

**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION AGENDA  
December 1, 2015, 6:00 P.M.  
Council Chambers, City Hall  
205 S. Main Street**

**I. PRELIMINARY MATTERS**

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Announcements relating to items of public interest: Announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, awards, acknowledgement of meeting attendees, birthdays, and condolences.
  - Due to the upcoming holidays, Council Meeting dates for December have been changed to:

**December 15<sup>th</sup>** (Monthly Reports will be presented on 12/15/15)
  - The Annual Christmas Parade sponsored by the Farmersville Chamber of Commerce will be held December 12, 2015 at 7pm with this year's theme being "Once Upon a Christmas"

**II. READING OF ORDINANCES**

- A. Second reading to consider, discuss and act upon an ordinance amending boards, committees and commissions requiring an annual report to the City Council; change timing for election of officers; requiring meetings to be held minimally once per quarter and amend residency requirements for the Library/Civic Center Board

**III. REGULAR AGENDA**

- A. Receive presentation from Lexington Medical Lodge
- B. Consider, discuss and act upon resignation from Todd Rolen from the Planning Zoning Commission/Capital Improvement Advisory Committee/Citizens Advisory Committee and the Parks and Recreation Board
- C. Update on ADA compliancy

**IV. PUBLIC COMMENT**

- Anyone wanting to speak is asked to speak at this time, with an individual time limit of 3 minutes. This forum is limited to a total of 30 minutes. If a speaker inquires about an item, the City Council or City Staff may only respond with: (1) a statement of specific factual information; (2) a recitation of existing policy; or, (3) a proposal that the item be placed on the agenda of a future meeting.

**V. EXECUTIVE SESSION** – Discussion of Matters Permitted by Texas Government Code Chapter 551 as follows:

- A. Section 551.086, **COMPETITIVE MATTERS OF A PUBLIC POWER UTILITY**

1. Consideration, discussion and action regarding competitive matters of the City-owned public power utility as allowed by Section 551.086 of the Texas Government Code for purposes of maintaining the confidentiality of certain information relating to competitive electric utility matters engaged in or to be engaged in by the City of Farmersville

**VI. RECONVENE FROM EXECUTIVE SESSION**

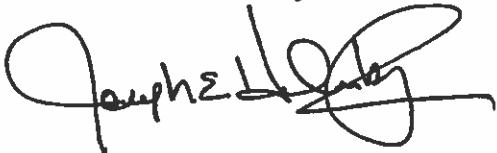
**VII. DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTIONS 551.086 OF THE TEXAS GOVERNMENT CODE:**

- A. Possible action regarding competitive matters of the City-owned public power utility.

**VIII. REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS**

**IX. ADJOURNMENT**

Dated this the 24<sup>th</sup> day of November, 2015.



Joseph E. Helmberger, P.E., Mayor

*The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.175-183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information).*

*Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 972-782-6151 or Fax 972-782-6604 at least two (2) working days prior to the meeting so that appropriate arrangements can be made. Handicap Parking is available in the front and rear parking lot of the building.*

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted November 24, 2015 by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.



Edie Sims, City Secretary



# December 2015

December 2015						
◀ November						January ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		<b>1</b> City Council Meeting at 6:00pm	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
<b>13</b>	<b>14</b> FCDC Meeting at 5:45pm  Planning and Zoning Commission Meeting at 6:30pm	<b>15</b> City Council Meeting at 6:00pm	<b>16</b>	<b>17</b> FEDC Meeting at 7:00pm	<b>18</b>	<b>19</b>
<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b> City Offices closed for Christmas	<b>25</b> City Offices closed for Christmas	<b>26</b>
<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Notes:</b>	

# FARMERSVILLE CHRISTMAS PARADE

## Once Upon A Christmas

**December 12, 2015 At 7:00pm**

**Downtown On The Square**



Join us at the Farmersville's Chamber of Commerce Holiday Parade featuring Santa and Mrs. Claus and our theme for this year, "Once Upon A Christmas." - Parade entries are FREE and will be judged by best theme design, appearance and originality—so let us know if you have a float, car, truck, band, tractor, horse or trailer you want to put in our parade.

