

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
July 28, 2015

The Farmersville City Council met in regular session on July 28, 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, Leaca Caspari and Jim Foy. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, City Attorney Alan Lathrom, Finance Director Daphne Hamlin, Warrant Officer Rick Ranspot, 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. Edie Sims offered the invocation. Mayor Helmberger led the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Mayor Helmberger announced those wanting to speak on an item not subject to a Public Hearing to come forward.

Jane Lovell, residing at 829 Highway 78 South, came forward stating the City Leaders need to guide our community to preserve the heritage and contribute to our way of life. Ms. Lovell urged the Council not to approve the Muslim Cemetery.

Tiffany Long, residing at 1894 Kristen Court, Caddo Mills, recited Attorney General Greg Abbott's opinion regarding speaking at an open forum. The Council can respond with limited dialogue but with specific factual information, reciting existing policy or request the item be placed on a future agenda for further discussion. Ms. Long further stated when the Comprehensive Plan and Land Use Plan was adopted, there were no public hearings for the Thoroughfare Plan. By Robert's Rules of Order, Ms. Long requested the 30 minute timeframe for public comment be extended for everyone to have a chance to speak.

Mayor Helmberger stated the Islamic Association of Collin County has only submitted their Concept Plan. The next step would be the Preliminary Plat which will be presented to the Planning and Zoning Commission first.

Tiffany Long questioned the four-lane thoroughfare that was on the Concept Plan for the IACC's plans for the cemetery and why this road was not shown in the Thoroughfare Plan. Also, Ms. Long stated the homeowners and property owners adjoining the IACC's land was not informed of a four-lane thoroughfare. This is not consistent with our own ordinances and the City Leaders are not being forthcoming.

Ken Roose, residing at 1033 CR 557, stated his Great-Great-Great-Grandfather was accredited for naming Farmersville. In the advent of the Muslim cemetery, the cemetery will be disconnected from our town and no one buried there will have ties to Farmersville. Mr. Roose stated he was told there are no options or recourses for the City to keep the cemetery from coming. He contended the cemetery does not follow the City's Comprehensive Plan; the Council should vote no when it is placed before the Council;

the Council needs to make the decisions in the best interest of Farmersville; and lastly, the Council needs to review how the cemetery will affect us County wide.

Patricia Monroe, residing in Nevada, stated she attends church here and is concerned a Muslim cemetery is being considered. Ms. Monroe expressed concern regarding proper embalming and that we will have to change our ways to allow Muslim ways.

Cynthia Reagan, residing at 3418 Canton, Greenville, stated the cemetery should be public. There are no cemeteries just for Jews and owned by Jews. The Muslim cemetery is discriminatory. Ms. Reagan further questioned why the area was not planned for future lots. Who will regulate Islamic Law which does not coincide with our constitution?

Mike Hurst, residing at 1302 Red Oak, stated he knows the laws regarding funerals. There is not a governing body over a cemetery unless it is a perpetual care cemetery. There is an untruth regarding the Muslims burying their dead in a casket and vault. The Muslims do not conform to our burial regulations. Who will regulate and open the graves to see if the burial is in accordance with our law? The Audie Murphy family has contacted the State Legislature to have everything with Audie Murphy's name removed from Farmersville if the Muslim cemetery is allowed.

Gwen Reynolds, residing at 5258 CR 660, stated she is disappointed the City Leaders have duped this community. She questioned if the plat is under the 30 day rule and was answered no. If the cemetery is in compliance with the Thoroughfare Plan, when were the public hearings? Has notice been given to the adjoining property owners regarding the cemetery and the four-lane highway? Ms. Reynolds stated she has asked other communities if they wanted a Muslim cemetery. Our gateway into our community has gone to Hell since The Crypt, a utility plant and now a cemetery have taken over. Our gateway to our beautiful community has been destroyed.

David Meeks, Bethlehem Baptist Church located at 6615 CR 664, stated he has studied Islam for a number of years. Muslims come before the public stating they are a religion of peace when in fact they are a religion of hate and destruction. The Muslims say they use Restland like the others, but they are forced to follow burial rules in Restland. John Quincy Adams, all those years ago, stated Islam was a detriment to America. They will change our laws to conform to Sharia Law. Theirs is a religion of fear. People are very concerned. Many cities will applaud Farmersville if they are resisted and then our city will benefit.

James Moss, residing at 2092 CR 700, stated he heard of this cemetery on the news. He has researched and produced five pages of people's names who were slaughtered, including 59 pages of Christians who were slaughtered. Mr. Moss asked why someone from the IACC was not at the meeting. Mr. Moss asked for the names to be recognized of those who have been affected by Islam. Muslims discriminate and have not shown any reason for them to assimilate with us or us with them. Mr. Moss asked the Muslims to take responsibility for what they are doing. Islamic faith is a mindset to genocide those that do not believe as they do. Instead of coming to America to start a

new life, look at the current events. What makes the Muslims want to come to Farmersville?

