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Minutes
Forney City Council
Tuesday, June 19, 2018
5:30 p.m. Regular Meeting
City Hall, 101 E. Main Street, Forney, Texas 75126

I. CALL TO ORDER

Mayor Pro Tem Penn called the meeting to order at 5:30 p.m. Present were Mayor Pro Tem Mary Penn, and Council Members Shaun Myers, Kevin Moon and David Johnson. Mayor Rick Wilson and Council Member Cory McGee were absent. Also present was Interim City Manager Wendle Medford.

II. INVOCATION / PLEDGE OF ALLEGIANCE – COUNCIL MEMBER DAVID JOHNSON

Council Member David Johnson gave the invocation and led the Pledge of Allegiance.

III. PRESENTATIONS

1. Presentation of benefit checks from the BBQ Cook-off to the Forney Food Pantry and Sharing the Love Foundation.

Special Events Coordinator, Alexa Beasley presented Forney Food Pantry and Sharing the Love Foundation with Certificates recognizing the funds they received from the BBQ Cook-Off.

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.

Mayor Pro Tem Penn opened the floor to anyone in the audience who wished to address the Council. The following person came forward and addressed the Council:

Mr. Mark Purtell
505 Madrone Trail
Forney, Texas 75126

Mr. Purtell addressed his concerns regarding FM 548 South and would like to know what is going on. He stated that he has contacted the City, Kaufman County and TxDOT to get answers. He also stated that with the growth and traffic issues he has come close to being hit by a semi-truck. He insisted that Council Member Myers contact him to discuss what is going on.

There being no one further to address the Council in open forum, Mayor Pro Tem Penn closed the open forum session.

Council Member Powers joined the meeting at this time.

51 **V. APPROVAL OF MINUTES**

- 52
- 53 1. **Consider approval of the Minutes from the May 3, 2018, Special City**
- 54 **Council meeting.**
- 55
- 56 2. **Consider approval of the Minutes from the May 15, 2018 City Council**
- 57 **Meeting.**
- 58

59 Mayor Pro Tem Penn asked if Council had any changes to the Minutes and requested that both

60 sets of Minutes be approved in one motion. There being no changes, Mayor Pro Tem called for a

61 motion. Council Member Myers made a motion to approve both sets of Minutes and Council

62 Member Johnson seconded the motion. The motion passed by a vote of 5 ayes and 2 absent

63 [Wilson and McGee].

64

65 **VI. CONSENT AGENDA**

66 [The items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted in one

67 motion. There will be no separate discussion of these items unless requested by a Council Member].

68

- 69 1. **Consider approval to enter into a contract with Phoenix Fabricators**
- 70 **and Erectors, LLC. For the construction services for the 750,000**
- 71 **Gallon Elevated Tank Project and authorize the Interim City Manager**
- 72 **to execute the necessary contracts.**
- 73
- 74 2. **Acceptance of Public Improvements for the Reconstruction of**
- 75 **Murphy Oil.**
- 76
- 77 3. **Acceptance of Public Improvements for Mustang Place Phase 2.**
- 78
- 79 4. **Consider approval of a preliminary plat for Forney Senior Living**
- 80 **Center Addition, located south of Whaley Drive and east of North**
- 81 **Gateway Boulevard in the City of Forney, Texas.**
- 82
- 83 5. **Consider approval of a final plat for Forney Senior Living Center**
- 84 **Addition, located south of Whaley Drive and east of North Gateway**
- 85 **Boulevard in the City of Forney, Texas.**
- 86
- 87 6. **Consider approval of a final plat for Deen Implement Addition, located**
- 88 **at 703 W. Broad Street in the City of Forney. Texas.**
- 89

90 Mayor Pro Tem Penn asked if Council wished to pull any item from the Consent Agenda for

91 separate discussion. Council Member Johnson had a question regarding Consent Agenda Item

92 No. 1 regarding the bid process. Interim Public Works Director Candy McQuiston answered his

93 question. No other items were pulled. Mayor Pro Tem Penn called for a motion. Council Member

94 Johnson made a motion to approve the entire Consent Agenda and Council Member Myers

95 seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson and McGee].

