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Minutes
Forney City Council
Tuesday, November 21, 2017
6:30 p.m. Regular Meeting
City Hall, 101 E. Main Street, Forney, Texas 75126

I. CALL MEETING TO ORDER

Mayor Wilson called the meeting to order at 6:33 p.m. Present were Mayor Rick Wilson and Council Members Cory McGee, Shaun Myers, Robbie Powers, Kevin Moon and David Johnson. Mayor Pro Tem Mary Penn was absent. Also present was Interim City Manager Wendle Medford.

II. INVOCATION / PLEDGE OF ALLEGIANCE – COUNCIL MEMBER SHAUN MYERS

Pastor Mary Reid from Trinity Baptist Church gave the invocation and Council Member Myers led the Pledge of Allegiance.

III. PROCLAMATIONS / PRESENTATIONS

1. Small Business Saturday Proclamation.

Mayor Wilson read the proclamation and EDC Director Warren Kettelman accepted it on behalf of the area small businesses.

2. Acknowledgement of the Fire Fighter Combat Challenge Team.

The City Council recognized our Combat Challenge Team (Josh Mosley, David Lawson, Brian Leathers, Randall Morris, and Russell Bannister) for their hard work and success during the 2017 World Finals in Louisville, Kentucky. This year's World Finals took place in Louisville, Kentucky, over six days, with over 300 competitors representing over 50 departments and 12 Countries. Our Team competed hard all week with the best in the World and finished as one of the top 16 fastest Relay teams and Russell Bannister finished ranked 21st in the World. A very short video showed the course that they completed in under 2 minutes.

3. Presentation regarding Police Department Employee Recruiting and Retention.

Police Chief Sherwin gave a short presentation on Police Department employee recruiting and retention. He then introduced his newly promoted staff:

Sergeants John Abernathy and Todd Eudy have been promoted to the rank of lieutenant. Officers Shane Ball and Curtis Billings have been promoted to the rank of sergeant.

IV. OPEN FORUM/CITIZEN COMMENTS

This is the public's opportunity to address the City Council on any matter related to the City. However, in accordance with the Texas Open Meetings Act, Section 551.041, the City Council cannot discuss, consider, or take action on matters not listed on the agenda. The City Council will receive citizen comments, and if necessary, may refer the matter to City staff for research, resolution or referral to Council on a future agenda. As described in the City's Public Meeting Procedures, comments will be limited to three (3) minutes.

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Mayor Wilson opened the floor to anyone in the audience who wished to address the Council. No one came forward so Mayor Wilson closed the open forum session.

V. APPROVAL OF MINUTES

- 1. **Consider approval of the Minutes for the City Council meeting held on November 7, 2017.**

Mayor Wilson asked if Council had any changes to the Minutes. There being no changes, Mayor Wilson called for a motion. Council Member Johnson made a motion to approve the Minutes and Council Member Moon seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Penn].

VI. CONSENT AGENDA

[The items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted in one motion. There will be no separate discussion of these items unless requested by a Council Member.]

- 1. **Consider approval of and acceptance of the Public Improvements for Vintage Meadows Phases 2 & 3.**
- 2. **Consider approval of and acceptance of the Public Improvements for Gateway Parks, Phases 2A and 2B.**
- 3. **Consider approval of and acceptance of the Public Improvements for Christian Brothers Automotive.**
- 4. **Consider approval of a preliminary plat for the Prescott 741 Addition, Lot 1, Block 1, located north of Interstate Highway 20 and east of F.M. 741 in the City of Forney ETJ.**
- 5. **Consider approval of an elevation plan (revised site plan) for Bright Excavation, located at 501 E. U.S. Highway 80 in the City of Forney, Texas.**
- 6. **Consider approval of a preliminary plat for Overland Grove, a residential subdivision located west of Walnut Lane (F.M. 548) and east of S. Bois D'Arc Street (F.M. 740) in the City of Forney ETJ.**
- 7. **Consider approval of a final plat for Lakewood Trails Phase 1, a residential subdivision located south of F.M. 741 and west of High Country Lane in the City of Forney ETJ.**
- 8. **Consider approval of a preliminary plat for the Parc at Windmill Farms Addition, Lot 1, Block A, located north of U.S. Highway 80 and west of Windmill Farms Boulevard in the City of Forney, Texas, ETJ.**
- 9. **Consider approval of a final plat for the Parc at Windmill Farms Addition, Lot 1, Block A, located north of U.S. Highway 80 and west of Windmill Farms Boulevard in the City of Forney, Texas, ETJ.**