Mayor Helmberger announced an Open House of the Public Works Building from 8am – noon on August 1st.

Mayor Helmberger read a proclamation proclaiming August 9 -15, 2015 as National Health Center Week.

Jim Foy announced there was some extensive work accomplished at City Hall and the City Park and extended a thank you to Mayor Helmberger and John Politz for their efforts trimming trees and clearing brush.

Item II – A) CONSIDER, DISCUSS AND ACT UPON CITY FINANCIAL REPORTS

Finance Director Daphne Hamlin came before the Council stating we are three-fourths through the year and we are at 75% of the budget. A separate fund was established for the TIRZ funds with a balance to-date of \$52,320.82. Revised numbers were used in the Electric Fund. City Manager Ben White indicated the outlook for August is promising to hit the budgeted target for the Electric Fund.

Ms. Hamlin reported the water fund is not producing as budgeted. With rates increasing, the public raised their conservation and not using the water as in previous years. Jim Foy noticed the Refuse Fund shows the year-to-date figures have gone down. Ms. Hamlin stated the invoices received were after June and will post correctly in July. Michael Hesse motioned to approve the City Financial Report as presented with Leaca Caspari seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM II – B) CONSIDER, DISCUSS AND ACT UPON AN ENGAGEMENT LETTER WITH BROOKSCARDIEL, PLLC TO SERVE AS THE CITY'S AUDITOR

City Manager Ben White stated the engagement letter offers clarifying remarks from BrooksCardiel. The auditor contract was previously approved. No action is required.

ITEM II – C) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT WITH TIME WARNER CABLE TO PROVIDE TELEPHONE SERVICE FOR THE MAIN STREET DIRECTOR

City Manager Ben White indicated the agreement before the Council will be funded through the Farmersville Community Development Corporation. This agreement will complete all phone systems with the City to be through Time Warner. Jim Foy motioned to approve the agreement as presented with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM II – D) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION ASSIGNING REPRESENTATIVE FROM THE FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION BOARD (4B) FOR TEXPOOL ACCOUNTS

Mayor Helmberger confirmed FCDC understands and agrees with the Mayor signing the resolution designating FCDC's representatives for TexPool investments. Leaca Caspari motioned to approve the resolution as presented with Michael Hesse

seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM II – E) CONSIDER, DISCUSS AND ACT UPON A CHANGE ORDER FOR PHASE III OF THE CHAPARRAL TRAIL PROJECT REGARDING REMOVABLE BOLLARDS

City Manager Ben White indicated \$25,300 was decreased due to removable bollards being installed. The funds were paid through the Texas Parks and Wildlife grant Phase I and therefore did not remain with Phase III project. The reduction allowed handrails to be added just past the bridge to make the area safer. Other items were added due to the overall decrease. This was a good effect on the contract. John Klostermann motioned to approve the Change Order as presented with Leaca Caspari seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM II – F) CONSIDER, DISCUSS AND ACT UPON AMENDING THE CODE OF ORDINANCES TO INCLUDE SWIMMING POOL BACKWASH

City Manager Ben White stated when involved with the Safe Routes to School project, a situation was presented where swimming pool water was backwashed onto the new sidewalk. With changes in technology and new systems, most swimming pools do not require a backwash. Some cities allow backwash as irrigation. This is a safety issue. The cities of Plano, Dallas and Allen are designed to have backwash go into the sanitary sewer system. Cartridge and sand filters are used in several swimming pools now. Run off goes into the storm water. Cartridge filters are usually rinsed on the yard.

City staff can modernize the ordinance to resolve the issue of backwash leaving someone's property. A question was raised if hot tubs should be included. Mr. White replied if this becomes a safety issue, then yes. Mr. White requested time to prepare an ordinance that does not violate Texas Surface Water regulations. Council concurred to proceed.

ITEM II – G) UPDATE ON CHAPARRAL TRAIL PROJECT

City Manager Ben White stated due completion date for July was missed. Currently the contractor is working on the bollards to secure the Trail. Drainage is a big item left to do. The kiosks are to be delivered, but the date is unknown. Mr. White is also working on the locks for the bollards. The goal is to keep out 4-wheelers and other motorized vehicles on the Trail. The bollards are spaced so that a bicycle with a baby carrier could travel between them. John Politz expressed concern the street crossings are marked.

ITEM II – H) UPDATE ON STREET, WATER AND WASTEWATER GENERAL OBLIGATION BOND PROJECTS

City Manager Ben White informed the Council of work being performed on South Washington/Sid Nelson and Santa Fe to Neathery. Locust Street will be next in line after Sid Nelson for street improvements.