96

97 **VII. DISCUSSION / ACTION ITEMS**

- 98
- 99 1. **Discuss and consider approval of an Ordinance setting the speed**
- 100 **limits at Off-Street areas within the City of Forney.**
- 101

102 Police Chief Sherwin had discussed the background of this item. An ordinance is needed to
103 enforce speed limits posted on the roadway in Community Park. This ordinance would also permit
104 speed enforcement for roadways inside shopping centers like Mustang Crossing.
105

106 Mayor Pro Tem Penn called for a motion. Council Member Moon made a motion to approve the
107 Ordinance setting the speed limits at Off-Street areas within the City of Forney and Council
108 Member Myers seconded the motion. The Ordinance caption was read as follows:
109

110 **ORDINANCE NO. 18-____**

111 **AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING CITY OF FORNEY CODE OF**
112 **ORDINANCES, CHAPTER 12, ARTICLE 12.03, DIVISION 2, BY ADDING SECTION 12.03.035,**
113 **SPEED RESTRICTIONS IN OFF-STREET PARKING AREAS WITHIN THE CORPORATE LIMITS**
114 **OF THE CITY OF FORNEY, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY**
115 **OF A FINE NOT TO EXCEED \$200.00 FOR THE VIOLATION OF THIS ORDINANCE.**
116

117
118 The motion passed by a vote of 5 ayes and 2 absent [Wilson and McGee].
119

120 **2. Discuss and consider the Lady Liberty Statue and Flag Poles**
121 **Relocation Project.**
122

123 Interim Public Works Director Candy McQuiston discussed the background of this item. The goal
124 of this project is to identify a location and a plan to replace the Lady Liberty Statue and Flag Poles.
125 McQuiston introduced Ed Zahra with Zahra Design Group, Dallas, Texas. Mr. Zahra presented
126 Council with a power point presentation with several options to consider. The following options
127 were presented.
128

129 **Option #1:** 4-foot-tall retaining wall x 24-foot diameter
130 City of Forney 40" logo plaque
131 9-foot pedestal
132 175/630-foot readable distance
133 \$99,946.00
134

135 **Option #2:** 4-foot-tall retaining wall x 24-foot diameter
136 City of Forney logo plaque, 36" tall letters "Forney"
137 9-foot pedestal
138 36" dimensional custom aluminum painted letters "Forney"
139 175/630-foot readable distance
140 \$ 112,443.00
141

142 **Option #3:** 2-foot-tall retaining wall x 24-foot diameter
143 36" tall letters "Forney"
144 City of Forney "F" logo 40"- Brand Colors
145 9-foot pedestal
146 1500-foot readable distance
147 \$105,270.00
148

149 **Option #4:** 2-foot-tall retaining wall x 24-foot diameter
150 36" tall letters "Forney"
151 City of Forney "F" logo 40"- Brand colors
152 9-foot pedestal custom stone with perimeter steps
153 1500-foot readable distance
154 \$117,520.00
155

156 Council Member Johnson inquired on the costs estimates for lighting, landscaping, etc.
157 McQuiston stated that these estimates do not include the electrical costs. Mayor Pro Tem Penn
158 stated that she would like to see Lady Liberty placed on a pillar instead of on a base. Council
159 Member Myers and Johnson stated they both liked option #3, Council Member Moon stated he
160 liked option #4.

161
162 No action was taken by Council on this item. Staff was instructed to bring back costs estimates
163 for electrical lighting, landscaping, and irrigation. Staff will also bring forth a concept of Lady
164 Liberty on a pillar instead of a base.

