

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
September 22, 2015

The Farmersville City Council met in regular session on September 22, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Joe Helmberger, John Klostermann, John Politz, Leaca Caspari and Jim Foy. Councilmember not present was Michael Hesse. 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, Main Street Manager Adah Leah Wolf, Librarian Trisha Dowell and City Secretary Edie Sims.

Item 1) 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.

Gwen Reynolds, residing at 5258 CR 660, stated she attended the last meeting where electric meters were discussed. She has Fannin County Electric Co-op where she lives. Fannin County offers testing of the meters by bench testing, sending to a third party or the vendor tests the meter in front of the customer. All meter testing is at no charge.

Diane Piwko, residing at 200 McKinney Street, stated she is disappointed to see the same grant project for the downtown area as before. The information submitted still has her business name incorrectly and no one has contacted the business owners regarding the grant being submitted. The requirements list does not reflect the needs of downtown. Ms. Piwko stated she does not have a lot of handicapped customers. With a new handicapped school downtown, the issues need to be redirected and protect the needed parking areas.

Anne Hall, residing at 401 Summit, stated Ms. Piwko has the wrong facts. By law the ADA compliancy must be done. If more than \$10,000 is spent on construction, the business has a responsibility to provide ADA compliancy. It is great the City is seeking grants to have this project completed. Our Main Street area is an accident waiting to happen and the City will be responsible.

Tiffany Long, residing at 1894 Kristen Court, Caddo Mills, TX, stated the Public Information Act is not consistent with local policy nor with the Texas Local Government Code. The City Council cannot sit as the Zoning Board of Adjustment. Ms. Long also stated the Freedom of Information Act ordinance to be presented tonight is not consistent with current law.

Cathy Strong, residing at 314 Woodard, stated the City has planted trees along the walking path. Out of 9 trees planted near Murchison Street, 3 have died. This is a waste of money. There were 4 new trees planted by the Onion Shed and now only 2 are living. Either get a guarantee that the trees will live or don't buy them. Ms. Strong also thanked

the City for improving the background of the Chaparral Trail sign near the ballpark so it can be seen.

Mayor Helmberger announced Old Time Saturday will be held October 3rd. The upcoming annual Chamber events, Scare around the Shed and Trick-It-Up Bike Ride will be held October 24th.

Jim Foy stated a military convoy will be coming through Farmersville at 11:00am after the Old Time Saturday parade. The convoy left Washington, DC and will be heading to San Diego, CA. The trip previously took 116 days, now the trip is approximately 16 days with 60-80 vehicles.

Item II – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A SPECIFIC USE PERMIT ON A LEASE SPACE LOCATED ON BLOCK 1, TRACT 92 OF THE D.J. JAYNES SURVEY, ABSTRACT NO. 471, AND WHICH LEASE SPACE IS MORE COMMONLY KNOWN AS 1055 WEST AUDIE MURPHY PARKWAY, SUITE 133, FARMERSVILLE, COLLIN COUNTY, TEXAS, FOR THE OPERATION OF A BANQUET/MEETING HALL

Mayor Helmberger opened the Public Hearing at 6:16pm and asked for those FOR the Specific Use Permit to come forward. Ray Feagin, property owner of 1055 West Audie Murphy Parkway, came forward stating this Specific Use Permit has been in the works since March 2015 and is due time to resolve. The use will allow parties and events which Farmersville needs. The business will allow their clients to bring alcohol but will not be serving alcohol. Security is lined up and all stipulations have been agreed to.

Gwen Reynolds, residing at 5258 CR 660, stated she has major concerns with the location. During the daytime and sober, it is hard to get out of the location. Ms. Reynolds stated she foresees alcohol as a major problem including death. The history of the operators from the downtown area include vandalism, fights and other issues. How will security be checked with a gun shop is also nearby? How will this area be protected?