103 Mayor Wilson asked Council if anyone need to pull an item from the Consent Agenda. Council
104 Member Myers asked that Consent Agenda Items 8 and 9 be pulled. Mayor Wilson stated that
105 he needed to pull Consent Agenda Items 3 and 5. Mayor Wilson then called for a motion to
106 approve the remaining Consent Agenda Items (No. 1, 2, 4, 6 and 7). Council Member McGee
107 made the motion to approve the remaining Consent Agenda Items and Council Member Myers
108 seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Penn].
109

110 Mayor Wilson stated he needed to abstain from Consent Agenda Items 3 and 5 and left the
111 Council Chambers. In the absent of Mayor Pro Tem Penn, City Secretary Dorothy Brooks asked
112 Council Member Johnson to take over the meeting. Council Member Johnson called for a motion
113 on Consent Agenda Items 3 and 5. Council Member Powers made a motion to approve Consent
114 Agenda Items No. 3 and 5 and Council Member McGee seconded the motion. The motion passed
115 by a vote of 5 ayes, 1 abstain [Wilson], and 1 absent [Penn].
116

117 Mayor Wilson returned to Chambers. Mayor Wilson called for a motion for Consent Agenda Items
118 8 and 9. Council Member Moon made a motion to approve Consent Agenda Items 8 and 9 and
119 Council Member Powers seconded the motion. The motion passed by a vote of 5 ayes, 1 abstain
120 [Myers], 1 absent [Penn].
121

122 VII. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS

- 123
- 124 1. **Hold a public hearing regarding a voluntary annexation of an**
125 **approximately 309.103 acres tract of land situated in the James S.**
126 **Ramsey Survey, Abstract No. 414 generally located between FM 740**
127 **and FM 548 south of Pecan Lane.**
128

129 Mayor Wilson called for a motion to open the public hearing at 6:56 p.m. Council Member McGee
130 made a motion to open the public hearing and Council Member Johnson seconded the motion.
131 The motion passed by a vote of 6 ayes and 1 absent [Penn].
132

133 City Attorney Thatcher discussed this item. This is the required second public hearing on this
134 voluntary annexation. The ordinance will be brought to Council in December. There is no action
135 to be taken by Council at this time.
136

137 Mayor Wilson called for a motion to close the public hearing at 6:58 p.m. Council Member
138 Johnson made the motion to close the public hearing and Council Member Moon seconded the
139 motion. The motion passed by a vote of 6 ayes and 1 absent [Penn].
140

141 VIII. DISCUSSION / ACTION ITEMS

- 142
- 143 1. **Discuss and consider approval of additional signers for American**
144 **National Bank account.**
145

146 Finance Deborah Woodham discussed the background of this item. American National Bank
147 requires two authorized signatures on each check issued by the City. The current authorized
148 signers are:
149

150 Rick Wilson, Mayor
151 Deborah Woodham, Director of Finance
152 Dorothy Brooks, City Secretary
153

154 Dorothy will be out for an extended period beginning in December. Adding the Assistant City
155 Manager and/or the new Interim City Manager to the account will allow for a seamless
156 continuation of City business.

157
158 After Council discussion, Mayor Wilson called for a motion. Council Member McGee made a
159 motion to add the Assistant City Manager and the Interim City Manager pending execution of a
160 contract. Council Member Moon seconded the motion and the motion passed by a vote of 6 ayes
161 and 1 absent [Penn].