165
166 **3. Discuss and consider action on an Ordinance amending Chapter 6 of**
167 **the City Code of Ordinances by amending Section 6.05.002 and**
168 **adding Article 6.08 to provide for the regulation of tire businesses**
169 **within the City of Forney.**
170

171 City Attorney Jon Thatcher discussed the background of this item. The City receives complaints
172 regarding the proper disposal of scrap tires as well as some of the common problems that
173 improper storage of scrap tires can present such as being unsightly, holding stagnant water, and
174 creating a breeding ground for mosquitos.

175
176 The proposed ordinance seeks to address the illegal dumping for scrap tires, promote the safe
177 and environmentally responsible removal, reuse, and disposal of tires, and set standards for the
178 storage of tires through the regulation of tire businesses.

179
180 Mayor Pro Tem Penn opened the floor to anyone in the audience who wished to address the
181 Council. The following persons came forward:

182
183 Grady Stewart
184 107 N. McGraw Street
185 Forney, Texas 75126

186 Mr. Stewart addressed his concerns regarding this Ordinance. He stated that he has to wait on
187 the company he uses to pick up his tires and haul off and requested information on who the city
188 uses to get rid of the tires that are found along the roads and ditches.

189
190 Tony Hernandez
191 Christopher Chavez
192 Main Street Tire
193 101 W. Broad Street
194 Forney, Texas 75126

195 Mr. Chavez stated he contracts to have tires hauled away. For example they just paid \$700 to
196 dispose of 300 tires. He stated that he does not charge his customers a tire disposal fee. He has
197 found that spraying or wiping down the tires with Armoral helps kill mosquitos. He also stated
198 that he keeps all his tires inside and will continue to follow the guidelines that is being requested
199 by the city.

200
201 City Attorney Thatcher stated that it had been previously discussed about possibly waiving the
202 license fee for 1 year of existing tire businesses.

203
204 Mayor Pro Tem Penn called for a motion. Council Member Moon made a motion to approve an
205 Ordinance amending the Forney Municipal Code, Amending Chapter 6; Amending Article 6.05,
206 Section 6.05.002; Adding Article 6.08 to provide regulation of Tire Businesses with the waiver of

207 fees for the first year. Council Member Myers seconded the motion. The Ordinance caption was
208 read as follows:

209 **ORDINANCE NO. 18-_____**

210 **AN ORDINANCE OF THE CITY OF FORNEY, TEXAS: AMENDING THE FORNEY MUNICIPAL**
211 **CODE, AMENDING CHAPTER 6; AMENDING ARTICLE 6.05, SECTION 6.05.002; ADDING**
212 **ARTICLE 6.08 TO PROVIDE REGULATION OF TIRE BUSINESSES; PROVIDING FOR**
213 **SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR**
214 **LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**
215

216
217
218 The motion passed by a vote of 5 ayes and 2 absent [Wilson and McGee].
219

220 **4. Discuss and consider a Resolution authorizing a project for economic**
221 **development of an area located at the southeast intersection of**
222 **Highway 80 and FM 548 and FM 1641 (1st Reading).**
223

224 City Attorney Jon Thatcher discussed the background of this item and stated that this is the first
225 reading of this Resolution. Prior to expending any funds by the economic development
226 corporation, the enabling governmental entity (City Council) must authorize the project with the
227 approval of a resolution after two readings during a City Council meeting. Additionally, funds
228 cannot be expended towards a project until the economic development corporation has declared
229 a project and published notice of the project to the public and allow a 60-day notice period to run.
230

231 Mayor Pro Tem Penn called for a motion. Council Member Powers made a motion to approve a
232 Resolution authorizing a project for economic development of an area located at the southeast
233 intersection of Highway 80 and FM 548 and FM 1641. Council Member Moon seconded the
234 motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson and McGee]. The Resolution
235 caption was read as follows:

236 **RESOLUTION NO. 18-_____**

237 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS AUTHORIZING**
238 **VARIOUS PROJECTS FOR ECONOMIC DEVELOPMENT LOCATED IN FORNEY AS SHOWN IN**
239 **EXHIBIT "A" UNDER CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE**
240 **PURPOSE OF ECONOMIC DEVELOPMENT INCENTIVES; AND PROVIDING AN EFFECTIVE**
241 **DATE.**
242

