



# Farmersville

## FARMERSVILLE CITY COUNCIL REGULAR SESSION MINUTES

June 14, 2016, 5:00 P.M.

### I. PRELIMINARY MATTERS

- Mayor Piwko called the meeting to order at 5:00pm. Council members Klostermann, Mason, Hesse, Hurst, and Caspari were all present. Members of city staff present included, Chief Sullivan, Chief Morris, Alan, Lathrom, Mary Tate, Daphne Hamlin, Rick Ranspot, Adah Leah Wolf, Trisha Dowell, Christi Dowdy, Tony Linton and Paula Jackson. Several police officers were also in attendance. Tony Linton offered the Invocation and Councilman Hurst led the Pledges to the American Flag and the Texas Flag.
- Announcements
  - > Calendar of upcoming holidays and meetings
    - City offices will be closed on Monday, July 4<sup>th</sup> in honor of Independence Day
    - Sparks of Freedom Celebration will take place on July 4<sup>th</sup> at South Lake Park.
    - Audie Murphy Day is Saturday, June 18<sup>th</sup>. Veterans Registration begins at 7:30a.m. The Commemorative Air Force Flyover will be at 10a.m. and will be followed by the parade. Activities continue throughout the day. More information can be found at [www.farmersvilletx.com](http://www.farmersvilletx.com)
  - > Audie Murphy Day Proclamation
  - > North Texas Municipal Water District is offering tours to interested officials of the Wylie water treatment plant facilities on the following dates:-
    - Thursday, August 11, 2016
    - Thursday, October 20, 2016
  - Each briefing starts at 1:30 p.m. with about an hour presentation and Q&A, followed by a tour of key locations on the Wylie Water Treatment Plant site which typically lasts about an hour (sometimes longer, depending on discussions, questions and size of the group).
  - RSVP to Joy Layer at [jlayers@ntmwd.com](mailto:jlayers@ntmwd.com) to let her know which date you would like to attend
  - Anyone Wishing to tour City of Farmersville facilities should contact Ben White, City Manager

- > **“Re-Recognized Status”** certificate for compliance with the Texas Law Enforcement Agency Best Practices Recognition Program was presented to the Farmersville Police Department by McKinney Chief of Police, Greg Connelly. Chief Connelly commended the department's effort and work for meeting 166 standards for best practices as identified by the Texas Police Chiefs Association.
- > City Manager, Ben White, and Police Chief, Michael Sullivan, have completed the Certified Public Manager Program. Congratulations on this accomplishment!
  - Mayor Piwko noted that there was a joint 4B and Parks Board meeting scheduled for June 27<sup>th</sup> at 5:00pm. Mayor Piwko also requested that FISD School Board meetings be added to the city calendar.

## II. **PUBLIC COMMENT**

NONE

## III. **CONSENT AGENDA:**

- Mayor Piwko explained that this meeting is really to bring everyone up to speed. The only report that was reviewed at this meeting was the City Manager's Report which consisted of both verbal and visual presentations. All other reports posted on the agenda were tabled until the next City Council meeting.

### A. City Manager's Report

- At this time, City Manager, Ben White, addressed the Council with an overview of the City. The presentation can be viewed on the City's website at [www.farmersvilletx.com](http://www.farmersvilletx.com) or by following this link [http://www.farmersvilletx.com/council orientation 20160615.pptx](http://www.farmersvilletx.com/council%20orientation%2020160615.pptx) or at the City Secretary's office.
- Chris Hartung, a consultant who provides training on the functions, roles, and history of municipal governments, also contributed to the presentation. (Chris Hartung Consulting, [www.chcpublicsectorsolutions.com](http://www.chcpublicsectorsolutions.com))
- Alan Lathrom, City Attorney, also contributed to the presentation, speaking specifically on the topic of "Farmersville City Government"
- Ben White continued the overview with "Organization" of the City Departments. Mayor Piwko asked where the Main Street Program falls as it was not represented on the flow chart. Ben White replied that he omitted Main Street by mistake, but clarified that in the last two years Main Street has been brought under the City Manager. The position is paid for by 4B – The Farmersville Community Development Corporation.
- Mayor Piwko asked if the City Engineer contract is renewed on an annual basis. Ben said that DBI was selected based on qualifications

and if the City is happy with their work, the City stays with them. Ben continued that if Council would like the contract and fee schedule reviewed, they may request that. Leaca Caspari commented that there is no regulatory requirement stating that the City review them. Mayor Piwko said we need to keep that in mind for the budgetary process.