Tiffany Long, residing at 1894 Kristen Court, Caddo Mills, TX, stated she is concerned the City is spot zoning and recited information from The Basics of Zoning provided by Brown and Hofmeister, attorneys. Ms. Long continued the use should be in accordance with the Comprehensive Plan, which it is not. Ms. Long also stated a public hearing was required before zoning issues could have action. Ms. Long challenged City Manager Ben White that he was hired since he was an engineer and knew the Mayor through Rotary. Ms. Long also encouraged the use not be permitted. The Council cannot hold a dual office such as the Zoning Board of Adjustment. Ms. Long also stated information should be researched that is provided by the City Attorney's office as it is not correct.

Mayor Helmberger closed the Public Hearing at 6:30:03pm. Mayor Helmberger then called for an Executive Session at 6:30:04. Council existed into Executive Session.

Council reconvened from Executive Session at 6:34:27pm. Jim Foy stated in June 2015, the Planning and Zoning Commission held public hearings regarding the zoning of the banquet/meeting hall. This is not spot zoning and all the procedures have been followed properly. There is nothing illegal about this process and this particular case has gone on for several months. Donna Williams stated she was present during those

meetings and all the public hearings were held. Mayor Helmberger stated alcohol may or may not be available at every event, but security will be required if alcohol is present and the operator has agreed to those terms. Jim Foy motioned to approve with the conditions as noted in the Specific Use Permit with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM II – B) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A REQUEST TO CHANGE THE ZONING ON APPROXIMATELY 100.81 ACRES OF LAND IN THE W.B. WILLIAMS SURVEY, ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, FROM PLANNED DEVELOPMENT (PD) DISTRICT WITH SINGLE-FAMILY 3 (SF-3), MULTI-FAMILY 2 (MF-2) AND COMMERCIAL (C) DISTRICT USES TO PLANNED DEVELOPMENT DISTRICT WITH SINGLE-FAMILY 3 (SF-3) DISTRICT USES, MULTI-FAMILY 2 (MF-2) DISTRICT USES AND COMMERCIAL (C) DISTRICT USES, AND APPROVING CERTAIN EXCEPTIONS TO THE REQUIREMENTS ESTABLISHED BY THE BASE ZONING OF SINGLE-FAMILY 3 (SF-3) DISTRICT THROUGH AN ORDINANCE

Mayor Helmberger recused himself as he works for Kimley Horn engineering firm. Jim Foy, Mayor Pro-Tem took the helm and opened the Public Hearing at 6:38pm. Jeff Crannell, engineer for the Camden Park development, came forward with a zoning change. Mr. Crannell explained the project has evolved with many concepts that were not feasible due to various issues. Currently, the City has an approved plan for 333 lots that are 80'x90'. Other components are not being changed with the exception of the Single Family zoning. With larger lots, the density will be reduced with Single Family 3 lots. The product being presented will not be age restricted as there is currently not a market for 55+ adult living as was originally planned in 2012. The development will be open to all buyers who want to be a member of the City of Farmersville. The plan presented is a viable option. There have been concerns of drainage, traffic, and the impact on city services and schools. If the lots are reduced to 290 from 333, this will help with city services. Parking can be allowed on the streets. The plan presented has followed all the City's ordinances and improvements were made for larger homes with side yard setback reductions with a higher percentage for the home site. The developer requests a bigger and nicer product. Traffic will mostly enter and exit onto Highway 380 which is a predominant factor. The second point of access is on CR 610. Mr. Crannell stated he hoped the residents will take the path of least resistance which would feed onto Highway 380. There will definitely be an impact on the schools. The goal is to sell to any viable source. Mr. Crannell stated he hoped the school will react to the demand as it is needed. In his experience, schools do react after the demand has made a presence in the schools.

This is a 4-5 year project. This will give time for all entities to react accordingly. The project has been on the books for 9 years now. Mr. Crannell also stated the development is not low income nor set out as a rental area. The site is for sale properties to those who qualify for loans. Detention ponds were also discussed and Mr. Crannell stated his firm will address other needs but felt has addressed and met current needs.

The project has gone before the Planning & Zoning Commission and the Council previously with a requirement for park/open space area. This too has been addressed with 5 acres which includes the detention pond. The Planning & Zoning Commission denied the plan; however the project is feasible, viable and has a great chance for success. Mr. Crannell stated he hoped that 55+ adults will also buy into the development.