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244
245 **5. Discuss and consider a Resolution authorizing a list of projects for**
246 **economic development in the City of Forney, Texas. (1st Reading).**
247

248 City Attorney Thatcher discussed the background of this item and stated that this is the first
249 reading of this Resolution. Prior to expending any funds by the economic development
250 corporation, the enabling governmental entity (City Council) must authorize the project with the
251 approval of a resolution after two readings during a City Council meeting. Additionally, funds
252 cannot be expended towards a project until the economic development corporation has declared
253 a project and published notice of the project to the public and allow a 60-day notice period to run.
254

255 Mayor Pro Tem Penn called for a motion. Council Member Moon made a motion to approve a
256 Resolution authorizing a list of projects for economic development in the City of Forney. Council
257 Member Myers seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
258 [Wilson and McGee]. The Resolution caption was read as follows:
259

RESOLUTION NO. 18-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS AUTHORIZING VARIOUS PROJECTS FOR ECONOMIC DEVELOPMENT LOCATED IN FORNEY AS SHOWN IN EXHIBIT "A" UNDER CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE PURPOSE OF ECONOMIC DEVELOPMENT INCENTIVES; AND PROVIDING AN EFFECTIVE DATE.

6. Discuss and consider approval of an Ordinance annexing an approximately 52.354 acres, situated in the Martha Musick Survey, Abstract No. 312, Kaufman County, Texas, Kaufman CAD Property ID 9528 and 9529, generally located on FM 548 south of Pecan Lane.

City Attorney Jon Thatcher discussed the background of this item. Annexation is governed by Chapter 43 of the Texas Local Government Code and sets forth a carefully defined process for annexation. It is highly prescriptive regarding notifications, publication, timing of public hearings and action.

On April 3, 2018, the City Council approved a resolution setting the public hearings and authorizing staff to propose a development agreement to the landowner and all other action required by state law. At this time, the landowner has chosen not to accept a development agreement with the City.

Notices were sent on April 4th and May 2nd to the landowner and all public carriers of utilities and the school district providing notice of the proposed annexation and notice of the public hearings. Notice of the public hearings was also published on the City's web page and in the Forney Messenger on or before May 3, 2018.

Two public hearings were held on May 15, 2018. The City Council can consider an ordinance to approve the annexation no earlier than 20 days and no later than 40 days after the second public hearing

Mayor Pro Tem stated that she wished to discuss this matter in Executive Session. City Attorney Thatcher advised that they could do so under Section 551.071 of the Local Government Code. No action was taken at this time.

7. Consider approval of an Ordinance amending Chapter 10, Article 10.02 of the Code of Ordinances to update the park land dedication requirements for the City of Forney and its extra-territorial jurisdiction.

Community Development Director Peter Morgan discussed the background of this item. New residential development is required to provide park land dedication and/or fees in accordance with the Code of Ordinances. City staff and the Parks and Recreation Board recommend approval of an Ordinance that substantially increases the land and fee amounts. The Ordinance establishes a new park development fee and extends the dedication requirements to properties located within the City of Forney extra-territorial jurisdiction (ETJ). ETJ properties are currently not required to provide any park land dedication.

The current land dedication requirement is two acres of land per 100 dwelling units. The current fees in lieu of requirement is \$1,200 per single-family dwelling unit and \$350 per multi-family dwelling unit.

