested is proper to the area and surrounding businesses or area.

Peculiarities create a Specific Use Permit, but it still must fit the location. Currently the Planning & Zoning Commission can offer a recommendation for approval to the Council based on a site plan, but the applicant does not provide detail if the use fits the area and if it is compatible to existing uses. This is the major mechanism changed so that uses are consistently compatible to existing uses.

With that explanation, Mayor Helmberger asked for anyone to come forward that was FOR the ordinance amendment. With no one coming forward, Mayor Helmberger asked for anyone OPPOSING the ordinance amendment to come forward. No one came forward. Mayor Helmberger closed the Public Hearing at 6:06pm.

Item III – A) READING OF ORDINANCES – SECOND 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

Mayor Helmberger informed the Council of the first reading of this ordinance being approved at the last meeting on July 9th. With no questions or discussion, John Klostermann motioned to approve the ordinance as presented at second reading with Michael Carr seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Carr yes, Michael Hesse yes and Russell Chandler yes. Motion passed with full Council approval.

Item III – B) READING OF ORDINANCES – SECOND READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO AMEND THE ROBBIN LAMKIN MEMORIAL SPLASH PAD TIME OF OPERATION

Mayor Helmberger informed the Council of the first reading of this ordinance being approved at the last meeting on July 9th. With no questions or discussion, John Klostermann motioned to approve the ordinance as presented at second reading with Michael Carr seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Carr yes, Michael Hesse yes and Russell Chandler yes. Motion passed with full Council approval.

Item III – C) READING OF ORDINANCES – SECOND READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO RENEW THE JUVENILE CURFEW

Mayor Helmberger informed the Council of the first reading of this ordinance being approved at the last meeting on July 9th. With no questions or discussion, Russell Chandler motioned to approve the ordinance as presented at second reading with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Carr yes, Michael Hesse yes and Russell Chandler yes. Motion passed with full Council approval.

Item III – D) READING OF ORDINANCES – FIRST READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE AMENDING CHAPTER 77, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, ARTICLE III "NEW TYPES OF LAND USE; DISTRICTS", SECTION 77-138, "SPECIFIC USE PERMITS"

Mayor Helmberger announced he found some issues with the ordinance as presented which included the site plan requirement. On page 2 under item 1, Mayor Helmberger suggested dropping the word "site" and refer only to a plan. Under item 2, the word "vicinity" is vague and is left to interpretation. This verbiage needs to be replaced with "200 feet." Mayor Helmberger continued with item 6 requesting "private street development" be stricken. Item 7 uses the word "significantly" which needs clarification. Mayor Helmberger requested the Council take no action and allow the City Attorney to make the appropriate changes and return to the next meeting with those changes. Council concurred.

ITEM IV – A) CONSIDER, DISCUSS AND ACT UPON THE CITY FINANCIAL REPORTS

City Finance Director Daphne Hamlin came before the Council to inform them of the electrical offset. This year's third quarter check has not been received as of yet which has created the offset in the electrical fund. The current budget is in line and we show no reason to not finish the year as planned. Russell Chandler motioned to approve the City Financial Reports as presented with Michael Carr seconding the motion. A poll of the Council was taken

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

ITEM IV – B) CONSIDER, DISCUSS AND ACT UPON RECOMMENDATION OF THE CONSTRUCTION BID FOR THE SAFE ROUTES TO SCHOOL PROJECT

City Engineer Eddy Daniel came before the City with a recommendation for the City Council to consider recommending to TxDOT the contractor for the Safe Routes to School project. The bid opening was July 15th with three contractors bidding the project. Axis Contracting submitted the lowest bid including add/alternates which allowed a healthy contingency. We cannot add any additional items to the project, but one of the add/alternates was an additional crossing at Gaddy Street. The plans already called for a crossing at Pendleton and Sycamore. The project entails looping and connecting all the sidewalks to the schools. Another positive has been the preapproval from TxDOT for Axis Contracting. TxDOT ultimately awards the bids, but TxDOT still requires a recommendation from the City Council. If TxDOT moves forward with this recommendation, construction could begin within 2 months. Stone facings will be installed on retaining walls, mostly 2-3' high. The electric poles have been relocated and this portion of the project is very close to being completed by the City. There will be some water meter relocations, however very few. This portion of the project will be performed by the City as well. The contractor will replace any fences. All utility relocations are being taken care of by the City. Michael Hesse motioned to recommend to TxDOT the recommendation of Axis Contracting, Inc. with Michael Carr seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Carr yes, Michael Hesse yes and Russell Chandler yes. Motion passed with full Council approval.