Gwen Reynolds, residing at 5258 CR 660, stated she was appalled the Council would consider this development. It seems odd that Kimley Horn is involved with this project. It seems Kimley Horn is involved in everything and raises a red flag. Ms. Reynolds stated she is fed up with SF-3 housing which is the lowest housing lots anywhere. Other cities that have SF-3 are low income and mostly rentals which brings down the entire area. This type of housing brings horrible problem with vandalism and criminal activity. The development should stay as retired occupants with little to no impact on the schools. With the plan presented, a huge impact will occur with the school system which cannot handle. Have there been any studies? The problem with SF-3 zoning, it doesn't trickle up. SF-2 zoning brings good economics to the community. Ms. Reynolds stated she is appalled the City is not requiring studies be performed. This is crazy. Along with the school impact is the traffic impact. This development will be just like the one at Highway 78 and Highway 205 in Lavon. This development is a nightmare with impacts not being studied and the Council should require the zoning to be changed to SF-3.

Tiffany Long, residing at 1894 Kristen Court, Caddo Mills, TX, stated she apologized for her statements earlier and stated Mr. White should have stated correct measures were taken which would have spared a lot of time. Ms. Long continued she noticed the Multi-Family is being changed with a special exception and the plat does not reflect commercial. Tract 3 shows proposed change to PD Commercial. There is a problem with the public notice that was submitted from Multi-Family to Commercial. Leaca Caspari responded the zoning is being changed. Ms. Long stated the entirety of the plan is subject to a zoning change from the previously approved Planned Development SF-3 district. The allocation of the original area is difference hence the rezoning of the entire development and not just 1 tract or area. The original plan from 2006 is quite different than what is being presented. How can the public speak for or against if the public notice is not correct to know what is actually being presented? The Comprehensive Plan is showing mixed use, yet what is being considered is not consistent with the Comprehensive Plan. Ms. Long asked what is exactly being changed.

Richard Smith, residing at 617 CR 610, stated he has a problem with the sewer. The current sewer plant is at capacity and close to maximum loads. He understands the City has joined partners to have a Regional Wastewater Treatment Facility, but this may not be in operation for 3-4 more years. If the development is built, the Multi-Family and Commercial areas will be built out before a wastewater treatment plant is up and running. This brings a problem with state regulators. The ordinance approving the development in 2006 number 2006-61 shows 77 acres for SF-3 and commercial zoning which is parallel with CR 610/611. The southeast corner and remainder of the development is set for SF-3 zoning. The lots are noted from the engineer with zero lot lines. Now you are doing away with the senior housing and increasing the density. This will bring more traffic, large

impact on the schools and the water and sewer systems. The development as presented will be detrimental and could possibly not welcome Collin College.

Randy Smith, residing at 508 CR 610, stated he lives north of the project. He is concerned of the density and traffic that will be bottlenecked at Highway 380. The traffic will be a significant impact if the College were to build on their property across the road. The traffic to come out on CR 611 will probably not go to Highway 380 to get to our schools. The logical use would be using CR 611 which would impact that road immensely.

Diane Piwko, residing at 200 McKinney Street, stated she hoped the Council would have the wisdom to turn down this project as presented. Ms. Piwko also asked John Klostermann to offer information from the P&Z meeting.

Greg Taylor, residing at 14202 CR 567, stated he is adjacent to the project. He stated he is hearing a lot of "what if's" but is not hearing hard facts. What did the City Engineer say? Where are the studies? The City needs to increase, but where does the school plan to accommodate? How does this project fit into Farmersville?

City Manager Ben White stated the City Engineer has reviewed all the City services and considered on a large scale the effect this project would have on the wastewater treatment facility. The improved wastewater treatment facility would be in reaction to this growth. Once current infiltration issues have been removed, the current plant will handle some of the development. The development will not be overnight. Mr. White stated he hopes the new wastewater treatment plant will be ready in time for this development. He does not believe this will be a problem. The City Engineer has been asked to sign off on the prints.