The Houston/Austin waterline project is under construction along with the Automated Meter Reading project. The water project on South Washington and Santa Fe has the vast majority completed.

The bond will be funded August 11th. Jackson Street is a candidate to be added to the list with curb and asphalt providing funds are available. Mr. White indicated he does not want to install street without curbs.

ITEM II – I) UPDATE ON HIGHWAY 380 PROJECT

City Manager Ben White indicated lanes are open on Highway 380 and the latest report from TxDOT will have the Main Street crossing completed in September 2015. The contractor is finishing the bridge on the railroad track. A question was raised regarding the four-way stop on the Main Street Bridge. TxDOT is using a standardized 4-way stop which has even the oncoming ramp drivers to stop. Jim Foy stated the westbound drivers coming to the 4-way may be an issue as the intersection is blocked with the concrete wall and cannot see oncoming traffic. Mr. Foy stated this is a bad design. Leaca Caspari stated Rike Street is rough and needs to be extended with concrete due to the heavy traffic. Mr. White stated he can build that into the next budget.

There will be grading for the new main line which will shut down South Main. Mr. White has requested South Main be operational for Old Time Saturday.

ITEM III) BUDGET WORKSHOP – DISCUSS PROPOSED FISCAL YEAR BUDGET FOR 2015-2016

Finance Director Daphne Hamlin came before the Council stating Revenue Rescue will be cancelling their contract. The Mayor/City Council budget was increased \$5,000 for a budget workshop retreat for the 2016-2017 budget. The budget was also increased in the Library changing a part-time to full-time. The Police Department budget was increased to add an additional Code Enforcement Officer. The Fire Department budget was increased for an additional fireman. The tax rate was increased to support the debt. The transfers from the Wastewater fund to support the General Fund was increased by \$108,179.

All indebtedness is being paid through the Interest and Sinking Fund. Police Chief Mike Sullivan reported the new numbers are not coming out regarding dispatch. The current budget is based on existing fees. An increase will need to be considered for a new dispatch system when more information is available. The increase is presented as a normal increase based on activity. City Manager Ben White indicated the new radios will not impact this year's budget, but will probably impact next year's budget. There is unrestricted cash funds to cover this expenditure if needed. Chief Sullivan stated the JAG grant will be utilized for future grants, but all departments will be flooding this entity for funding, making acquisition difficult.

Sales tax is slightly behind the anticipated budget amount. The Civic Center is funded for daily operations. Mayor Helmsberger requested the Marketing line item to be moved to Administration.

Ms. Hamlin stated if the wish list remains the same, the budget will still be short \$8,000. When adding new employees, there is pressure placed on the transfers. City

Manager Ben White stated he is thinking of a one-time expense versus ongoing expenditures.

Mayor Helmberger expressed concern regarding the water and wastewater fees which were based on a fee study for capital needs. This fund is bleeding out and should all go to capital projects. Mr. White indicated people are not using water with the higher rates. The Water Fund is still in the negative. The Electric Fund is now taking on an expensive sub-station. Michael Hesse questioned the gain of the Electric Department since we took over the utility with Mr. White replying approximately \$200,000 and growing above expenditures.

Ms. Hamlin referred to Page 7 of 24 regarding the preliminary tax rate. According to the Collin County Appraisal District, \$1.2 million dollars of property is still in arbitration which will adjust the effective tax rate. The rate also includes the additional bond. Page 8 shows the allowance of 3% increase on top of the effective tax rate.

The Wastewater transfer of \$248,000 is up from last year's \$144,000 budgeted amount. This is mostly due to the self-supporting of the debt. Beyond the debt support, the fund is not transferring more than last year. There is 15¢ on top of the ad valorem tax rate directly due to the bond sale which was approved by the voters.

Last year the bond increased 32¢ and this year the increase is 44¢. The rollback presently is set at 92¢. Jim Foy proposed not to increase the 3% and stay below Wylie's tax rate which is the highest rate in Collin County. Another workshop will be scheduled for August 11th.

From this workshop, two items were finalized. 1) Move the Marketing expenditures from the Mayor/City Council to Administration and 2) keep the tax rate below Wylie.

Mr. White stated he does not want to put more pressure on the Enterprise funds. Jim Foy asked to find other ways to accomplish this task. There is great interest in an additional Coe Enforcement Officer.

A tactical use was accomplished rather strategic planning for the budget. The budget retreat will allow time to strategically plan for upcoming budgets. The Wastewater Fund is limping along. Health insurance rates are staying the same. The Fire Department needs bunker gear and grants are drying up for this necessary need. Mayor Helmberger stated we need solid number of calls within the City and County to negate the cost of dispatching.

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

No one requested items for future agendas.

ITEM V) ADJOURNMENT

Council adjourned at 8:15pm.

ATTEST



Edie Sims, City Secretary

APPROVED



Joseph E. Helmberger, P.E., Mayor