**Farmersville Chamber of Commerce**  
201 South Main Street | Farmersville, TX 75442 **75442**

**972-782-6533**  
**PARADE ENTRY FORMS**  
**ONLINE**  
[www.FarmersvilleChamber.com](http://www.FarmersvilleChamber.com)

*Shop local for Christmas.  
Visit all our shops around town  
for Christmas specials that day.*

**Pictures with Santa & Mrs. Clause before  
the parade from 2-4pm. Sugar Hill Café**





TO: Mayor and Councilmembers

FROM: Ben White, City Manager

DATE: December 1, 2015

SUBJECT: Second reading to consider, discuss and act upon an ordinance amending boards, committees and commissions requiring an annual report to the City Council; change timing for election of officers; requiring meetings to be held minimally once per quarter and amend residency requirements for the Library/Civic Center Board

- An ordinance is attached for review.
- Council approved the first reading on November 17, 2015

**ACTION: Approve or disapprove the ordinance as presented.**

**CITY OF FARMERSVILLE  
ORDINANCE # 2015-1201-001**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 2, "ADMINISTRATION," BY AMENDING ARTICLE III – "BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES," BY AMENDING DIVISION 1, "GENERALLY," BY ADDING A NEW SECTION 2-50 REQUIRING THE MEMBERS OF SUCH BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES AS ARE APPOINTED BY THE CITY COUNCIL TO PROVIDE AN ANNUAL REPORT TO THE CITY COUNCIL, BY AMENDING CERTAIN SECTIONS OF DIVISIONS 2 THROUGH 7 REGARDING THE LIBRARY/CIVIC CENTER BOARD, CAPITAL IMPROVEMENTS ADVISORY COMMISSION, SENIOR CITIZEN ADVISORY COMMITTEE, PLANNING AND ZONING COMMISSION, BUILDING AND PROPERTY STANDARDS COMMISSION AND THE PARKS AND RECREATION BOARD, RESPECTIVELY, TO CHANGE THE TIMING FOR ELECTION OF OFFICERS, REQUIRE AT LEAST ONE MEETING THEREOF EACH QUARTER, AND CHANGE THE RESIDENCY REQUIREMENTS FOR CERTAIN OF SUCH BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Farmersville, Texas ("City Council"), pursuant to Texas Local Government Code, Sections 51.001 and 51.012, is authorized to adopt an ordinance, not inconsistent with state law, that is for the good government, interest, welfare, peace, or order of the City of Farmersville ("City"), and that is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS**, the City Council of the City of Farmersville, Texas ("City Council") finds and determines that amending Chapter 2, "Administration," by amending Article III – "Boards, Authorities, Commissions and Committees," by amending Division 1, "Generally," by adding a new Section 2-50 requiring the members of such boards, authorities, commissions and committees as are appointed by the City Council to provide an annual update to the City Council, by amending certain sections of Divisions 2 through 7 regarding the Library/Civic Center Board, Capital Improvements Advisory Commission, Senior Citizen Advisory Committee, Planning and Zoning Commission, Building and Property Standards Commission and the Parks and Recreation Board, respectively, as set forth herein-below to change the timing for election of officers, require at least one meeting thereof each quarter, and change the residency requirements for certain of such boards, authorities, commissions and committees is in the best interest and public health, safety, and welfare of the citizens of the City of Farmersville, Texas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:**

**SECTION 1: INCORPORATION OF FINDINGS**

The findings set forth above are found to be true and correct and are hereby incorporated into the body of this Ordinance and made a part hereof for all purposes as if fully set forth herein.

**SECTION 2: AMENDING CHAPTER 2, "ADMINISTRATION," BY AMENDING ARTICLE III – "BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES," BY AMENDING DIVISION 1, "GENERALLY," BY ADDING A NEW SECTION 2-50 REQUIRING THE MEMBERS OF SUCH BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES AS ARE APPOINTED BY THE CITY COUNCIL TO PROVIDE AN ANNUAL REPORT TO THE CITY COUNCIL**

From and after the effective date of this Ordinance, Article III, "Boards, Authorities, Commissions and Committees," of Chapter 2 of the Code of Ordinances, City of Farmersville, Texas ("Farmersville Code"), is hereby amended to add a new Section 2-50 to read as follows:

**"ARTICLE III. - BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES**

**Sec. 2-50. - Report to City Council.**

At least one time each year, the members of every Board, Commission, Committee or Corporation of the City, all or part of whose members are appointed by the Farmersville City Council, shall appear before the City Council at a public meeting designated for such purpose and report to the City Council regarding the following matters and any other matters pertinent to smooth and efficient operation: (a) the activities and work of the Board, Commission, Committee or Corporation since the date of its last report to the City Council; (b) the body's short-term and long-term mission, plans and goals; (c) any potential challenges or concerns within the body's area(s) of responsibility or oversight; and, (d) any suggestions regarding the membership and operation of said Board, Commission, Committee or Corporation including, but not limited to, requests for assistance, staffing, funding or training."