Jeff Crannell stated he has heard the objections and they are duly noted. Ms. Lovell from the audience asked when the College was coming. Mayor Helmberger replied the Collin College Trustees have voted to place this college campus on hold. Another question from the audience was if Phase 3 of Farmersville Parkway held up the College with the reply being no.

The Public Hearing was closed at 7:28:49pm.

City Attorney Alan Lathrom stated the Council cannot consider use of low income housing which against the Federal Fair Housing Act. John Klostermann reported the Planning and Zoning Commission had a long discussion regarding density, parking, open space, house size, ingress and egress and other issues with the development. The P&Z Commission did not approve the zoning or plat as presented. All issues expressed during this Public Hearing were already discussed by the Planning and Zoning Commission.

In 2006, the City made adjustments to accommodate the development. In 2012 adjustments were made again to allow retirement aged citizens which would have a low impact on the school system. There is a great concern regarding rezoning based on the history. There has also been a question regarding the Texas New Mexico Power property. The developer is planning on working out this situation. In 2006 this development was not age restricted. Now bigger homes on the same size lot is being presented. There is also issues with the open space area. The open space has been increased as shown on the plat presented.

Jim Foy stated the 2012 approval contained smaller lots but was specifically age restricted. City Attorney Alan Lathrom indicated the Council can order a moratorium until such time safeguards can be in place before violations of State Law regarding the wastewater treatment use. Jim Foy stated if the City does not rezone, we are left with smaller lots and age restrictions on the development along with smaller setbacks.

Jim Foy motioned to approve the zoning change as specified. John Politz stated the P&Z did not approve for a reason and felt the Council's position is to take their recommendation. The motion died for lack of a second.

ITEM III – A) FIRST READING TO CONSIDER, DISCUSS AND ACT UPON A FREEDOM OF INFORMATION ACT ORDINANCE

Mayor Helmberger returned to hold the meeting. Questions were asked earlier regarding the validity of the ordinance being consistent with current law. City Attorney Alan Lathrom indicated there are parallels with the Administrative Code. The media form is in the Texas Administrative Code; however, in the event of a conflict, the Texas Administrative Code controls. Jim Foy noted on page 11 of the ordinance an item regarding electronic delivery. During this last session of the Texas Legislature, if a notice is submitted via email, as of September 1st, the respondent is allowed to send notice via email. The ordinance will be ready for the second reading at the next meeting. Jim Foy questioned the pricing for programming which is extremely low and not in range at all with current programmer's charges. Most charge \$75 per hour or more. Mr. Lathrom indicated the charges are regulated by the Office of Attorney General and they set the amount to be recouped. Mayor Helmberger noted on page 4 of the ordinance an exception shows redundancy from the OAG's office. Mr. Lathrom indicated this is the language direct from the OAG. Mayor Helmberger noted on page 10, the request for clarification can be hand delivered, with the answer being no, the response can be by email as earlier stated. The Legislature is slow to catch up with current technology.

Jim Foy motioned to approve with the addition of allowing for electronic data according to State Law. John Politz seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM III – B) FIRST READING TO CONSIDER, DISCUSS AND ACT UPON WATER RATE INCREASES DUE TO A PASS THRU FROM NORTH TEXAS MUNICIPAL WATER DISTRICT AND ANNUAL REVIEW OF THE MASTER FEE SCHEDULE

City Manager Ben White stated the ordinance reflects a 23¢ increase from an 11% rate overall to the City. The entire Master Fee Schedule has been included this time per a request from our new auditors so Council can see all the rates and review on an annual basis. Page 7 of the Master Fee Schedule reflects the water rate increase from \$2.06 to \$2.29 per 1,000 gallons of water. Jim Foy asked why the meter charge was increased by 23¢. Mr. White showed the meter charge includes water usage per 1,000 gallon and increasing increments. These are volumetric rates.

Mr. White also indicated North Texas Municipal Water District is building the Lower Bois D' Arc reservoir to help serve all of North Texas. John Klostermann motioned to

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

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

Finance Director Daphne Hamlin came before the Council reporting the finances for August 2015. There are no issues with any of the funds. All funds are reporting well within their budgets. The Court revenues have increased since the first phase of the warrant purge. Ms. Hamlin noted Warrant Officer Ranspot has been knocking on doors. Jim Foy questioned the Water revenues/expenditures. Revenues over/under expenditures is at 48%. Ms. Hamlin stated there is showing a 5% shortage. Last month was good for the Water Department revenues. The same issue is on the Electric Department report. Ms. Hamlin will investigate.

