

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
December 15, 2015

The Farmersville City Council met in regular session on December 1, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, John Politz, Michael Hesse, Leaca Caspari and Jim Foy. Staff members present were City Manager Ben White, City Attorney Alan Lathrom, Police Chief Mike Sullivan, Fire Chief Kim Morris, Finance Director Daphne Hamlin, 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. Tony Linton offered the invocation. Mayor Helmberger led the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Mayor Helmberger City Offices will be closed December 24th and 25th for Christmas and January 1st for New Year's Day.

Mayor Helmberger announced the Christmas Parade has been rescheduled to this coming Saturday, December 19th at 7:00pm.

City Secretary Edie Sims expressed appreciation to all who participated with the Farmersville Angel Tree including all the volunteers and those who donated.

Fire Chief Kim Morris introduced Jason Brisby, the newest paid member of the Farmersville Fire Department.

Police Chief Mike Sullivan gave a bio of the newest member of the Police Department, Cameron Brooks who is serving as an additional Code Enforcement Officer.

ITEM II) CONSENT AGENDA

John Klostermann requested the Public Works Report be pulled for further discussion. With no other items being requested for further discussion, Leaca Caspari motioned to approve Items A, B, C, D, E, F, G, I and J. John Klostermann 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.

Item H – Public Works Report: Mr. Klostermann questioned the construction to be performed at Maple and Highway 78. City Manager Ben White informed the Council the project has two sections, one at Maple and Highway 78 and the second at Abbey Street. The wastewater project started on Abbey Street to connect pipe and install new wastewater pipe. The next section will be from Maple Street to Highway 78 and Highway 78 to Farmersville Parkway along Highway 78. The process is slow as the contractor is pressing the pipe through the initial pipe. There has been some complications where extra camera work was required. With no further questions, John Klostermann motioned to approve the Public Works Report 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 III) INFORMATIONAL ITEMS

No one asked for additional information regarding the Informational Items.

ITEM IV – A) PUBLIC HEARING TO RECEIVE PUBLIC COMMENT AND COUNCIL TO DISCUSS AND ACT REGARDING A REQUEST FOR RE-PLATTING LOTS 16 AND 17 OF MURPHY'S CROSSING ADDITION PHASE III, SITUATED NORTH OF US HIGHWAY 380 AND WEST OF CR 610 OF FARMERSVILLE, COLLIN COUNTY, TEXAS

Mayor Helmberger opened the public hearing at 6:13pm and asked for those FOR the replat to come forward. Owner of the property Akram Alzoubi came before the Council stating the re-design presented will allow two lots to be utilized for their project in a way that meets the need for a Travel Center. Mayor Helmberger requested those OPPOSING the replat to come forward. With no one coming forward, Mayor Helmberger closed the Public Hearing at 6:14pm. John Klostermann, Council Liaison for the Planning and Zoning Commission, stated the P&Z voted for the replat conditioned upon financing of Lot 17R clearing. City Manager Ben White explained the owner has full possession of Lot 16 and financed Lot 17 under the original plat. With the replat, the collateral is changing for the financial institution thereby requiring re-financing. Mr. White also noted there are water and sewer infrastructure associated with this plat. Mayor Helmberger stated this will be the Final Plat and since going into construction next month, the plat cannot be filed until all the infrastructure is in place and has been inspected; thereby eliminating the financial condition. The consent of the Council will be to shift the lot lines. Jim Foy motioned to approve the replat 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, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – A) FIRST READING OF ORDINANCE TO CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE CHANGING THE PRIMA FACIE SPEED LIMIT ALONG AUDIE MURPHY PARKWAY BETWEEN CR 607 AND FLOYD STREET

Mayor Helmberger requested the wording on page 2 under Section 71-276 be changed removing “2.15 miles” and reflecting the speed limit will be 50 miles per hour from CR 607 at Brookshire’s to Floyd Street.

City Manager Ben White informed the Council of a conversation with TxDOT where TxDOT will not approve speed limits that are not in accordance with the speed study. According to the speed study, between South Hamilton Street and Floyd Street, the speed limit is set for 55 mph. Mr. White argued with TxDOT this area is the densest portion of our City along Highway 380 and should be consistent throughout. Mr. White’s contention to TxDOT to travel 65 mph coming into Farmersville, then drop to 50 then increase to 55 then increase to 65 is not consistent. The only way TxDOT will reconsider is if the City pays for another traffic study.