**SECTION 3: AMENDING CERTAIN SECTIONS OF DIVISIONS 2 THROUGH 7 REGARDING THE LIBRARY/CIVIC CENTER BOARD, CAPITAL IMPROVEMENTS ADVISORY COMMISSION, SENIOR CITIZEN ADVISORY COMMITTEE, PLANNING AND ZONING COMMISSION, BUILDING AND PROPERTY STANDARDS COMMISSION AND THE PARKS AND RECREATION BOARD, RESPECTIVELY, AS SET FORTH HEREIN-BELOW TO CHANGE THE TIMING FOR ELECTION OF OFFICERS, REQUIRE QUARTERLY MEETINGS, AT A MINIMUM, AND**

**CHANGE THE RESIDENCY REQUIREMENTS FOR CERTAIN OF SUCH  
BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES**

- A. From and after the effective date of this Ordinance, Division 2, "Library/Civic Center Board," is hereby amended by deleting Sections 2-73, "Composition," 2-77, "Providing for Officers," and 2-78, "Meetings," in their entirety and adopting new Sections 2-73, 2-77 and 2-78 having the same name as before to read as follows:

**"Sec. 2-73 – Composition.**

The membership of the library/civic center board shall be composed of five members appointed by the City Council. All members of the board shall reside in the city and/or within the Farmersville Independent School District for at least one year immediately preceding the date of appointment. The members of the board shall serve without compensation. No more than two of said members shall reside outside of the city's corporate limits.

**Sec. 2-77 – Providing for officers.**

The board shall be organized by electing its own chairperson, vice-chairperson and secretary no later than June 30<sup>th</sup> of each year or as soon as is practicable following the appointment of new or returning members to the board by the City Council. The board may create other leadership positions for its members as it deems necessary to perform its function as a library/civic center board. (This provision is not intended to, and shall not operate so as to, allow the board to appoint new members or otherwise increase the membership of the board.)

**Sec. 2-78 – Meetings.**

The board shall meet at least one time each quarter of the year for the purpose of conducting the board's business. Meetings shall be called by the chairman or at the request of the City Manager. Meetings shall be noticed and conducted in accordance with the Texas Open Meetings Act. A majority of the total membership of the Board shall constitute a quorum."

- B. From and after the effective date of this Ordinance, Division 3, "Capital Improvements Advisory Commission," is hereby amended by deleting Section



2-108, "Meetings," in its entirety and adopting a new Section 2-108 that is entitled "Officers; Meetings," to read as follows:

**"Sec. 2-108. – Officers; Meetings.**

(a) *Officers.* The CIAC shall meet no later than June 30<sup>th</sup> of each year or as soon as is practicable following the appointment of new or returning members to the planning and zoning commission and any ad hoc members to the CIAC by the City Council; and appoint one of its members as chairperson, who shall hold office as chairperson for such term as the CIAC shall designate. The CIAC may also elect a vice-chairperson who shall act as chair in the absence of the chairperson.

(b) *Meetings.* Meetings of the CIAC shall be called at the direction of the city council, city manager and/or city engineer as necessary to perform those duties required by Texas Local Government Code Chapter 395 and such other duties as may be delegated to the CIAC by the City Council. The CIAC shall meet a minimum of two times per year to consider, discuss and act on semiannual reports regarding the performance of the city's impact fee program."

