

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
September 10, 2013

The Farmersville City Council met in regular session on September 10, 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, Finance Director Daphne Hamlin, Assistant to the City Manager Paula Jackson, Main Street Manager Adah Leah Wolf, 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. Russell Chandler 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.

Mayor Helmberger also announced October 5, 2013 as the Old Time Saturday event.

Item II) CONSENT AGENDA

Mayor Helmberger asked the Council if any items were needed to be pulled for discussion. With Council not requesting any items to be pulled for discussion, Mayor Helmberger requested Items E, G, and I be pulled. Jim Foy motioned to approve Items A, 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 E – Fire Department Report: Under Item 3 regarding fire service for Collin County, Mayor Helmberger questioned what was driving the changes with the mutual aid system. Fire Chief Kim Morris stated the fire departments no longer have a Collin County Fire Chief's Association nor the Collin County Firefighters Association. As fire departments have changed, the County has combined the two Associations to have the Collin County Fire Alliance. The Alliance will allow the County to deal with each fire department individually rather than collectively. Instead of the existing mutual aid requests, the Alliance is considering a "Call Box" system for mutual aids. The nearest department would be called out to aid a neighboring department. Additional departments would "back-fill" until the situation is resolved. Chief Morris stated Collin County Dispatch would be responsible for calling out departments. Chief Morris expressed concern as volunteer departments may not have enough people staffed to either make the calls or be on call as "back-fill." More information will be made available as the Alliance sets their new by-laws and constitution for operation.

Mayor Helmberger also questioned the Ambulance contract as denoted on Item 4 of the Fire Department Report. Chief Morris stated the EMS Advisory Board, of which he is a member, has made a recommendation to Collin County Commissioner's Court for an ambulance provider. One of the Commissioners had a question regarding insurance and the item was tabled until next Monday's meeting. City Manager Ben White indicated concern as other Fire Chief's may not be able to attend the 1:00pm Commissioner's Court meeting and show support. There is some opposition. The issue stems from the City of Melissa as they

want another provider. A conflict has been made visible as the Medical Provider would be the same as the new ambulance provider if a particular firm is chosen by Commissioner's Court. The insurance issue was not really an issue as the County has always preferred \$500,000 insurance coverage.

Mayor Helmberger also questioned the location of the ambulance station in Farmersville. Chief Morris stated a new mandate has been implemented that the ambulance must arrive at its destination after being called out within 13 minutes. The station will remain in the Farmersville area, but will no longer be housed in the Charles R. Curington Public Safety Building. It may relocate to the Vamvakas insurance building on Highway 78.

Russell Chandler motioned to approve Item E 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 questioned Item 2(c) under the Street System section of the Public Works Report regarding reconstruction to include curbs. The original plan was to do an overlay project only for Orange Street, CR 557 and North Hamilton Street. City Manager Ben White indicated he investigated other options and had a contractor give a cost estimate. Barson Utilities was recommended for fact finding on these street projects. Barson Utilities recommended digging up the existing street, using the recycled material as base, stabilize the sub-grade, install new overlay and include installation of new curbs. The original costs provided by Kimley-Horn were compared to Barson's estimate and Collin County Public Works estimate. Of course, a bidding process will occur to have Council award the contract, but the costs presented were for planning purposes only. Mr. White investigated all the overlay projects originally planned by the 2012 Bond and compared prices to Barson Utilities and Collin County Public Works, not just the initial projects planned by the first draw-down of the Bond. Overall, if we re-evaluate the projects based on Barson Utilities prices, we may be able to have reconstruction of the base, overlay and curbing completed well under budget of the original \$1.2 Million for all 7 overlay projects. The numbers from Kimley-Horn were very high. Mr. White stated he is comfortable with a 3" overlay and rebuilding of the curbs. Mayor Helmberger stated we rely on our curbs to help carry the water flow during rain events. With the lowering of the costs, we may now be able to fund the driveway aprons. Mayor Helmberger questioned City Attorney Alan Lathrom regarding the existing requirement for contractors to install concrete streets and we are challenging our own Subdivision Ordinance by reconstructing asphalt streets with asphalt. Alan Lathrom indicated the Subdivision Ordinance refers to newly developed subdivisions. The City is performing maintenance and improvements of existing streets and therefore does not conflict with ordinances. City Manager Ben White stated he intends to go full speed ahead to have these streets completely reconstructed rather than an overlay and include curbs. Separate bids will be requested for curbs and aprons. Jim Foy requested information on the Bond Project Sheet to be updated. Mr. White stated he will revamp the schedule.

