

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
April 14, 2015

The Farmersville City Council met in regular session on April 14, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Joe Helmberger, John Klostermann, John Politz, Michael Hesse and Russell Chandler. Councilmember absent was Jim Foy. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, City Attorney Alan Lathrom, Warrant Officer Rick Ranspot, 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. City Manager Ben White offered the invocation with Mayor Helmberger leading the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Mayor Helmberger announced the annual Chamber Banquet will be April 18th at the Longhorn Hill Ranch Party Barn.

Mayor Helmberger proudly proclaimed April 16, 2015 as Ray and Lynne Feagin Day in Farmersville. A reception was held in Mr. and Mrs. Feagin's honor.

Item II) CONSENT AGENDA

Mayor Helmberger requested Item G – Public Works Report be pulled for further discussion. With no other items requested for discussion, John Klostermann motioned to approve Items A, B, C, D, E, F, H and I as presented with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes and Michael Hesse yes. Motion passed with full Council approval. (Russell Chandler stepped out and was not available.)

Mayor Helmberger questioned the recent power outage occurring Easter Sunday, April 5th. City Manager Ben White explained the outage started at 10:00am and was resolved at approximately 12:00noon. Lines were shorted out at Raymond and Farmersville Parkway. Kudos were expressed for Farmersville Electric employees how efficiently and effectively the issue was found and resolved. Mr. White also stated new software with the Automated Meter System will help understand areas of concern such as locating a branch circuit and being able to diagnose the problem. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes and Michael Hesse yes. Motion passed with full Council approval.

Item III) INFORMATIONAL ITEMS

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

ITEM IV – A) CONSIDER, DISCUSS AND ACT UPON ACCEPTING PATTI FORD'S RESIGNATION FROM THE PLANNING & ZONING COMMISSION AND THE BUILDING & PROPERTY STANDARDS COMMISSION

Patti Ford offered her written resignation to the Council since she has moved outside the City of Farmersville. Michael Hesse motioned to accept the resignation from the two Commissions with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes and Michael Hesse yes. Motion passed with full Council approval.

ITEM IV – B) CONSIDER, DISCUSS AND ACT UPON ACCEPTING BILL HARRISON'S RESIGNATION FROM THE NORTH TEXAS MUNICIPAL WATER DISTRICT BOARD OF DIRECTORS, REPRESENTING FARMERSVILLE

Bill Harrison offered his written resignation to the Council from the NTMWD Board of Directors. John Klostermann motioned to accept the resignation with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes and Michael Hesse yes. Motion passed with full Council approval.

ITEM IV – C) CONSIDER, DISCUSS AND ACT UPON A REQUEST FOR QUALIFICATIONS FOR AN AUDITOR

City Manager Ben White requested the Council review the Request for Qualifications. If anything needs to be added or changed, this was the opportunity prior to opening the bid process. Mayor Helmlinger stated the Request for Qualifications looks complete and he did not have anything to add. John Klostermann motioned to approve the Request for Qualifications as presented with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes and Michael Hesse yes. Motion passed with full Council approval.

ITEM IV – D) CONSIDER, DISCUSS AND ACT UPON A CONTRACT WITH TIME WARNER CABLE FOR SERVICES AT THE CHARLES CURINGTON PUBLIC SAFETY BUILDING

City Manager Ben White informed the Council the contract presented is for services at the Public Safety Building. Previously, television services were offered from Time Warner for free. It is no longer an option for free service and Time Warner is requesting a contract for services. John Politz motioned to approve the contract as presented with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes and Michael Hesse yes. Motion passed with full Council approval.

ITEM IV – E) RECEIVE UPDATE REGARDING COMMUNICATIONS/DISPATCH SERVICES THROUGH COLLIN COUNTY

(Russell Chandler returned to the meeting at 6:17pm)

Police Chief Mike Sullivan spoke to the Council regarding the recent issue with dispatch services through Collin County. The Fire Departments and Police Departments

are to meet with Commissioners Hill and Williams Friday, April 17th to discuss this matter further. Collin County Sheriff Terry Box will not provide dispatch services for at least 7 city departments from the County's radio system.