ITEM IV – C) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT WITH COLLIN COUNTY FOR THE PROVISION OF FIREFIGHTING AND FIRE PROTECTION SERVICES

After discussing the presented agreement with City Attorney Alan Lathrom, Fire Chief Kim Morris stated a few issues were brought to his attention. The agreement should be with the City of Farmersville and not the Farmersville Fire Department. Mr. Lathrom also indicated concerns with the agreement requiring the City to add Collin County as an additional insured to the City's liability insurance policy. Chief Morris indicated this is the first contract of this type that has been submitted to cities. The County has agreed to pay a lump sum for this year only via the presented contract. The County Fire Association has been working diligently to come up with a formula for County run funding. The City of Farmersville was blessed to receive the funding for next year's budget.

Mr. Lathrom also indicated the contract as written shows equipment that is not accurate. Mayor Helmberger requested the Council take no action until the issues have been resolved and present the corrected agreement at the next meeting. Council concurred and took no action.

ITEM IV – D) CONSIDER, DISCUSS AND ACT UPON A PURCHASE/LEASE/RENT AGREEMENT FOR WASTEWATER FLOW METERS AND ALLOWING THE CITY MANAGER NEGOTIATING AND SIGNING RIGHTS TO FUND THE PROJECT

City Engineer Eddy Daniel came before the Council reaffirming the previous conversations held regarding Inflow and Infiltration (I&I) problems. The City has two options: 1) upgrade the existing system or 2) build a new wastewater system. The City is in an agreement with Texas Commission on Environmental Quality (TCEQ) through a Sanitary Sewer Overflow Initiative (SSO) to make strides to resolving the I&I problems. The flow metering will allow the City to find sources of I&I and then make the proper steps for repair/replacement. The flow

meters are real time monitoring in the manhole. Two representatives from Macaulay Controls Company were present to answer any questions. The agreement presented is for a two year lease option for 3 meters. Mr. Daniel recommended the lease option since the City will not have need of the flow meters once all areas have been identified. By utilizing the remote meters, the meters can be moved to find the main sources of I&I throughout town.

The impact to the budget from the purchase of the meters through the presented contract will be \$5,350 this year which has already funded in the wastewater fund. Budget year 2013-2014 will be impacted \$37,500 and budget year 2014-15 will be impacted \$32,150. This is a turn-key price with a removal fee built into the price.

The use of the meters will be based on rainfall events with 4 meter relocations per year. Mr. Daniel stated he wanted to begin utilizing the meters closest to the wastewater plant and work our way out. If more relocations are needed, Hach will charge an additional \$1,800 per relocation. Also by utilizing the flow meters, this process will help calibrate the model of hydraulic analysis. Then the model can check against actual flows. Mr. Daniel ended his presentation with his recommendation to move forward with the flow meters. Michael Carr motioned to approve the lease agreement for wastewater flow meters and allow the City Manager to negotiate and have signing rights to fund this project. Michael Hess seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Carr yes, Michael Hesse yes and Russell Chandler yes. Motion passed with full Council approval.

ITEM IV – E) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT BETWEEN SCHNEIDER ENGINEERING AND THE CITY OF FARMERSVILLE TO ACT AS A CONSULTANT TO NEGOTIATE ELECTRIC POWER CONTRACTS

Mayor Helmberger stated the negotiations for electric power are imperative to the City taking on the electric utility. Details of the electric utility will be presented at a Council meeting soon. Mr. White and Mr. Foy are presently at a conference through Texas Public Power Association. Russell Chandler motioned to approve the agreement between Schneider Engineer and the City of Farmersville to act as our consultant to negotiate electric power with Michael Carr seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Carr yes, Michael Hesse yes and Russell Chandler yes. Motion passed with full Council approval.

ITEM IV – F) CONSIDER, DISCUSS AND ACT UPON CALLING A PUBLIC HEARING ON AUGUST 27, 2013 TO CONSIDER AMENDING THE CITY'S LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN, AND IMPACT FEES

Mayor Helmberger informed the Council that the Capital Improvements Advisory Commission met discussing the impact fees and have made their recommendation. The next step is to hold a public hearing to allow the public to relay their comments on the amendments to the Impact Fees. John Klostermann motioned to call a public hearing on August 27, 2013 to consider amending the City's Land Use Assumptions, Capital Improvement Plan and Impact Fees. Michael Hesse seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Carr yes, Michael Hesse yes and Russell Chandler yes. Motion passed with full Council approval.