Ms. Hamlin stated the City is on the final days of the budget and will have the revised numbers at the next meeting. Jeremy Jones was given accolades for his work with the Electric Department budget. Leaca Caspari motioned to approve the budget as presented with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – B) CONSIDER, DISCUSS AND ACT UPON PRELIMINARY AUDIT REVIEW FROM BROOKS CARDIEL, PLLC

City Manager Ben White stated BrooksCardiel have supplied the City with a preliminary audit. This is quite a change from our last auditors who gave a report after the audit was completed. Staff has already moved forward with actions per the auditors recommendations. Mayor Helmberger stated he liked this method of communication as it is more forward. Most of our communications with the auditors is through a secure website so their being in The Woodlands is not an issue. Mayor Helmberger stated it was good to have a new set of eyes on our finances. Jim Foy questioned the sales tax for the Electric Fund being more than we were supposed to submit to the State. Ms. Hamlin stated the auditors found this error and stated there is a slight chance the State will refund the overpayment, but it is more unlikely this will happen. The auditor's recommendation is to make the correction and move forward. We can only go back one year since we have had our electric utility for only one year. The cost is roughly \$20,000 for this error and any further actions would create a hardship. City Manager Ben White stated the State has already collected and processed the funds.

Another policy being worked in involves the wire transfers. Ms. Hamlin stated she is working with the bank to have an email sent to signers to include the Council Treasurer, Mayor, and City Secretary. The bank will contact a signatory on the account for verification of the wire transfer.

Lastly, the payroll issues have been corrected and all employees are entering their own time into the Time Entry database.

Mayor Helmberger recused himself from items IV – C and IV – D as his firm, Kimley Horn, has an interest in the developments. Mayor Pro-Tem Jim Foy presided over the meeting for these two items.

ITEM IV – C) CONSIDER, DISCUSS AND ACT UPON A PRELIMINARY PLAT FOR CAMDEN PARK, A PLANNED DEVELOPMENT, CONTAINING APPROXIMATELY 100.81 ACRES OF LAND IN THE W.B. WILLIAMS SURVEY, ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS

Leaca Caspari motioned to disapprove the Preliminary Plat submitted with John Politz seconding the motion. Motion passed with full Council approval.

ITEM IV – D) CONSIDER, DISCUSS AND ACT UPON A FINAL PLAT INCIDENT TO THE POSSIBLE REPLATTING OF ALL OR PORTIONS OF LOTS 1 THROUGH 5, BLOCK A, OF THE ADVANCED FIXTURES ADDITION, BEING APPROXIMATELY 25.382 ACRES OF LAND IN THE WILLIAM HEMPHILL SURVEY, ABSTRACT NO. 448, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS

Jim Foy opened the discussion and questioned the access to Lot 5 on the Final Plat presented. City Manager Ben White indicated Lot 5 will be utilizing the existing road for ingress and egress. The purpose of the layout for Lot 5 is for fire lane access. The plan is to build a road and dedicate it. Lot 2 has the same structure where the existing road will also be dedicated as the fire lane. Access for both lots will remain as shown. Lot 5 will no longer have access off the main road and will ultimately have a road built; however the fire lane is now the drive. The road is a dedicated rock road that leads to the City's water tower. Mr. White informed the Council of P&Z's approval as presented. They too questioned the roadways and zoning. The zoning will not change for this development. John Klostermann motioned to approve the Final Plat as presented with John Politz seconding the motion. Motion passed with full Council approval. Mayor Helmberger returned to preside over the meeting at 8:15pm.

