

FARMERSVILLE CITY COUNCIL  
MEETING MINUTES  
October 13, 2015

The Farmersville City Council met in regular session on October 13, 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, 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. Jim Foy 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 changes to the Council meeting dates due to upcoming holidays. There will be only one meeting in November on November 17<sup>th</sup>. December 1<sup>st</sup> and December 15<sup>th</sup> will be the next meetings.

The County will be holding their election in City Hall October 19<sup>th</sup> thru October 23<sup>rd</sup> from 8am – 5pm. Lastly the Chamber of Commerce has two upcoming events on October 24<sup>th</sup>, the Scare Around the Shed will be held from 4pm – 7pm at the Onion Shed and the Trick It Up Bide Ride will begin at 9am on the same day.

Fire Chief Morris' birthday was today and he was given well wishes.

**Item II) CONSENT AGENDA**

Mayor Helmberger asked for any items to be pulled for discussion with Mayor Helmberger requesting the Public Works Report and the Library Report be pulled. With no other items being pulled for discussion, Michael Hesse motioned to approve Items A, B, C, D, E, F, and I with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Item G – Public Works Report: Mayor Helmberger stated he reviewed the service order status and questioned why so many service orders were dispositioned during the month of September. City Manager Ben White informed the Council service orders are created to change out meters for the automated metering system. Farmersville Electric has changed out numerous meters during the month of September, thereby reporting a high number of service orders being dispositioned.

Mayor Helmberger also noted early into taking over Farmersville Electric, a plan was to offer average billing after one year. Now that we are past August, City Manager Ben White stated the City must work with our software provider, Incode, to help structure the billing software. Average billing should be able to be deployed in 2 – 3 months. Before

deployed, Mr. White stated he will provide the algorithm to the Council. Leaca Caspari motioned to approve the Public Works Report with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Item H – Library Report: Mayor Helmberger requested the Library’s statistics be submitted to the Collin County Commissioner’s Court which highlights the County usage at our Library. Jim Foy motioned to approve the Library Report with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy 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) SECOND READING – CONSIDER, DISCUSS AND ACT UPON A FREEDOM OF INFORMATION ACT ORDINANCE**

City Attorney Alan Lathrom indicated due to recent legislation, a public information act request can be directed to the information on a specific URL unless the requestor requires hard copies of the information. Jim Foy stated some of the charges do not cover the actual costs. Mr. Lathrom stated all charges are directly through the Texas Administrative Code and approved through the Office of Attorney General. Unrecoverable costs are paid via taxpayer funds. John Klostermann motioned to approve 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, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM IV – B) SECOND READING – CONSIDER, DISCUSS AND ACT UPON AN AMENDMENT TO THE MASTER FEE SCHEDULE REGARDING A RATE INCREASE FOR THE WATER**

Mayor Helmberger stated he wanted to add another WHEREAS to clearly state the reason for the water rate increase. The rate increase is due to a pass thru cost directly from North Texas Municipal Water District. City Manager Ben White stated he clarified the rate table since the last meeting because of the tiered rate structure. The 23¢ increase does affect the meter cost of the first 1,000 gallons. The percentage was changed on the tiered rate table. Originally the percentage was based on the consultant’s rate study calculations.

Jim Foy stated the percentage was arbitrary and would feel better with a flat rate increase of 23¢ across all tiers. This is a pass thru cost only. Mr. White indicated the average user would not be affected by the tiered percentages. Mr. Foy repeated the charge is a pass thru only and no more. The percentage was arbitrary. Mayor Helmberger stated NTMWD will be increasing the water rate annually until the Bois D’

Arc reservoir has been completed. By the time we have another rate study, the consultants can re-adjust at that time. The increase is not believed to impact the budget. Jim Foy motioned to approve the ordinance with a modification of the volumetrics and include the additional "Whereas" as requested by Mayor Helmberger. John Klostermann seconded the motion. City Attorney Alan Lathrom requested Council amend their motion due to an error found in the ordinance. Under Section 1 referencing the location of the Code of Ordinances, the correction should be section 74.76 and not Section 11.122.4 (which was in the old codification). Jim Foy amended his motion to include the section correction with John Klostermann amending his motion to second the amended motion by Jim Foy. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM IV – C) ONLY READING – CONSIDER, DISCUSS AND ACT UPON A BUDGET AMENDMENT FOR PURCHASE OF A SAFETY RADAR TRAILER AND RADAR RECORDING EQUIPMENT FOR THE POLICE DEPARTMENT**