ITEM IV – G) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT WITH COLLIN COUNTY FOR JAIL SERVICES

Mayor Helmberger announced to the Council the agreement presented for Jail Services is an agreement performed with the Council every year for these services. With no further discussion, Russell Chandler motioned to approve the agreement as presented with Michael

Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Carr yes, Michael Hesse yes and Russell Chandler yes. Motion passed with full Council approval.

ITEM IV – H) CONSIDER, DISCUSS AND ACT UPON HEALTH INSURANCE AGREEMENTS WITH TML INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL

Finance Director Daphne Hamlin presented the health insurance agreements to the Council. The agreements are standard documents that are presented to the Council annually. This year, the insurance has increased 17%. Michael Hesse motioned to approve the agreements as presented with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Carr yes, Michael Hesse yes and Russell Chandler yes. Motion passed with full Council approval.

ITEM V) BUDGET WORKSHOP – DISCUSS PROPOSED FISCAL YEAR BUDGET 2013-2014

Finance Director Daphne Hamlin came before the City Council with updated information on the 2013-2014 Proposed Budget. The sales tax has been updated to show the City's projected sales tax revenue as \$348,718. Ms. Hamlin reviewed the General Fund Revenue Summary indicating the major budget differences from 2012-2013 budget to 2013-2014 proposed budget. The sales tax revenues have increased slightly along with licenses and permits increasing. The Court revenues are increased due to the projected increase from warrant collections. Transfers In is staying static since the Electric Fund is still undetermined. Fire Run payments have increased due to the lump sum payments as determined by Collin County Fire Association and approved by Collin County Commissioner's Court. This brings the total revenues reflecting an increase of 136,436.

Expenditures proposed have increased 236,896 which includes expense increases across the board, but also includes the hiring of another Police Officer, Warrant Officer and doubling the expenses in Property and Buildings. When calculating the revenues versus expenditures, the revised budget for 2012-2013 will net 10,075 positively whereas the proposed budget for 2013-2014 reflects a negative 90,385. Another note to be aware of is the salary allocation, particularly the Public Works Department which has 30% of salaries being used from the bond projects.

Items that have been requested for the 2013-2014 proposed budget include the Warrant Officer which includes salary and benefits, an additional Patrolman, a cost of living increase of 3%, health insurance increase of 17%, an additional Fireman and keeping in mind that there have not been any capital purchases budgeted.

Ms. Hamlin informed the Council of a Cost of Living Survey where she polled the area cities. Anna, Greenville, and McKinney are budgeting 3% cost of living, where Princeton is proposing a 2% cost of living and discussing merit increases. The City of Wylie has not discussed salary increases as of yet.

During the power point presentation, Ms. Hamlin displayed the Certificate of Obligation and Bond Requirement slide showing a total debt of \$430,647.51 for 2013-2014. The tax levy will pay 75% of the debt due while 25% will come from other sources. Ms. Hamlin proposed the Council consider keeping the same tax rate of \$.697500 which will net \$23,220 more than last year for Maintenance and Operations (M&O). A tax rate history shows Farmersville to be in the middle of other area cities. Ms. Hamlin did not discuss the Enterprise Funds as the main change will be with the Electric Fund which will become clear within the next month or so. Mayor Helmberger requested the Council to review the information and be ready for discussions at the next Council meeting.

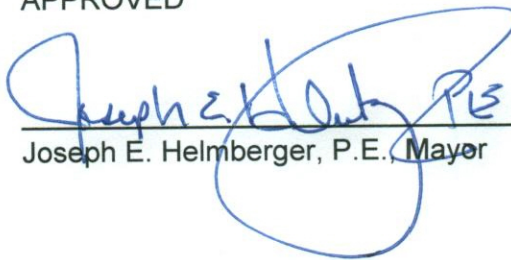
ITEM VI) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

No one requested items for future agendas.

ITEM VII) ADJOURNMENT

Council adjourned at 6:55pm.

APPROVED



Joseph E. Helmberger, P.E., Mayor

ATTEST



Edie Sims, City Secretary