The proposed new requirements are shown below:

Requirement	Methodology
	Current level of service is 1 acre per 77.3 people. This level of service is based on the 2018 total population: 20,280 divided by the existing parkland of 262.35 acres. 3.1 persons per household (PPH) for single-family and 1.2 PPH for multi-family based on NCTCOG population estimates.
Land	Single-family: 77.3 people ÷ 3.1 PPH = 25 Dwelling Units (DU) = 1 acre per 25 DU Multi-family: 77.3 people ÷ 1.2 PPH = 64 DU = 1 acre per 64 DU.
Fee-in-lieu of land	<i>Assume 1 acre costs \$28,169 (Based on previous City land purchase)</i> Single-family: \$28,169 ÷ 25 DU = \$1,126 per DU Multi-family: \$28,169 ÷ 64 DU = \$440 per DU
Park Development Fee	One park serves 1,844 people, based on a total population of 20,280 being served by 11 parks. The cost of improvements is an average of \$136 per person based on an average City park development cost of \$250,000. Single-family: \$136 x 3.1 PPH = \$422 per DU Multi-family: \$136 x 1.2 PPH = \$164 per DU
Total Park Fee	Single-family: \$1,126 + \$422 = \$1,548 per DU Multi-family: \$440 + \$164 = \$604 per DU

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Council Member Myers asked if the amenities will be open to the public or remain private. Morgan stated that the amenities will stay private for residence use.

All residential plats will go to the Park Board for approval. Payment of fees will be required prior to plat development.

Mayor Pro Tem Penn called for a motion. Council Member Powers made a motion to approve an Ordinance amending Chapter 10, Article 10.02 of the Code of Ordinances to update the park land dedication requirements for the City of Forney and its extra-territorial jurisdiction. Council Member Moon seconded the motion. The Ordinance caption was read as follows:

ORDINANCE NO. 18- _____

AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING CHAPTER 10, ARTICLE 10.02 OF THE CODE OF ORDINANCES OF THE CITY OF FORNEY, TEXAS, BY REPLACING SECTION 4.4 OF EXHIBIT A, SUBDIVISION ORDINANCE, "PARK LAND & PUBLIC FACILITY DEDICATION," WITH UPDATED PARK LAND DEDICATION REQUIREMENTS FOR THE CITY OF FORNEY AND ITS EXTRA-TERRITORIAL JURISDICTION; PROVIDING A PENALTY; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING A SEVERABILITY CLAUSE.

The motion passed by a vote of 5 ayes and 2 absent [Wilson and McGee].

8. Discuss and consider approval of an Ordinance amending the 2017-18 Forney EDC budget to transfer \$151,750.07 from the EDC Fund Balance to EDC Business Park Expense for a natural gas line relocation.

Director of Economic Development Warren Kettelman discussed the background of this item. The Forney EDC Board of Directors met recently and approved funds in the amount of \$151,750.07 (estimate provided by Atmos Energy) to pay for the relocation of an Atmos gas line on EDC owned property bordered by Don T. Cates Boulevard and Reeder Road. This relocation is necessary for this land to be fully utilized as park space in the future. Forney City Council previously approved

349 the acceptance of this land as park space upon donation from Meadow Ridge Farm LP following
350 purchase from Forney EDC. The total budget amendment request is \$151,750.07 for
351 replacement of the Atmos gas line.

352
353 Council Member Moon asked Kettelman if the cost allocated was brought forth up front. Kettelman
354 stated that this was only a cost estimate.

355
356 Mayor Pro Tem Penn called for a motion. Council Member Powers made a motion to approve an
357 Ordinance amending the 2017-18 Forney EDC budget to transfer \$151,750.07 from the EDC
358 Fund Balance to EDC Business Park Expense for a natural gas line relocation. Council Member
359 Moon seconded the motion. The Ordinance Caption was read as follows:

360
361 **ORDINANCE NO. 18-**

362
363 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, AMENDING**
364 **ORDINANCE NO. 17-40, AS AMENDED, WHICH APPROVED AND ADOPTED A GENERAL**
365 **BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING**
366 **SEPTEMBER 30, 2018, BY TRANSFERRING FUNDS FROM EDC FUND BALANCE TO EDC**
367 **BUSINESS PARK EXPENSE; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL**
368 **CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

369
370 The motion passed by a vote of 5 ayes and 2 absent [Wilson and McGee].