Michael Hesse motioned to approve the budget amendment 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 yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM V – A) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION APPOINTING THE NEWSPAPERS OF MAJOR CIRCULATION**

City Secretary Edie Sims indicated the main newspaper used will be the Farmersville Times, but in the event another newspaper is required, the Dallas Morning News will serve the need. Both newspapers have met the proper requirements set by statute. John Klostermann 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 yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM V – B) CONSIDER, DISCUSS AND ACT UPON INFORMATION REGARDING USERS OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2012 EDITION**

City Manager Ben White presented a potential ordinance as prepared by City Attorney Alan Lathrom. Several pool companies were contacted and questioned if they follow the ISPSC. Most stated they follow whatever ordinances were applicable to each city. Mr. White stated he also spoke with Manny Rivera with Benchmark Pools in Arlington who is also the President of the Association of Pool and Spa Professionals (APSP) who highly recommended the ISPSC Code which covers a wide gambit of information. The City of Wylie uses the presented Code and other cities are looking at adopting said Code. Although not perfect, the Code does feature safety which is very important. There is a cost to homeowners to provide safety including fencing and proper drains. The Code

presented is a decent spec and has the basics for a safe pool. Mr. White stated he understood the need regarding semi-private and public pools.

There some exceptions that were included in the ordinance proposal including backflow. If a sanitary sewer system is available, the backflow must be flow into the sanitary sewer system. Otherwise, the backflow must go into the storm drain. Mayor Helmberger agreed standards need to be in place. Council concurred to present the ordinance at the next Council for the first reading of the ordinance. No further action was taken by Council.

**ITEM V – C) CONSIDER, DISCUSS AND ACT UPON ALLEY DESIGNATIONS USED IN TOWN**

City Manager Ben White indicated maps of defined alleys and some of the dedicated rights-of-way were included in the Council packet. The need for this discussion came from identifying specific signs in town. The City is in the second phase of ordering signs and found that alleys had previously been assigned signage. Other rights-of-ways are being treated as streets and others still that are not used. There are several alleys all over town from old subdivisions that were not developed. Jim Foy stated he did not see the need to place street signs on alleys. Council concurred to this statement.

Mr. White stated he will follow the direction of the Council and only install stop signs on alleys as they come into thoroughfares and other streets for safety.

**ITEM V – D) CONSIDER, DISCUSS AND ACT UPON A SOLID WASTE GUIDE FROM PROGRESSIVE WASTE SOLUTIONS**

Progressive Waste Solutions provided a Solid Waste Guide for our residents in accordance with their contract. Leaca Caspari motioned to approve the Guide with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM V – E) CONSIDER, DISCUSS AND ACT UPON A CONTRACT RENEWAL WITH ITRON FOR SOFTWARE AND HARDWARE TO OPERATE THE ELECTRONIC METERS**

City Manager Ben White discussed the contract renewal for ITRON which is for the water side of the electronic meters. The handheld is ready to support the software. Michael Hesse motioned to approve the contract 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 yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM V – F) CONSIDER, DISCUSS AND ACT UPON A WELLNESS PROGRAM FOR CITY EMPLOYEES**

City Manager Ben White asked to discuss this item with the Council regarding a wellness program for City Employees. Mr. White has investigated options that will offer

a healthy working environment. A plan is being made available through Modern Fitness with Ambrose Coleman for intense physical training and membership with Farmersville Physical Therapy is offered for less intensive training. Farmersville Physical Therapy is offering a charge of \$30 per month per each user which includes the initial set up and access card. The charge through Modern Fitness is \$99 per month per person which equals 3 hours a week with a trainer or 1 hour each day.

Mr. White felt this was a good start towards healthier employees. Our insurance is not realizing the cost benefit but Mr. White feels the outcome will outweigh the insurance's support. Lower usage of our insurance will benefit the City all the way around. Police Chief Mike Sullivan stated while in DeSoto, his Department was offered a similar benefit. The Police Officers took advantage of this and it proved to help keep a physical asset to the City. Mr. White encouraged this as a good tool to promote physical fitness. Jim Foy asked if this benefit would be offered during working hours with Chief Sullivan stating the Police Officers would be allowed to work-out during regular working hours; however they would be ready for incoming calls. For non-Police, Mr. White stated the benefit would be used after working hours. Mr. Foy questioned if the funds are available in the budget with Mr. White stating yes. Mr. White and Chief Sullivan concurred there will be a strong start off and the usage may dwindle down. The usage will be monitored and those who have signed up and not using the benefit will have a conference. If the benefit is not used, the City will require the employee to discontinue. The City will also not be charged if the employee does not use the benefit

Leaca Caspari asked if Modern Fitness will charge whether the benefit is used or not. Mr. White stated if the benefit, either through Modern Fitness or Farmersville Physical Therapy, is not used, the City will not be charged. Mr. White only wanted to encourage a physically fit employee group.