Mayor Helmberger stated the onion shed was demolished on the south side of the railroad tracks at the Summit Street intersection. The trash belongs to TxDOT not Jack Hendricks and requested City Manager Ben White to push to have the trash removed.

An agreement has been reached with Lakehaven MUD, however it has not been executed. City Manager Ben White stated he and Eddy Daniel have reviewed the Easement and Right-Of-Entry documents and they are correct and ready for signature. Two other documents remain to be completed by Lakehaven MUD, the Escrow Deed and the Transfer of

Permit. John Klostermann motioned to approve Item G – Public Works Report 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 I – City Manager's Report: Mayor Helmberger questioned item b (ii) regarding the SUP/Game Room processes. City Manager Ben White indicated the second reading for the zoning process will be presented to Council further in the meeting. The second phase of this process is to have an ordinance regarding the permitting stage and fees. This ordinance will be presented at the next Council meeting with the second reading in October. The Game Rooms will then be requested to bring their information before the Planning & Zoning Commission in October and completed by Council action at the second Council meeting in October.

Mayor Helmberger also noted the codification progress. City Manager Ben White indicated all ordinances have been reviewed and submitted to Municode for correction. When the next supplement comes out in October, a second review will take place to ensure all ordinances have been included.

Jim Foy motioned to approve Item I – City Manager's Report 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 III) INFORMATIONAL ITEMS

Mayor Helmberger questioned Item H – Parks Board Minutes regarding the Adopt-A-Spot on the Chaparral Trail and what was intended by clarifying the parameters of the Adopt-A-Spot. City Manager Ben White stated the clarification regarded the length of the adopted areas. The Chaparral Trail is marked in 1/2 mile sections. There is concern that 1/2 mile areas may be too long. The Parks Board will discuss this issue at their next meeting along with kiosks.

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

Item IV – A) CONSIDER, DISCUSS AND ACT UPON APPROVING THE COMMUNITY DEVELOPMENT CORPORATION PROPOSED PROJECTS FOR BUDGET YEAR 2013-2014

Leaca Caspari, Chairman of the Farmersville Community Development Corporation, was present to answer any questions or concerns regarding the FCDC's budget which included funding projects at the City's request. One of the projects to be pursued in the upcoming year is the National Registry Project. Adah Leah Wolf expressed to the Council that 1/2 the work has been completed and the National Registry Project is very beneficial to the City. This project places historical sites on a map, and is a tourist and economic tool. Mayor Helmberger thanked the FCDC for funding the Main Street Program, a viable part of our City. Jim Foy motioned to approve the FCDC's budget for 2013-2014 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 – B) CONSIDER, DISCUSS AND ACT UPON APPROVING THE AMENDED MAIN STREET PROGRAM BYLAWS

Leaca Caspari, Chairman of the Farmersville Community Development Corporation, was available to answer questions or concerns. Ms. Caspari also presently serves as the FCDC liaison for the Main Street Board. The bylaws were approved by the Main Street Board and the FCDC which place the appointment of the Main Street Board members under the City Council. Also, the FCDC liaison would become an ex-officio, non-voting member. Jim Foy

expressed concern of the budget process being completed prior the City's budget being adopted. Ms. Caspari informed the Council the Main Street budget process will begin immediately upon new appointments to the Board and all budget proposals will be submitted to the FCDC for approval well in advance of the City's budget approval process. Michael Hesse motioned to approve the amended bylaws as submitted 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 IV – C) CONSIDER, DISCUSS AND ACT UPON APPROVING THE ECONOMIC DEVELOPMENT CORPORATION PROPOSED PROJECTS FOR BUDGET YEAR 2013-2014

Bob Collins, Chairman of the Farmersville Economic Development Corporation, was available to answer questions or concerns. Mr. Collins reviewed the development projects which included \$100,000 pledged to the Collin College sewer and street project; \$150,000 pledged to the wastewater treatment facility; \$125,000 dedicated to the electric study and \$50,000 for the façade grant program. After these expenditures are made, the FEDC will have ample reserves to cover those and other expenditures as needed. City Manager Ben White indicated that the FEDC has made an agreement to be discussed further in this meeting to allow a partial payback of funds borrowed for the electric system. The FEDC will be operating as a bank for electric utility funding. John Klostermann motioned to approve the FEDC budget as presented with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – D) CONSIDER, DISCUSS AND ACT UPON A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION AND THE CITY OF FARMERSVILLE FOR THE MAIN STREET MANAGER