C. From and after the effective date of this Ordinance, Division 4, "Senior Citizens Advisory Committee," is hereby amended by deleting Sections 2-141, "Providing for Officers," and 2-142, "Meetings," in their entirety and adopting new Sections 2-141 and 2-142 having the same name as before to read as follows:

**"Sec. 2-141. - Providing for officers.**

The committee shall be organized by electing its own chairperson, vice-chairperson and secretary no later than June 30<sup>th</sup> of each year or as soon as is practicable following the appointment of new or returning members to the committee by the City Council. The committee may create other leadership positions for its members as it deems necessary to perform its function as a senior citizen advisory committee. (This provision is not intended to, and shall not operate so as to, allow the committee to appoint new members or otherwise increase the membership of the committee.)

**Sec. 2-142. - Meetings.**

The committee shall meet at least one time each quarter of the year for the purpose of conducting the committee's business. Meetings shall be called by the chairman or at the request of the City Manager. Meetings shall be noticed and conducted in accordance with the Texas Open Meetings Act requirements. A majority of the total membership of the Board shall constitute a quorum."

- D. From and after the effective date of this Ordinance, Division 5, "Planning and Zoning Commission," is hereby amended by adding a new paragraph (a) entitled "Organization" to Section 2-173, "Organization and Meetings," to read as follows:

"(a) *Organization.* The commission shall be organized by electing its own chairperson, vice-chairperson and secretary no later than June 30<sup>th</sup> of each year or as soon as is practicable following the appointment of new or returning members to the commission by the City Council."

- E. From and after the effective date of this Ordinance, Division 6, "Building And Property Standards Commission," is hereby amended by deleting Sections 2-197, "Providing for Officers," and 2-198, "Meetings," in their entirety and adopting new Sections 2-197 and 2-198 having the same name as before to read as follows:

**"Sec. 2-197. - Providing for officers.**

The commission shall be organized by electing its own chairperson, vice-chairperson and secretary no later than June 30<sup>th</sup> of each year or as soon as is practicable following the appointment of new or returning members to the commission by the City Council.

**Sec. 2-198. - Meetings.**

The commission shall meet at least one time each quarter of the year for the purpose of conducting the committee's business. Meetings shall be called at the request of the city manager. Meetings shall be noticed and conducted in accordance with the Texas Open Meetings Act. A quorum shall consist of at least four members."

- F. From and after the effective date of this Ordinance, Division 7, "Parks And Recreation Board," is hereby amended by deleting Sections 2-218, "Officers,"

and 2-219, "Meetings," in their entirety and adopting new Sections 2-218 and 2-219 having the same name as before to read as follows:

**"Sec. 2-218. –Officers.**

The board shall be organized by electing its own chairperson, vice-chairperson and secretary no later than June 30<sup>th</sup> of each year or as soon as is practicable following the appointment of new or returning members to the board by the City Council. The board may create other leadership positions for its members as it deems necessary to perform its function as a parks and recreation board. (This provision is not intended to, and shall not operate so as to, allow the board to appoint new members or otherwise increase the membership of the board.)

**Sec. 2-219. - Meetings.**

The board shall meet at least one time each quarter of the year for the purpose of conducting the board's business. Meetings shall be called by the chairman or at the request of the City Manager. Meetings shall be noticed and conducted in accordance with the Texas Open Meetings Act. A majority of the total membership of the Board shall constitute a quorum."

**SECTION 4: REPEALER**

This Ordinance shall be cumulative of all other Ordinances, resolutions, and/or policies of the City, whether written or otherwise, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Any and all Ordinances, resolutions, and/or policies of the City, whether written or otherwise, which are in any manner in conflict with or inconsistent with this Ordinance shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

**SECTION 5: SEVERABILITY**

It is hereby declared to be the intent of the City Council that the several provisions of this Ordinance are severable. In the event that any court of competent jurisdiction shall judge any provisions of this Ordinance to be illegal, invalid, or unenforceable, such judgment shall not affect any other provisions of this Ordinance which are not specifically designated as being illegal, invalid, or unenforceable.

**SECTION 6: INJUNCTIVE RELIEF**

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Farmersville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Farmersville.

**SECTION 7: PUBLICATION**

The City Secretary is hereby directed to publish in the Official Newspaper of the City of Farmersville the Caption, Penalty, and Effective Date Clause of this Ordinance as required by Section 52.011 of the Local Government Code.

**SECTION 8: ENGROSSMENT AND ENROLLMENT**

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date Clause in the minutes of the City Council of the City of Farmersville, and by filing this Ordinance in the Ordinance records of the City.