- "Street System" slides: Mayor Piwko said that when the bond was passed in 2012, there was a committee. She asked if Jackson Street has deteriorated since that study. Ben White responded that it has, but other projects have taken priority because of complaints and feedback. Ben stated that he maintains a priority list.
- Mayor Piwko said she thought the \$1.6 million was assigned to Hamilton Street. Ben White explained that yes, \$1.3 million was budgeted but it is expected to be much more and the project will have to be reassessed. Mayor Piwko asked if the City owns lots to align it with McKinney Street. Ben White told her that Ray Feagin has said he would deed his lot to the City in return for a fire hydrant. The City's suggestion for street projects is Jackson, Maple, Sycamore, Hamilton. Leaca Caspari asked if Hamilton is before others. Ben White replied that Hamilton is not listed because it falls under the GO Bond. Ben White continued on to say that this is an area that needs some budget attention as the current budget is \$120,000.
- Mayor Piwko referenced the flooding that took place and asked if Haislip Street was affected by flooding, shouldn't that be a priority. Ben White responded that yes, but we need money and then a budget amendment.
- Mike Hurst asked if Ben has been able to assess the damage from the flooding. Ben White replied that only Beene Street and Haislip have come to his attention. Mayor Piwko asked if the woman on Beene Street had water in her house. Ben White responded that she didn't, but the street washed away.
- "Water Department" slides: Mayor Piwko asked if pressure problems have been resolved. Ben White responded that pressure issues are not a consistent problem. Mayor Piwko asked if all commercial water accounts pay the same fee. Ben said yes except for Caddo Basin who does not have a contract, so they pay a higher fee. Mayor Piwko asked what the future of the wholesale accounts looks like. Ben believes that they will go away altogether.
- Mayor Piwko asked if the take-or-pay system allows us to have a bank account to save for later on. Ben replied that no, it does not allow for that. He also said rates will not increase. Mayor Piwko asked that when the City installs water meters, are you trying to just recoup the cost or is there a profit. Ben said there is not profit, just recouping the cost. Mayor Piwko asked if impact fees can be used for reconditioning. City Attorney, Alan Lathrom, said impact fees can only be used for infrastructure for new development; they cannot be used for reconditioning.

- "Wastewater" slides: Ben White informed the Council that the City's collection system is in really bad shape. Diane asked if the water and sewer lines are close enough together so that they can be repaired jointly. City engineer, Eddy Daniel, said they are typically far apart and cannot be repaired with one dig. Wastewater will be addressed later on in further detail.
- "Electric" slides: Michael Hesse asked if the smart meters assisted in determining outages during the storm. Jeremy Jones, Electric Foreman, said yes, the meters helped. Jeremy went on to say that there were a couple dozen homes without power, but because of the meters, they were able to restore power more quickly. Leaca Caspari commented that the Public Works department did an exceptional job. Mayor Piwko said there is a perception by the town that the City can provide an ETA for when electric will be put back on, but that's not true. She said we need to get a message out to the citizenry that City is on it and it is counterproductive to bombard the City with phone calls. Michael Hesse emphasized that we also do not want City employees out in dangerous weather.
- Mayor Piwko asked if people call 911 when there is a power line down. Chief Sullivan said, yes, communication is good. John Klostermann asked if the Public Safety Building had power during the storm. Chief Sullivan said that there was an error code on the backup generator, and they had to figure out how to get the generator back up, but they eventually did.
- Michael Hesse stated that with our own electric company we have more power and are making more improvements, like line pole removal and underground wiring, than when we were with Sharyland.
- A recess was called at 7:16pm.
- The meeting reconvened at 7:27pm. Because there were audience members who were waiting to address the Council, Mayor Piwko directed that the meeting would postpone any further overview from the City Manager and move to the Regular Agenda. All Informational Items were postponed until next council meeting.

## V. REGULAR AGENDA

- A. Annual Report for CWD presented by Robert Medigovich
  - No action
- B. Consider, discuss, and act upon filling vacancies for the following City boards and commissions:
  - Mayor Piwko stated who she would like to see on which boards. Leaca Caspari recommended that the Council go with Staff recommendations and only allow people to serve on one board. Mike Hurst felt that staff recommendations look pretty good, but he would put Smith on 4A instead of Cooper.