City Manager Ben White indicated the Professional Services Agreement between the FCDC and the City sets up the relationship between the FCDC and the City for the Main Street Manager. Section 1 offers direction the Main Street Director receives and reporting requirements. Section 2 refers to the funding commitment which will have a renewal of 4 years. Section 3 allows termination which will not take place until September 30th of any given year. The funding will be committed by the FCDC and will be dispersed October 1. If any funds remain, they will be refunded to FCDC. Mr. White stated this is a good agreement and recommends approval. Jim Foy motioned to approve the Professional Services Agreement 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 – E) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT BETWEEN THE FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION AND THE CITY OF FARMERSVILLE FOR ELECTRIC UTILITY FUNDING

City Manager Ben White indicated the agreement was to formalize an agreement between the FEDC and the City regarding electric utility funding. FEDC has already committed \$15,000 toward the creation and implementation of a system energy contract without reimbursement to Steve Moffitt. The City Manager made a request at the August 1st FEDC meeting for FEDC to allow funding for the electrical system not to exceed \$193,000 with the City electric system paying back 50% of the funds during the 2014-2015 budget year. Mayor Helmberger stated the first "whereas" covers the system wherever the CCN is. Bob Collins, Chairman of the FEDC, stated FEDC is well within the rules by lending the funds to the City's

electric system based on a return of the investment. For clarification, Mayor Helmberger requested Article III have a statement that the funds are interest free. Mayor Helmberger questioned using the name "Farmersville Electric" and asked to have this as an item for discussion at the next meeting. Jim Foy motioned to approve the agreement with the change as recommended 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.

Russell Chandler left the meeting at 7:00pm; a quorum was still present to continue the meeting.

ITEM IV – F) CONSIDER, DISCUSS AND ACT UPON MAKING AN APPOINTMENT TO THE MAIN STREET BOARD

With the newly adopted bylaws for the Main Street Board, a position is available for a board member and the FCDC Liaison is now an ex-officio, non-voting member. With that, staff has recommended Sarah Jackson-Butler to fill the unfulfilled seat. Jim Foy motioned to act on staff recommendation and appoint Sarah Jackson-Butler to the Main Street Board with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – G) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO INITIATE THE BID PROCESS FOR CERTAIN ELECTRIC UTILITY EQUIPMENT AND INITIATE THE PROCESS FOR FINANCING SAID EQUIPMENT

City Manager Ben White approached the Council with a resolution that authorizes the City Manager to initiate the bidding process for certain electric utility equipment and initiate the process for financing said equipment. David Medanich with First Southwest has been conversing with Mr. White and Daphne Hamlin, Finance Director, in planning the best financial mechanism to fund the necessary equipment. A "tax note" has been recommended as the best method as it fits the time frame and the cost to sell said notes is minimal. Also the payback can be set at 5 years, which is preferred by Mr. White. Michael Hess motioned to approve the Resolution as written with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval. Jim Foy stated it should be publicized that the revenues will be from the electric utility.

ITEM IV – H) CONSIDER, DISCUSS AND ACT UPON A NOTICE OF AWARD FOR THE SAFE ROUTES TO SCHOOL PROJECT TO AXIS CONTRACTING, INC.

City Manager Ben White informed the Council TxDOT actually awarded the bid for the Safe Routes to School project to Axis Contracting, but as a formality, the Council will act upon the same recommendation. Jim Foy motioned to approve TxDOT's decision to award Axis Contracting, Inc. for the Safe Routes to School project with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – I) CONSIDER, DISCUSS AND ACT UPON ACCEPTING NANCY FOSTER'S RESIGNATION FROM THE LIBRARY/CIVIC CENTER BOARD

Jim Foy motioned to accept Nancy Foster's resignation from the Library/Civic Center Board with John Klostermann seconding the motion. A poll of the Council was taken as follows:

John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – J) CONSIDER, DISCUSS AND ACT UPON APPOINTING A REPLACEMENT TO THE LIBRARY/CIVIC CENTER BOARD

With the opening on the Library/Civic Center Board, staff recommended Autumn Barton to fill the opening on the Board. Jim Foy motioned to appoint Autumn Barton with John Klostermann seconding the motion. City Manager Ben White stated Sharon Spangler was recommended by Librarian Trisha Dowell and asked Ms. Dowell to come forth and express why she felt Ms. Spangler was the better candidate. Ms. Dowell stated Ms. Spangler attends the Library frequently and offers her feedback when questioned about various topics and felt Ms. Spangler would be a great asset to the Board. Jim Foy withdrew his motion and John Klostermann withdrew his second. Jim Foy motioned to appoint Sharon Spangler to the Library/Civic Center Board with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – K) CONSIDER, DISCUSS AND ACT UPON REVISING THE NOISE ORDINANCE REGARDING CONSTRUCTION NOISE

Mayor Helmberger had requested other cities be queried regarding their regulations in their Noise Ordinance in relation to construction noise. Mayor Helmberger reviewed the information provided and felt the City of Rockwall was the only one that had a good method to resolve this issue. There are times during the extreme summers that would not allow contractors to pour cement during day time hours. Mayor Helmberger stated he would like to see our ordinance reflect “reasonable noise will be allowed with approval by the City” and not have this topic brought before the City Council each time. An amendment will be presented to the Council at a future meeting.