Police Chief Mike Sullivan stated the City’s Police Department has the equipment to perform a traffic study. However, TxDOT would not recognize a study performed by a Police Department. Mr. White was dismayed but recommended amending and approving the ordinance to reflect TxDOT’s traffic study. If a rash of accidents occur through this area, then the City can request TxDOT to perform another study. Chief Sullivan expressed a great concern will be oncoming traffic from Orange Street.

Michael Hesse motioned to amend the ordinance to reflect TxDOT’s traffic study 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 VI – A) CONSIDER, DISCUSS AND ACT UPON A CHANGE ORDER REGARDING THE ASPHALT OVERLAY PROJECT

City Manager Ben White indicated project items were removed from the project both on Locust Street (curbs) and Sid Nelson Street (narrowing) and removing a tree to reduce the overall cost of the project by \$198,656.16. Leaca Caspari questioned the tree removal which Mr. White stated was a Bois D Arc tree in the right of way which was removed for safety purposes. Leaca Caspari moved to approve the Change Order 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 VI – B) CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE AMENDING THE SIGN ORDINANCE REGARDING OFF-PREMISES OR OFF-LOCATION SIGNS

Mayor Helmberger offered this item as a continuation of a conversation regarding this issue. Further inspection has shown the Sign Ordinance is very clear off-premise and billboards are not permitted in the City or in the City's Extra Territorial Jurisdiction (ETJ). Joe McKee's sign at his residence was installed to promote his business. Mayor Helmberger stated he sees an issue and would like to have the ordinance amended whereby a business owner who resides at another location would be able to advertise their business. Council concurred to have an ordinance crafted and brought to the next meeting in January. No further action taken by Council.

ITEM VI – C) CONSIDER, DISCUSS AND ACT UPON A BOUNDARY ORDINANCE WITH CITY OF PRINCETON

As part of the Comprehensive Plan, the City is to have ultimate boundaries to plan for future growth. Blue Ridge had expressed an interest in a mutual boundary agreement, but the agreement has not been completed to date. Princeton has recently requested we have a line to divide each City at Sister Grove Creek which would be our western boundary and Princeton's eastern boundary. With the agreements, all the ordinances would match up with the natural progression of property owners. With Blue Ridge, the most efficient boundary would be at CR 618. Mayor Helmberger stated he is fine with the southern boundary. Council concurred to have the map amended as stated and bring with an agreement to the January 12, 2016 meeting.

ITEM VI – D) CONSIDER, DISCUSS AND ACT UPON A BOUNDARY ORDINANCE WITH CITY OF BLUE RIDGE

Due to the prior conversation, the map will be amended and returned to Council on January 12, 2016 with an agreement with the City of Blue Ridge. No action taken by Council.

ITEM VI – E) CONSIDER, DISCUSS AND ACT UPON A CONTRACT AGREEMENT WITH COLLIN COUNTY FOR FIRE INSPECTION PLAN SERVICES

City Manager Ben White recommended approval of the contract with Collin County for Fire Inspection Plan Services as this agreement is under the same terms and conditions as last year. John Klostermann motioned to approve the agreement 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, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VII) EXECUTIVE SESSION – DISCUSSION OF MATTERS PERMITTED BY TEXAS GOVERNMENT CODE CHAPTER 551 AS FOLLOWS: 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

Mayor Helmberger announced the Council to exit into Executive Session at 6:44pm.

ITEM VIII) RECONVENE FROM EXECUTIVE SESSION

Council reconvened from Executive Session at 7:10pm.

ITEM IX) DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTION 551.086 OF THE TEXAS GOVERNMENT CODE: POSSIBLE ACTION REGARDING COMPETITIVE MATTERS OF THE CITY-OWNED PUBLIC POWER UTILITY

Mayor Helmberger announced no action there is to be taken by Council.

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

No one requested items be placed on future agendas.

ITEM XI) ADJOURNMENT

Council adjourned at 7:11pm.

APPROVED

Joseph E. Helmberger, P.E., Mayor

ATTEST

Edie Sims, City Secretary