ITEM IV – E) CONSIDER, DISCUSS AND ACT UPON A CONTRACT WITH TLC NETCON FOR IT SERVICES FOR FISCAL YEAR 2015-2016

City Manager Ben White informed the Council the contract presented is the same as last year with the exception of increased rates. Council concurred Tony Linton has provided good IT services to the City. Mr. White also stated the amount per Mr. Linton's contract were budgeted for and recommended approval. Leaca Caspari motioned to approve the contract as presented with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – F) CONSIDER, DISCUSS AND ACT UPON AN INTERLOCAL AGREEMENT WITH THE CITY OF FRISCO TO PURCHASE VESTS FOR THE POLICE DEPARTMENT

Police Chief Mike Sullivan requested this item to come before the Council. The City of Frisco has attained a State contract with special pricing which is good for 5 years. The cost for each vest is \$960 through this contract. Jim Foy motioned to approve the Interlocal Agreement as presented with Leaca Caspari seconding the motion. A poll of

the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – G) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION THAT DESIGNATES AREAS WITHIN THE DESIGNATED MAIN STREET DISTRICT AS SLUM/BLIGHTED AND IN NEED OF IMPROVEMENT

City Manager Ben White stated the areas in need of improvement include the old Candy Kitchen area for utility improvements and extend needed ADA compliancy issues to the downtown area. Funding in the amount of \$70,000 has been set aside which will be more than doubled with construction work through this grant. Kathy Boyles, representative for Grantworks, stated the term blighted/slum is required through the Texas Capital Funds and according to census information. A budget amendment will be brought forward between this year and next year's budgets. John Klostermann motioned to approve the resolution as presented with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – H) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR A 2015 TEXAS CAPITAL FUND – MAIN STREET PROGRAM GRANT TO CONSTRUCT DRAINAGE, ELECTRIC, SIDEWALK, LIGHTING AND HANDICAP-ACCESSIBILITY IMPROVEMENTS IN THE DESIGNATED MAIN STREET DISTRICT

Continuing from the same topic as Item IV – G, Leaca Caspari motioned to approve the resolution to submit an application for a Texas Capital Fund grant with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – I) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION ADOPTING A PUBLIC ACCESS PLAN TO BE UTILIZED DURING INFRASTRUCTURE CONSTRUCTION PROJECTS FUNDED THROUGH THE TEXAS CAPITAL FUND – MAIN STREET PROGRAM

Mayor Helmsberger read the resolution regarding the adoption of a public access plan which covers our bases. Jim Foy motioned to approve the resolution as presented with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – J) CONSIDER, DISCUSS AND ACT UPON ADOPTING A CITIZEN PARTICIPATION PLAN AND CITIZEN COMPLAINT PROCEDURES TO BE FOLLOWED DURING IMPLEMENTATION OF TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TEXAS CAPITAL FUND PROJECTS

Leaca Caspari motioned to approve the Citizen Participation Plan and the Citizen Complaint Procedures as presented with John Klostermann seconding the motion. A poll

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

ITEM IV – K) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION CONTRACTING WITH GOVERNMENT CAPITAL CORPORATION FOR THE PURCHASE OF TWO POLICE VEHICLES COMPLETELY EQUIPPED FOR SERVICE

Police Chief Mike Sullivan reported the Council has approved the budget to purchase two police vehicles. Chief Sullivan stated he was able to purchase Ford Interceptor's on a lease purchase for a lower cost to the City. Leaca Caspari motioned to approve the resolution as presented with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – L) CONSIDER, DISCUSS AND ACT UPON VARIOUS FUNCTIONS OF COMMITTEES/BOARDS, INCLUDING SETTING AND REVIEWING GOALS; TRAINING AND OTHER COMMITTEE/BOARD REQUIREMENTS

Leaca Caspari had concerns regarding some of the boards and committees meetings and the lack thereof. The Code of Ordinances show the first meeting to appoint the Chairman and other officials is in October; however the boards/commissions/committees are appointed in May. There are also no requirements other than residency included in the Code of Ordinances. There are no reporting requirements other than including the minutes in the Council packet on a monthly basis. An organizational meeting might be good and extend or express goals.

City Secretary Edie Sims reported in years past, boards/commissions/committees came before the City Council annually to give a report of the past year's accomplishments and upcoming goals prior to the budget session of the City.