ITEM IV – L) UPDATE ON MAIN STREET BRIDGE, CLOSURES AND HIGHWAY 380 IMPROVEMENTS

Mayor Helmberger expressed concern regarding the various streets being shut down by TxDOT. TxDOT has now shut down Mimosa Street due to storm water drainage, not an excusable reason per Mayor Helmberger. The agreement with TxDOT was to have only 1/2 of the street closed off at a time allowing for traffic to flow. TxDOT has informed the City that the “jug-handles” will be closed soon along Highway 380. The City was guaranteed that only one side of the “jug-handles” would be closed at a time until the Main Street Bridge was completed at the end of December 2013. Mayor Helmberger requested communications be held between the City and TxDOT and reiterate that street closures are not to be at will.

City Manager Ben White indicated more bridge beams are being installed Saturday. Traffic on Highway 380 will be disrupted for approximately 15 minute increments. Traffic will not be redirected during this process.

ITEM IV – M) UPDATE ON ELECTRICAL SYSTEM

City Manager Ben White stated with the Council's approval of the Resolution earlier, purchases of equipment will not be secured without Council approval. The Anticipation Note will need to be prepared and there is still a great amount of work to be done. Mr. White stated he has been impressed with Versalift trucks, but will go through the proper bidding process. Jim Foy stated we are not speaking of borrowing funds that affects the taxes and asked to have the wording clarified as a Revenue Anticipation Note.

ITEM V – A) ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ADOPT THE BUDGET FOR THE FISCAL YEAR 2013-2014

Finance Director Daphne Hamlin came before the Council and informed them of the \$10,000 that was amended to fund the Parks Board. Jim Foy motioned to approve the ordinance to adopt the budget for Fiscal Year 2013-2014 as presented with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – B) ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ADOPT THE GENERAL OBLIGATION BOND SERIES 2012 ANNUAL BUDGET FOR FISCAL YEAR 2013-2014

Finance Director Daphne Hamlin came before the Council and stated the ordinance presented is for the \$1.5 million dollars through the bond that has been advanced to the City. The funds not expended are carried over to next year's budget. Jim Foy motioned to approve the ordinance adopting the General Obligation Bond Series 2012 budget for Fiscal Year 2013-2014 as presented with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – C) ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ADOPT THE TAX RATE FOR FISCAL YEAR 2013-2014

With no discussion by the Council, John Klostermann motioned to approve the ordinance as presented to adopt the tax rate for Fiscal Year 2013-2014 with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – D) ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ADOPT THE 2013 TAX APPRAISAL ROLL

With no discussion by the Council, Jim Foy motioned to approve the ordinance as presented to adopt the 2013 Tax Appraisal Roll with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – E) SECOND READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO UPDATE AND AMEND THE CITY'S LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN, AND IMPACT FEES

At the last meeting in August, Council had questions regarding fire suppression and sprinkler systems and how these will be affected by the impact fees. City Manager Ben White informed the Council of his research regarding the fire suppression and sprinkler system are required to have separate taps and would be charged separate tap fees per meter. Fire suppression systems are not metered. With this information, Jim Foy motioned to approve the second reading with the ordinance as presented. Michael Hesse seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, Michael Hesse yes and Jim Foy yes. Motion passed with full Council approval.

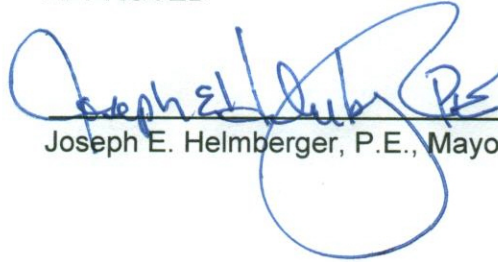
ITEM VI) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

No one requested items for future agendas.

ITEM VII) ADJOURNMENT


Council adjourned at 7:38:11pm.

APPROVED



Joseph E. Helmberger, P.E., Mayor

ATTEST



Edie Sims, City Secretary