162
163 **2. Discuss and consider authorizing Interim City Manager to execute an**
164 **agreement with Langford Community Management Services for Texas**
165 **Capital Fund grant administration services.**
166

167 EDC Director Warren Kettelman discussed the background of this item. The Texas Department
168 of Agriculture through the Texas Capital Fund Program offers communities the opportunity to
169 apply for grant funds in support of economic development. Texas Capital Fund Grant guidelines
170 requires the applicant community to appoint a “grant application review committee” to solicit grant
171 services, receive submittals, review and score the submittals, and make a recommendation to the
172 governing body. On Tuesday, October 3, 2017, the Forney City Council unanimously appointed
173 Councilmembers Penn, McGee and Myers along with EDC Board members Lewis and Alexander
174 and EDC Executive Director Kettelman to serve as the review committee. The Committee met on
175 Wednesday, October 11, 2017 to discuss procedure and development of the solicitation effort.
176 The Committee met again on Wednesday, November 1, 2017 to review and score submittals
177 received. The Committee received three (3) submittals which were reviewed and scored. The
178 highest average score was received by “Langford Community Management Services” with a score
179 of 98.

180 The Committee respectfully recommends that Council award the grant administration services
181 work to Langford Community Management Services based in Leander, Texas.

182
183 Mayor Wilson called for a motion. Council Member Myers made a motion authorizing the Interim
184 City Manager to execute an agreement with Langford Community Management Services for
185 Texas Capital Fund grant administration services and Council Member Johnson seconded the
186 motion. The motion passed by a vote of 6 ayes and 1 absent [Penn].

187
188 **3. Discuss and take action to implement a program to sell the Texas**
189 **shaped pavers in front of City Hall for the purpose of engraving names**
190 **and/or special messages.**
191

192 CIP Manager Candy McQuiston discussed the background of this item. During the Downtown
193 Enhancements Project, the entrance area in front of City Hall was reconfigured to incorporate the
194 Texas shaped paver stones into the design. Currently, there are approximately 194 blank pavers
195 available that can be offered to the citizens and business owners to engrave a name(s) and/or a
196 custom message on. The engraved stones can give members of the community a sense of
197 ownership in the project, along allowing local businesses to have the opportunity for public
198 recognition.

199
200 The funds generated from this project could be used towards the beautification of the City Hall
201 entrance in constructing a monument sign and flag poles. Staff is proposing the approval to move
202 forward with implementing a program to sell engraved pavers to citizens and businesses in the
203 front area of City Hall. The proposed recommended cost to sell the pavers is \$200 each, with the

204 expense to the City being approximately \$60 per paver (including the purchase of the stone and
205 the engraving cost). Two lines of engraving are recommended.

206
207 Mayor Wilson called for a motion. Council Member Powers made a motion for staff to move
208 forward with implementing a program to sell engraved pavers to citizens and businesses in the
209 area in front of City Hall and Council Member McGee seconded the motion. The motion passed
210 by a vote of 6 ayes and 1 absent [Penn].

211
212 **4. Discuss permitting of food vendors.**

213
214 Community Development Director Peter Morgan discussed this item. Staff can administratively
215 issue permits for food vendors for however many events they will be attending. The fee will be
216 the cost for one event times however many events they will be attending. Inspections will still be
217 required for each event. Action by Council was not necessary.

218
219 **5. Discuss and consider authorizing staff to investigate and prepare**
220 **documentation to be brought back to the Council for discussion**
221 **regarding the formation of a Forney Youth Advisory Council.**

222
223 Interim City Manager Medford discussed the background of this item. Staff was asked to research
224 the possibility of forming a Youth Advisory Council (YAC). The YAC will advise and make
225 recommendations to City Council and Staff on various issues that affect our youth. This may
226 include recommending policies and sponsoring educational, informational, and/or social events
227 for youth. The topic has been discussed with Fisd, and they are also interested in being able to
228 give our youth the opportunity to be involved in serving on a governmental board. Staff will
229 continue to work with Fisd to develop the YAC framework to present to the Council after the first
230 of the year. No action by Council was necessary.