371
372 **9. Discuss and consider approval of a Resolution approving a 12-inch**
373 **Waterline Transfer Agreement between Markout Water Supply**
374 **Corporation and the City of Forney.**

375
376 Interim City Manager Wendle Medford discussed the background of this item. Markout WSC
377 requested that the City of Forney reimburse them for water lines they have constructed along FM
378 548 in anticipation of constructing a new take point along Melody Lane. They indicate they will
379 no longer need to develop the take point with the City serving Overland Grove.

380
381 The water line was constructed in 2010 at a cost of \$150,000 in accordance with information from
382 Markout WSC. The water line is constructed in FM 548 right-of-way which will make it subject to
383 relocation at City expense if the road is widened in the future. The City of Forney depreciates its
384 infrastructure on a 40-year basis. The depreciation would reduce the value of the water line to a
385 present value of \$120,000.

386
387 At their Regular Board Meeting on May 14, Markout's Board of Directors discussed the City's
388 proposal of paying \$120,000 for this line and voted to accept the City's offer. In lieu of a cash
389 payment, Markout requests four contiguous monthly credits of \$30,000 each to our water account
390 beginning June 1.

391
392 Mayor Pro Tem Penn called for a motion. Council Member Johnson made a motion to approve a
393 Resolution regarding a 12-inch Waterline Transfer Agreement between Markout Water Supply
394 Corporation and the City of Forney. Council Member Myers seconded the motion. The motion
395 passed by a vote of 5 ayes and 2 absent [Wilson and McGee].

396
397 **10. Discuss and consider board and commission appointments: Animal**
398 **Adoption Center/Shelter Advisory Committee; Board of Adjustment;**
399 **Building Standards Commission Board; Economic Development**
400 **Corporation; Historic Overlay District Architectural Review Board;**
401 **Library Board; Park and Recreation Board; Planning and Zoning**
402 **Commission.**

403
404 Council made the following appointments:

405
406 **Animal Adoption Center/Shelter Advisory Committee**

407
408 Member 5 – Council Member Powers made a motion to appoint Mary Jo Smith and Council
409 Member Moon seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson
410 and McGee].

411
412 Member 6 -- Council Member Powers made a motion to appoint Mandy Hood and Council
413 Member Myers seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
414 [Wilson and McGee].

415
416 Member 8 -- Council Member Powers made a motion to appoint Stacy Salinas and Council
417 Member Johnson seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
418 [Wilson and McGee].

419
420
421 **Board of Adjustment**

422
423 Member 1 (Regular Member) -- Council Member Powers made a motion to appoint Richard
424 Salgado and Council Member Moon seconded the motion. The motion passed by a vote of 5
425 ayes and 2 absent [Wilson and McGee].

426
427 Member 3 (Regular Member) – Council Member Myers made a motion to appoint Brian Halvorsen
428 and Council Member Moon seconded the motion. The motion passed by a vote of 5 ayes and 2
429 absent [Wilson and McGee].

430
431 Member 2 (Regular Member) -- Council Member Moon made a motion to appoint Jennifer
432 Kilpatrick and Council Member Johnson seconded the motion. The motion passed by a vote of 5
433 ayes and 2 absent [Wilson and McGee].

434
435 Member 5 (Regular Member) -- Council Member Moon made a motion to appoint Rick Henrichs
436 to fill a vacancy with a term ending 06-30-2019 and Council Member Johnson seconded the
437 motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson and McGee].

438
439
440 **Building Standards Commission Board**

441
442 Member 2 -- Council Member Powers made a motion to appoint Hattie West and Council Member
443 Johnson seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson and
444 McGee].

445
446 Member 4 -- Council Member Moon made a motion to appoint Jayme Hernandez and Council
447 Member Myers seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
448 [Wilson and McGee].

449
450 Member 5 -- Council Member Powers made a motion to appoint Randol Klein to fill a vacancy
451 with a term ending 06-30-2019 and Council Member Myers seconded the motion. The motion
452 passed by a vote of 5 ayes and 2 absent [Wilson and McGee].