- Motion to approve new board members as staff recommended with exceptions stated was made by Leaca Caspari
- 2<sup>nd</sup> to approve was made by John Klostermann
- All council members were in favor thereby approving the motion for board recommendations as is documented below:

1. Economic Development Corporation (4A): Randy Smith, George Crump, Robbie Tedford
2. Community Development Corporation (4B): John Politz, Katherine Hershey
3. Building and Property Standards: Tiffany Hesse
4. Planning and Zoning Commission: Bobby Bishop
5. Library/Civic Center Board: Charlotte Holloway
6. Main Street: Randy Rice
7. Parks & Recreation Board: Cathy Strong, Emily Dillard
8. Senior Citizens Advisory Council: None needed

- C. Consider, discuss, and act upon the appointment or reappointment of the municipal court judge for a two-year term ending on or about June 14, 2018, or until his successor has been appointed and qualified
- Motion to reappoint Judge Douglas was made by John Klostermann
  - 2<sup>nd</sup> made by Leaca Caspari
  - All council members were in favor thereby approving the motion
- D. Consider, discuss, and act upon a resolution designating the appropriate signatories for the City of Farmersville First National Bank of Trenton accounts **(tabled until after the Executive Session discussing employment takes place)**
- E. Consider, discuss, and act upon a resolution designating the appropriate signatories for City of Farmersville wire transfers **(tabled until after the Executive Session discussing employment takes place)**
- F. Consider, discuss, and act upon directing P&Z to make amendments to the Sign Ordinance
- Mayor Piwko requested this so that Council can send strong message to P&Z that they have strong latitude in making changes. She stated that she is concerned that the sign ordinance is hindering business/franchises. Leaca Caspari said she does not believe that Council should make recommendations to P&Z without knowing what they are talking about. Mike Hurst said concern comes from future growth. Leaca Caspari said that we need to know specific situations before going to P&Z. Michael Hesse said businesses have not come here but have gone to other cities because of sign ordinance.

- Motion to direct P&Z to review sign ordinance was made by Leaca Caspari.
- 2<sup>nd</sup> was made by John Klostermann
- All council members were in favor thereby approving the motion

G. Consider, discuss, and act upon implementing building height restrictions in new construction in the downtown commercial district and pass to P&Z for further review

- Mayor Piwko explained that this was on the agenda because of the fire downtown. She is concerned that a new building may change the aesthetics of downtown. Leaca Caspari asked if staff will make recommendations. City Attorney, Alan Lathrom, said staff will look at finding ways to address those concerns through a preservation ordinance or other means.
  - Motion to pass this item to P&Z for further review was made by Mike Hurst
  - 2<sup>nd</sup> was made by Leaca Caspari
  - All council members were in favor thereby approving the motion

H. Consider, discuss, and act upon presentations regarding City Management, Operations, and City Council

- Presentations were given at the beginning of the meeting.
- No motion, no action

I. Consider, discuss, and act upon a presentation concerning future waste water system improvements

- Presentations were given by Eddy Daniel, DBI; Jeff James, Kimley-Horn; Jenna Covington, North Texas Municipal Water District (all can be viewed on City website, [www.farmersvilletx.com](http://www.farmersvilletx.com) or at the City Secretary's office)
- With regard to Eddy's portion, the following questions were asked:
  - Mayor Piwko asked if Plant 1 is rehabbed, how many homes can we take in. Eddy Daniel replied that if Plant 1 is up and running, we are only back in technical compliance. It does not give additional capacity. Michael Hesse added that it will allow us to be stable for the current population, but does not allow for additional growth.
  - Mayor Piwko stated that years ago, there was the possibility of using used wastewater plants. Eddy Daniel responded that used plants are very hard to find and they must meet your specific needs. You would also have to start permitting process again, which is costly and adds 5 years. Ben White commented that we have located our stations to the anticipated growth areas.

- Jeff James' presentation led to the following questions, mostly focused on the Interceptor:
  - Mayor Piwko questioned if a developer came in as a wholesaler, do they start paying for site and interceptor. Eddy Daniel stated that the developer would pay their way. He also pointed out that from Lavon going north, there are no existing plants until you get to Farmersville. Mike Hurst said some developers will choose bigger homes without sewers. Eddy Daniel replied that that is a possibility but it does not reflect the trend toward density.
  - Mayor Piwko stated that she's never heard of past discussions that considered the possibility of putting a cap on growth. Mike Hurst remarked that we have been in that stage for the past 30 years. Ben White said there is no way of predicting that, but what we have now is not taking care of our needs now.
- Treatment Plant presentation: The initial permit was obtained by Lake Haven and transferred to the City. The permit was recently renewed because the first cycle expired. The land will be transferred to the City once construction begins.
  - Michael Hesse said the capacity would be more than enough almost to the point of not having to build another plant. Jeff James replied that if it is necessary to expand, that is possible and was taken into consideration. Michael Hesse stated that then we could expand on Plants 1 & 2. Mayor Piwko asked if the state would be co-owner on some of this. Ben White replied that we do not know the specifics yet. Michael Hesse said the most expensive part is starting the process.
  - Mayor Piwko asked if participation in the state program is for both parts interceptor and plants. Ben White responded that we believe so but not totally sure. Eddy Daniel commented that you build extra capacity and pay for what you need, essentially an interim loan and we are waiting to get more information from the State Water Development Board.  
  