231
232 **6. Discuss and consider appointments to various boards and**
233 **commissions to fill vacancies.**

234
235 City Secretary Brooks discussed the background of this item. The City Charter provides the
236 authority for the City Council to create and establish boards and commissions and make
237 appointments to those boards and commissions. Appointments are normally made once a year
238 and are effective on July 1. Any appointment made to fill a vacancy shall only be made for the
239 remainder of the current term. Although we do have vacancies on our various boards and
240 commissions at this time, it is not imperative that appointments be made at this time. You have
241 previously been provided the list of applicants that can be considered for appointment.

242
243 Council Member Johnson stated that he would prefer to interview people for the North Texas
244 Municipal Water District Board before making an appointment and Council concurred.

245
246 Council made the following appointments:

247
248 Council Member Powers made a motion to appoint Kendall Milton to the Member 2 Vacancy on
249 the HOZ/Architectural Review Board with a term ending 06-30-2019 and Council Member
250 Johnson seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Penn].

251
252 Council Member Myers made a motion to appoint Emily Owens to the Member 1 Vacancy on the
253 TIF Board with a term ending 12-31-18 and Council Member Moon seconded the motion. The
254 motion passed by a vote of 6 ayes and 1 absent [Penn].

255
256 Mayor Wilson made a motion to appoint Janice Wood to the Member 2 Vacancy on the TIF Board
257 with a term ending 12-31-18 and Council Member McGee seconded the motion. The motion
258 passed by a vote of 4 ayes [Wilson, McGee, Johnson and Moon, 2 nays [Powers and Myers] and
259 1 absent [Penn].

260
261 Council Member Powers made a motion to appoint Lacy Janca to the Member 9 Vacancy on the
262 Animal Shelter/Adoption Center Board with a term ending 06-30-2019 and Council Member
263 McGee seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Penn].

264
265 Council Member Myers made a motion to appoint Jody Eastep to the Member 4 Vacancy on the
266 Park Board with a term ending 06-30-2018 and Council Member Powers seconded the motion.
267 The motion passed by a vote of 6 ayes and 1 absent [Penn].

268
269 Mayor Wilson made a motion to appoint Karen Morgan-Miller to the Member 3 Vacancy on the
270 Library Board with a term ending 08-31-2019 and Council Member Powers seconded the motion.
271 The motion passed by a vote of 6 ayes and 1 absent [Penn].

272
273 **IX. CITY MANAGER'S REPORT**

274
275 Interim City Manager Medford discussed current projects:

276
277 1. Downtown – Trinity/Elm/Bois D'Arc – Work is progressing and completion is
278 expected in mid-December.

279
280 2. Trinity – We are working on a Master Control List and are currently working on
281 some quality control issues. This project is very near completion.

282
283 3. College Fence Project – The bid award should be on the December 5 agenda.

284
285 4. Pump Station #2 – Bids should go out on December 5 with a bid award in January.

286
287 5. Aimee Street Water Tower – The bid award should be on the December 5 agenda.

288
289 Updated Actions:

290
291 1. Chestnut & Broad lighting – we are working with Oncor to get a light there.

292
293 2. TxDOT Message board re US80 construction – We are working with TxDOT to get
294 the board updated.

295
296 3. Animal Policy – Peter is working on this and it should come back to the Council in
297 December or January.

298
299 4. November 25 – The ice rink opens. We will have Olympic ice skaters performing.

300
301 5. December 1 – The Downtown Christmas tree lighting will take place from 6 p.m.
302 to 8 p.m.

303
304 6. December 2 – Christmas in the Park is scheduled from 12 p.m. to 8 p.m.

305

- 306 7. December 14 – The employee Christmas party will be at the Park.
307
308 8. Council/Staff/Board and Commissions retreat will be on January 25-26.
309

310 Council Member McGee stated he would like to see a policy where steel fence posts are required
311 – bring something back to be effective in March 2018 for new builds only.
312

313 Council Member Powers stated that there needs to be lighting on Pine Street near the steel tower
314 that is there.
315

316 Interim City Manager Medford stated we would bring back a comprehensive map that show our
317 lighting. Mayor Wilson asked about the RR Crossing lights -- Regal and Broad Street.
318