453

454 **Economic Development Corporation**

455

456 Member 1 -- Council Member Myers made a motion to appoint DeCarlo Coleman and Council
457 Member Johnson seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
458 [Wilson and McGee].

459

460 Member 3 -- Council Member Powers made a motion to appoint Joe Dan McBeth and Council
461 Member Myers seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
462 [Wilson and McGee].

463

464 Member 6 -- Council Member Moon made a motion to appoint Jessica Browning and Council
465 Member Johnson seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
466 [Wilson and McGee].

467

468 Member 7 -- Council Member Johnson made a motion to appoint Scott Burrus with a term ending
469 06-30-2019 and Council Member Myers seconded the motion. The motion passed by a vote of 5
470 ayes and 2 absent [Wilson and McGee].

471

472

473 **Historic Overlay District Architectural Review Board**

474

475 Member 4 -- Council Member Myers made a motion to appoint Christie Conaway and Council
476 Member Moon seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson
477 and McGee].

478

479 Member 5 -- Council Member Moon made a motion to appoint Richard Cunningham and Council
480 Member Powers seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
481 [Wilson and McGee].

482

483

484 **Ellen Brooks West Memorial Library of Forney**

485

486 Place 1 -- Council Member Powers made a motion to appoint Rachael Zasik to fill a vacancy with
487 a term from September 1, 2017 to August 31, 2010 and Council Member Myers seconded the
488 motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson and McGee].

489

490 Place 2 -- Council Member Johnson made a motion to appoint Linda Gamble and Council Member
491 Moon seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson and
492 McGee].

493

494

495 **North Texas Municipal Water District**

496

497 No action was taken.

498

499

500 **Parks and Recreation Board**

501

502 Member 2 -- Council Member Myers made a motion to appoint Thomas Anich and Council
503 Member Powers seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
504 [Wilson and McGee].

505

506 Member 4 -- Council Member Johnson made a motion to appoint Jody Eastep and Council
507 Member Myers seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
508 [Wilson and McGee].
509

510 Member 6 -- Council Member Myers made a motion to appoint Jeremy Skellenger and Council
511 Member Moon seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson
512 and McGee].
513

514 Member 1 -- Council Member Moon made a motion to appoint Eric Summers to fill a vacancy with
515 a term ending 06-30-2019 and Council Member Myers seconded the motion. The motion passed
516 by a vote of 5 ayes and 2 absent [Wilson and McGee].
517

518 519 **Planning and Zoning Commission**

520
521 Member 1 -- Council Member Myers made a motion to appoint Misty Holler and Council Member
522 Powers seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson and
523 McGee].
524

525 Member 3 -- Council Member Johnson made a motion to appoint Steve Cunningham and Council
526 Member Moon seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson
527 and McGee].
528

529 Member 4 -- Council Member Powers made a motion to appoint Brigham Wilcoxson and Council
530 Member Johnson seconded the motion. The motion passed by a vote of 5 ayes and 2 absent
531 [Wilson and McGee].
532

533 Member 6 -- Council Member Myers made a motion to appoint Mike Thomas and Council Member
534 Powers seconded the motion. The motion passed by a vote of 4 ayes, 1 nay [Johnson] and 2
535 absent [Wilson and McGee].
536

537 538 **TIF Board**

539
540 Member3 -- Council Member Myers made a motion to appoint Darrell Hobbs to fill a vacancy with
541 a term ending 06-30-2019 and Council Member Moon seconded the motion. The motion passed
542 by a vote of 5 ayes and 2 absent [Wilson and McGee].
543

544 **VIII. CITY MANAGER'S REPORT**

545
546 Interim City Manager Wendle Medford stated that the logos for the Aimee Street water tower have
547 been ordered. Interim Public Works Director McQuiston stated there was a leak on the tank and
548 that the city is working with the contactors and will probably retest the water again.
549

550 Forney IT Department provided staff with a mandatory training class over cyber threats and steps
551 to prevent it from happening.
552

553 The City will honor both baseball and softball players for an outstanding season by honoring them
554 during the parade that is scheduled for Thursday, June 21st at 7:00 p.m.
555

556 The TIF Board will meet on Thursday, June 28th at 5:30 p.m.
557

558 Independence Day celebration is scheduled for Saturday, June 30th at 6:30 p.m.

559

560 A few dates for tentative City Council Meetings are: Monday, July 2nd, Tuesday, July 10th, and July
561 24th if a third meeting is needed. Medford asked Council to let him know dates of availability.