Michael Hesse stated he liked the idea, but was not sure if the cost is up to the citizens to take on. If the health insurance offered a break for this expense, then he would be all for it. Mr. White stated currently our insurance does not offer any relief of costs by using this type of program. Again, Mr. White stated by promoting a healthy environment, insurance usage with doctor visits should decrease. It is seen as a cost avoidance. Part of Modern Fitness is working with nutrition. Michael Hesse questioned if there were other things the City could do to promote physical fitness. This choice has to become a personal goal to become fit.

John Politz stated he likes the \$30 monthly expenditure but would offer a compromise for the employee to participate with Modern Fitness by splitting the cost. This brings more willingness by the employee to participate. Leaca Caspari stated this will be more of a commitment and liked the compromise. Michael Hesse stated this could help reduce liability.

Jim Foy stated his company pays for employee and their family flu shots to help maintain the health of their employees. This is a good investment. Mayor

Helmberger stated he liked the buy-in of the Modern Fitness and allow the City to pay the full price for Farmersville Physical Therapy. Leaca Caspari motioned to approve the cost expenditure as follows: full price of \$30 per person per month for Farmersville Physical Therapy and \$49.50 per person per month for Modern Fitness. John Politz seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Michael Hesse stated he would like to see the usage tracked. Chief Sullivan stated he would like to see a base line performed to see if health improves. The only statistics attained will be through usage and can get feedback from employees directly. Leaca Caspari stated she sees this as a benefit and should pay for itself.

**ITEM V – G) CONSIDER, DISCUSS AND ACT REGARDING DIRECTION TO AMEND EXISTING ORDINANCES PERTAINING TO TRAINING AND FUNCTIONS OF EACH BOARD, COMMITTEE AND COMMISSION**

Leaca Caspari stated she would like the ordinances amended changing the date to appoint the Chairman and Vice-Chairman from October, as in the Code of Ordinances now, to the end of June. Each board is reappointed during the month of May. Also, she requested a requirement for each board to at least meet once per quarter. If ex-officio members need to be appointed, then the Council should also include during their appointments in May.

Leaca Caspari volunteered to serve as the Council Liaison for the Senior Citizens Advisory Committee. Ms. Caspari also would like to have each board come before the Council and offer a report of their progress during the past year and offer information of upcoming projects.

Jim Foy stated the Library and Civic Center Board does not have residency requirements; however we should include the board members should reside within the Farmersville School District. Mayor Helmberger stated we should have a majority of board members reside within the City. Trisha Dowell, Librarian, stated she has one board member who resides in the City that does not attend the meetings. Also one of her board members resides in Princeton and the remainder are in the Farmersville ISD. Jim Foy stated he felt it reasonable to require two board members live in the City and others can live within the County. This change can be made effective next year.

City Manager Ben White asked that Chairmen of each board bring no shows to the attention of the Council for replacements and not bypass the authority included in the ordinance. Council could always request attendance and status of current affairs of each board.

**ITEM VI) PUBLIC COMMENT**

Cathy Strong, residing at 314 Woodard, came before the Council expressing her concern about Camden Park and that this development should be turned down. They had a plan that could have been built upon since 2012 and not one time has she heard

this development would benefit Farmersville. This is the same issue as the cemetery. Once this development happens, it will change Farmersville. The people coming in will not be Farmersville citizens and she does not want this quaint town to change. But it will change drastically and makes her sad. Farmersville will change to their ways and bring their ways to us. These people are not just coming to become Americans but coming to take over America.

Also Ms. Strong stated if people wanted to exercise, they will. She walks the path every day and does not believe the taxpayers should pay for employees exercising.

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

No one else requested items to be placed on a future agenda.

ITEM VIII) ADJOURNMENT

Council adjourned at 7:22pm.

APPROVED

  
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Joseph E. Helmberger, P.E., Mayor

ATTEST

  
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Edie Sims, City Secretary