**SECTION 9: SAVINGS**

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 10: EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication as required by law.

**PASSED** on first reading on the 17<sup>th</sup> day of November, 2015, and second reading on the 1<sup>st</sup> day of December, 2015 at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS 1<sup>st</sup> DAY OF DECEMBER, 2015.**

**BY: \_\_\_\_\_  
Joseph E. Helmberger, P.E., Mayor**

**ATTEST:**

**BY:** \_\_\_\_\_  
**Edie Sims, City Secretary**



TO: Mayor and Councilmembers

FROM: Ben White, City Manager

DATE: December 1, 2015

SUBJECT: Receive presentation from Lexington Medical Lodge

- Don Miller will offer a presentation to the Council.

**ACTION: Receive information. No action is required.**



TO: Mayor and Councilmembers

FROM: Ben White, City Manager

DATE: December 1, 2015

SUBJECT: Consider, discuss and act upon resignation from Todd Rolen from the Planning Zoning Commission/Capital Improvement Advisory Committee/Citizens Advisory Committee and the Parks and Recreation Board

- Mr. Rolen's resignation is attached for review.

**ACTION: Approve or disapprove the resignation.**

## Edie Sims

---

**From:** todd rolen <toddrolen@sbcglobal.net>  
**Sent:** Monday, November 16, 2015 2:40 PM  
**To:** Edie Sims; Christi Dowdy  
**Subject:** Re: FW: Camden Park  
**Attachments:** "AVG certification".txt

Good afternoon, after a rough year with alot of things I am going to resign from both boards. Since city took over electric it has about bankrupt my family. On planning and zoning I don't have the time to research and study up to do what I feel I owe to the citizens that care about the town. Things (such as the housing for elderly near downtown) but it gets turned down but then a housing neighborhood that is going to use a light industrial park road for a main road gets passed. I truly dont think this is something in that area that is needed. Yes we need housing but the right area and housing. I just have to evaluate as a family if we need to stay or run as fast as we can with this new neighborhood coming. I love the town of Farmersville but so many newcomers have just about destroyed what we are. Have a great day. thank you for the opportunity to serve but at this time i have to walk away.

God Bless,  
Todd Rolen

-----  
On Mon, Nov 16, 2015 2:21 PM CST Edie Sims wrote:

>Good Afternoon,

>

>Please find attached a letter from our City Engineer regarding his final review of Camden Park.

>

>Thank you.

>

>Edie Sims -

>City Secretary

>City of Farmersville

>205 S Main Street

>Farmersville, TX 75442

>phone: (972)782-6151 fax: (972)782-6604

>[www.farmersvilletx.com](http://www.farmersvilletx.com)<<http://www.farmersvilletx.com/>>

>"Discover a Texas Treasure"

>Keep your face to the sunshine and you cannot see a shadow. Helen

>Keller

>

>The material in this e-mail is intended only for the use of the individual to whom it is addressed and may contain information that is confidential, privileged, and exempt from disclosure under applicable law. If you are not the intended recipient, be advised that the unauthorized review, use, disclosure, duplication, distribution, or the taking of any action in reliance on this information is strictly prohibited. If you have received this e-mail in error, please notify the sender by return email and destroy all electronic and paper copies of the original message and any attachments immediately. Please note that neither City of Farmersville nor the sender accepts any responsibility for viruses and it is your responsibility to scan attachments (if any). Thank You.

>

>From: James [mailto:James@dbiconsultants.com]

>Sent: Monday, November 16, 2015 2:18 PM

>To: Edie Sims

>Subject: Camden Park



>  
>Edie,  
>  
>Attached is the revised Camden Park review letter as we discussed.  
>  
>Thank you.  
>  
>James M. Shankles, Jr., P.E.  
>  
>DBI Engineers  
>118 McKinney Street  
>P.O. Box 606  
>Farmersville, Texas 75442  
>972-784-7777  
>972-782-7721 (fax)  
>903-815-8111 (mobile)  
>james@dbiconsultants.com<mailto:james@dbiconsultants.com>  
>  
>  
>



TO: Mayor and Councilmembers

FROM: Ben White, City Manager

DATE: December 1, 2015

SUBJECT: Update on ADA compliancy

- City Manager Ben White will address this topic.

**ACTION: Receive update. No action is required.**