A discussion on funding ensued with Eddy Daniel stating that the previous Council approved \$4.8 million (for project costs see <http://www.farmersvilletx.com/COF-DOC576.pdf>)
  - . Ben White reiterated that he put this in front of Council because he needs to be sure this Council approves the loan because he is going to need a signature on the loan. Eddy stated that all parties got together again to see if anything could be eliminated, but there really isn't.
  - Mike Hurst said there are really no other alternatives to get us in compliance. Mayor Piwko said the \$1.56 could be deferred. Ben

replied that TCEQ could say we are not in compliance. He said the idea is to combine and consolidate lift stations. Mayor Piwko stated that they should pay for themselves in a few years. Eddy concurred that they will easily pay for themselves and that the monthly maintenance fee is minimal. Mayor Piwko said that for \$17,000 a month, she would like to see where that falls and the breakdown. Daphne Hamlin will prepare.

- Mayor Piwko said at this time she proposes that no action be taken. Leaca Caspari asked if there was a time restriction that could be affected if no action is taken. Ben White responded that as of now, no, but that could change. Leaca Caspari replied that if the state comes in, we could be in trouble. John Klostermann asked if TCEQ would fine us. Eddy Daniel stated that they've given us a bit of time. Mayor Piwko suggested that we give Ben time to prepare how we can afford loan payments of \$17,000, when repayment starts, and estimate how that payment may be offset by growth. Leaca Caspari asked why we are voting on this again. City Attorney, Alan Lathrom, stated that one legislative body cannot bind another body. This Council has the power to overturn or change what previous a council has done. Michael Hesse said that the previous council had time to process all of this, and it's only fair to allow new council time. Mayor Piwko added that she is doing her due diligence by checking on the city manager's and finance director's study. Alan Lathrom stated that it will need to come back as a future agenda item.

J. Consider, discuss, and act upon budget-related topics and timeline for the upcoming fiscal year: **THIS ITEM WILL BE ADDRESSED AFTER EXECUTIVE SESSION ITEMS**

VI. Meeting was dismissed into Executive Session at 10:05pm.

**EXECUTIVE SESSION:** DISCUSSION OF MATTERS PERMITTED BY TEXAS GOVERNMENT CODE § 551.074 TO DISCUSS MATTERS RELATING TO PERSONNEL ISSUES AS FOLLOWS:

A. Discussion involving the appointment, employment, evaluation, and/or duties of the City Secretary

VII. **RECONVENE FROM EXECUTIVE SESSION** at 10:37 pm.

VIII. **DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION**

A. Consider, discuss, and act upon approving the appointment of Mary Tate as City Secretary by the City Manager

- Motion to appoint Mary Tate was made by Mike Hurst



- 2<sup>nd</sup> made by Leaca Caspari
- All council members in favor thereby approving motion
- B. Consider, discuss, and act upon tabled Item V.D
  - Motion to approve signatories for FNTB accounts was made by John Klostermann
  - 2<sup>nd</sup> made by Donny Mason
  - All in favor thereby approving motion
- C. Consider, discuss, and act upon tabled Item V.E
  - Motion to approve signatories for wire transfers was made by Leaca Caspari
  - 2<sup>nd</sup> made by Michael Hesse
  - All in favor thereby approving the motion

**RETURN TO ITEM V.J: BUDGET WORKSHOP**

- Budget will be discussed 2<sup>nd</sup> meeting in June, July and August
- Mayor Piwko said that Council needs to give direction to City staff and that personally she would like to see a Public Works Director position created. She also would like staff to prepare 10 items that they need. Mayor Piwko would also like information on the current tax rate. She asked if we wanted to keep the electric surcharge or get rid of it. Daphne Hamlin replied that it should be kept and referred to her budget sheets.

**IX. REQUESTS TO BE PLACED ON FUTURE AGENDAS**

- NONE

**X. ADJOURNMENT**

**The meeting was adjourned at 10:49pm.**

APPROVE:

  
Diane C. Piwko

ATTEST:

  
Mary Tate, City Secretary