Ms. Caspari stated she would like to see further training outside the Open Meetings Act and Public Information Act that is directed to the specific board/commission/committee. One such committee that has not met is the Senior Citizens Advisory Committee. The ordinances need to be changed, quorums need to be clear and how to handle when not met, organizational planning needs to be requested in June, etc.

Leaca Caspari volunteered to serve as the Council Liaison for the Senior Citizens Advisory Committee. John Politz motioned to appoint Ms. Caspari as Council Liaison for the Senior Citizens Advisory Committee with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – M) UPDATE REGARDING ADA COMPLIANCY INCLUDING GRANT PROJECTS

City Manager Ben White informed the Council we are in the midst of a grant application to make ADA improvements downtown. In the ADA Transition Plan, some of the items planned to be resolved in 2015 will be transferred to 2016 in hopes of receiving grant funding to assist with construction. Parking issues will be funded through the City

and the City will need to attain permits from TxDOT regarding McKinney Street as it is a State Highway.

ITEM IV – N) UPDATE ON GRANT PURCHASED EQUIPMENT FOR THE POLICE DEPARTMENT

After October 1st, Police Chief Mike Sullivan stated he will be ready to purchase the equipment. The grant attained through JAG will reimburse the City for the speed trailer and speed tracking device.

ITEM IV – O) UPDATE ON DOWNTOWN SIGNAGE FROM TXDOT

City Manager Ben White stated he has turned in graphics to have signage made, more particularly for the Historic Downtown. TxDOT has a standard color but we have been approved for the brown color used on the signs. There have been many requests for four signs on Highway 380 at the Main Street Bridge. Brackets will need to be installed for the South Main sign. The City has asked for permits so that we could install the signs ourselves.

ITEM IV – P) UPDATE ON CHAPARRAL TRAIL PROJECTS

Per City Manager Ben White, the contractor has not been in Farmersville on site and has been called daily. Mr. White stated he will pull the trigger on the Maintenance Bond. There are still areas that need improving to decomposed granite. A Change Order was completed to reshape the ditches. Kiosks have been ordered and should be delivered soon. The crossing at FM 2194 is no longer an issue as TxDOT will not permit the crossing, so there will not be a pedestrian crosswalk.

ITEM IV – Q) UPDATE ON STREET, WATER AND WASTEWATER GENERAL OBLIGATION BOND PROJECTS

The bond project on Santa Fe is substantially complete. The Locust Street overlay is now done and Reverend Mondy is very appreciative. There are good connections off of Highway 380 to the railroad tracks.

City Manager Ben White continued reporting the water project at Houston/Austin Streets is in the ground and 95% complete. The last water project through the bond is the completion of the Automated Meter Reading system.

Efforts have been focused on the streets and now South Hamilton is being planned for next year. Every other project targeted will be completed by the end of this year with the exception of Floyd Street, which is expected to be under construction next year.

Jim Foy questioned if engineering is underway for the South Hamilton project. Mr. White reported surveying has been done and engineering will be next. However, right-of-way will not be added to this project. Drainage and street improvements were planned for this street. Mr. White stated he will make the money go as far as it can. He wanted to go down Jackson Street but he is also trying to hit all the major targets. Jim Foy expressed concerns with the South Hamilton Street project and not having right-of-way included in the project.

ITEM IV – R) UPDATE ON HIGHWAY 380 PROJECT

City Manager Ben White reported no changes have been accomplished on the Highway 380 project. The bridge has hit a snag and TxDOT is not expecting to have completed until the end of December. Jim Foy stated he would like to see the off going ramps extended from the Main Street Bridge as the design has the ramps very short. Oncoming traffic is very difficult to see. Also the speed limit was to be resumed to 50 MPH after construction. Mayor Helmberger stated until everything on the project is complete, TxDOT will not reverse the speed limit.

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

Mayor Helmberger reminded the Council of a Special Meeting to be held next week to accommodate needs for a Texas Parks and Wildlife Grant. No one requested items for future agendas.

ITEM VI) ADJOURNMENT

Council adjourned at 9:06pm.

APPROVED

ATTEST

Joseph E. Helmberger, P.E., Mayor

Edie Sims, City Secretary