Mayor Helmberger stated he too has met with Commissioner Hill. The Sheriff does indeed have the right to shut down the dispatch center with no regard for the departments and how each of the cities will be affected. The candidate being encouraged to run for Sheriff Box's place is Jim Skinner who thinks the County should not upgrade the dispatch infrastructure. Those cities being affected are Lavon, Josephine, Princeton, Anna, Celina, Melissa and Farmersville. Originally fire departments were going to be removed from Collin County Dispatch center as well, but Sheriff Box has reinstated offering this service to fire departments and will continue serving fire departments at no cost.

Chief Sullivan stated the Fire Chiefs and Police Chiefs will meet with North Central Texas Council of Governments after meeting with the County to seek funding for a regional dispatch center. The regional dispatch center makes sense. Just a note, AMR ambulance services are separate although they share a component with Collin County. Further information will be presented as learned.

ITEM IV - F) RECEIVE AND DISCUSS INFORMATION REGARDING PLATTING, PERMITTING AND APPLICATION OF THE INTERNATIONAL CODES IN THE CITY'S EXTRATERRITORIAL JURISDICTION, AND THE "CITY-COUNTY PLAT APPROVAL AGREEMENT (EXCLUSIVE CITY CONTROL)" ("1445 AGREEMENT") PREPARED BY COLLIN COUNTY AND ENTERED INTO BY AND BETWEEN COLLIN COUNTY AND THE CITY

Mayor Helmberger stated he met with Collin County Commissioner Chris Hill regarding the County's position on Extraterritorial Jurisdiction enforcement. The issue revolves around platting. The County's stance is if a property located within a city's ETJ does not require platting then a city does not have enforcement for Subdivision Regulations nor other permits. The issue started with a mobile home park outside the City of McKinney. The subject has been controversial for years. The County has minimal regulations in city's ETJ. There are many unanswered questions since the case law between NTMWD and City of Lucas has been challenged. Another layer of concern has been the replacement of the County Attorney. FEMA also has concerns regarding the ETJ issue between the cities and the County.

During this conflict regarding authority in the ETJ, the County Fire Marshal has also stopped issuing burn permits for controlled burning. This decision affects Farmersville Fire Department as there are 125 square miles of area for coverage. Technically Texas is a no-burn State.

Police Chief Mike Sullivan expressed concerns as the enforcement arm of the City as to where he and his department has enforcement jurisdiction. City Attorney Alan Lathrom indicated the Attorney General's Opinion, once received, will help guide this situation. However, the case law between the City of Lucas and North Texas Municipal

Water District still prevails as our rule for now. The Attorney General's Opinion is not binding but it is a persuasive authority.

City Manager Ben White encouraged to follow after the City of Frisco where all properties are required to be platted and therefore all the City's regulations are enacted and enforced. Chief Sullivan stated if case law allows enforcement, then the City needs to be cognizant of being challenged. The enforcement includes signage in the ETJ. Mayor Helmberger requested this item remain on the agenda until resolved.

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

Mayor Helmberger requested the Council to discuss materials for fire lanes at the next meeting. Mayor Helmberger also requested a discussion regarding rental properties. No one else requested items for future agendas.

ITEM VI) ADJOURNMENT

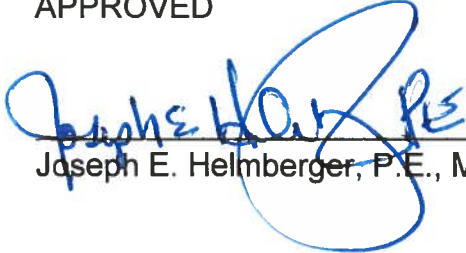
Council adjourned at 7:04pm.

ATTEST



Edie Sims, City Secretary

APPROVED



Joseph E. Helmberger, P.E., Mayor