319 **X. COUNCIL COMMENTS**

320
321 Council Member McGee congratulated the people appointed to our various boards. He wished
322 everyone Happy Thanksgiving.
323

324 Council Member Myers thanked staff for the presentation on the Animal Shelter. He thanked
325 Parks and Public Works for their work on the Christmas decorations. He wishes everyone Happy
326 Thanksgiving.
327

328 Council Member Powers thanked Chief Sherwin for his presentation on the Police Department
329 recruitment and retention. She is excited about the Youth Advisory Council. She wished
330 everyone Happy Thanksgiving.
331

332 Council Member Moon thanked staff, Police, Fire and Wendell for their hard work. He wished
333 everyone Happy Thanksgiving.
334

335 Council Member Johnson congratulated the police officers who were promoted and the Combat
336 Challenge Team. Keep working together and keep the citizens aware.
337

338 Mayor Wilson thanked the Police Department and Fire Department for their hard work. We can
339 see the morale changing. He encouraged everyone to participate in the Holiday events around
340 town. He wished everyone a blessed Thanksgiving and safe travels.
341

342 Mayor Wilson announced that Council would now adjourn into Executive Session under Sections
343 551.071, 551.072, 551.074 and 551.087 of the Texas Government Code and asked for a motion.
344 Council Member Johnson made a motion to adjourn into Executive Session at 7:49 p.m. and
345 Council Member Powers seconded the motion. The motion passed by a vote of 6 ayes and 1
346 absent [Penn].
347

348 **XI. EXECUTIVE SESSION**

349 Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073,
350 551.074, 551.076 and 551.087. Executive Session may be held, under these exceptions, at the end of the Regular
351 Meeting or at any time during the meeting that a need arises for the Council to seek advice from the City Attorney's
352 Office as to the posted subject matter of this City Council meeting.
353

- 354 1. Consult with legal counsel regarding pending or contemplated litigation or a
355 settlement offer and/or matters in which the duty of the attorney to the
356 governmental body under Texas Disciplinary Rules of Professional Conduct

357 of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas
358 Government Code (Tex. Gov't Code Section 551.071).

- 359
360 a. LCG Highway 80 LLC
361 b. Mesquite Annexation
362 c. Wholesale Water Contracts
363

364 2. Deliberate the appointment, employment, evaluation, reassignment, duties,
365 discipline, or dismissal of a public officer or employee (Tex. Gov't Code
366 551.074):

- 367 a. City Secretary
368 b. Interim City Manager
369 c. Fire Department Administrative Employee
370 d. Fire Department Lieutenant
371
372

373 3. Discuss or deliberate the purchase, exchange, lease, or value of real
374 property (Tex. Gov't Code 551.072).
375

376 4. Discuss or deliberate regarding commercial or financial information that the
377 City has received from a business prospect that the City seeks to have
378 locate, stay, or expand in or near the territory of the City of Forney and with
379 which the City is conducting economic development negotiations; and to
380 deliberate the offer of a financial or other incentive to the business prospect
381 (Tex. Gov't Code Section 551.087)

- 382 a. Performance Agreement with Forney Marketplace
383
384

385 Council returned to Chambers at 10:09 p.m. Mayor Wilson called for a motion to adjourn out of
386 Executive Session at that time. Council Member Moon made a motion to adjourn out of Executive
387 Session and Council Member Johnson seconded the motion. The motion passed by a vote of 6
388 ayes and 1 absent [Penn].
389

390 Mayor Wilson asked if there was any action to be taken as a result of Executive Session. Council
391 Member Myers made a motion to authorize the Interim City Manager to execute the EDC
392 agreement with Forney Marketplace and Council Member McGee seconded the motion. The
393 motion passed by a vote of 6 ayes and 1 absent [Penn].
394

395 There being no further business to come before the Council, Mayor Wilson adjourned the meeting
396 at 10:09 p.m.
397

398 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY,**
399 **TEXAS, this _____ day of _____, 2017.**
400

401
402
403 **_____
Rick Wilson, Mayor**

404 **ATTEST:**
405
406 **_____
Dorothy Brooks, TRMC, CMC, City Secretary**
407