562

563 Council Member Powers asked about the mowing of the deep ditches. There is a house on
564 Buffalo by Mt. Zion Baptist Church that needs mowing. The residents there will need as much
565 assistance as we can give. Council Member Powers also asked about Ridgecrest median. Candy
566 McQuiston advised that Good Earth is supposed to be taking care of it along with the College
567 Street Median. EDC Director Kettelman advised that there is a community outreach group that
568 will help with the mowing. Lowes Heros are also willing to help.

569

570 Council Member Myers asked if he had meet with Jim Bell yet regarding Rogers and Monitor.
571 Medford advised that a meeting is scheduled. Myers asked how we were coming along with the
572 City Hall security project. He also wanted to know about the US 80 project near Dairy Queen.
573 Medford stated that it would be completed in late July early August time frame.

574

575 **IX. COUNCIL COMMENTS**

576

577 Council Member Myers thanked everyone, including staff, for all that they do and thanked the
578 Parks Department for their help with the parade.

579

580 Council Member Powers thanked staff and congratulated the baseball team for a great season
581 and stated she so proud of the girls softball team for winning state. She appreciates what the
582 City is doing for the needy.

583

584 Council Member Moon thanked staff for their participation in the BBQ cook-off and the Wine Walk.
585 300 tickets were sold, and the VIP sold out.

586

587 Council Member Johnson thanked everyone for coming out and expressed his concerns with the
588 Boards and Commissions and how we need people to serve. He also thanked the staff and parks
589 department for all that they do.

590

591 **X. EXECUTIVE SESSION**

592 Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073,
593 551.074, 551.076 and 551.087. Executive Session may be held, under these exceptions, at the end of the Regular
594 Meeting or at any time during the meeting that a need arises for the Council to seek advice from the City Attorney's
595 Office as to the posted subject matter of this City Council meeting.

596

597 Mayor Pro Tem Penn stated that Council would adjourn into Executive Session at this time
598 pursuant to Texas Government Code Sec. 551.074 and Sec. 551.071 and asked for a motion to
599 do so. Council Member Myers made a motion to adjourn into Executive Session at 7:45 p.m. and
600 Council Member Powers seconded the motion. The motion passed by a vote of 5 ayes and 2
601 absent [Wilson and McGee].

602

603 1. Consult with legal counsel regarding pending or contemplated litigation or
604 a settlement offer and/or matters in which the duty of the attorney to the
605 governmental body under Texas Disciplinary Rules of Professional
606 Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the
607 Texas Government Code (Tex. Gov't Code Section 551.071).

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609 a. Discuss action on Final Plat for Gateway Parks subdivision,
610 Phase 7.

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- 2. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (Tex. Gov't Code 551.074):
 - a. City Manager
 - b. Municipal Judge

Council returned to Chambers at 8:58 p.m. Mayor Pro Tem Penn called for a motion to adjourn out of Executive Session at that time. Council Member Myers made the motion to adjourn out of Executive Session and Council Member Powers seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Wilson and McGee].

Mayor Pro Tem Penn asked if there was any action to be taken as a result of Executive Session. Council Member Johnson stated that he would like to make a motion regarding Action Item #6. Council Member Johnson made a motion to approve the Ordinance annexing an approximately 52.354 acres, situated in the Martha Musick Survey, Abstract No. 312, Kaufman County, Texas, Kaufman CAD Property ID 9528 and 9529, generally located on FM 548 south of Pecan Lane. Council Member Moon seconded the motion. The Ordinance caption was read as follows:

ORDINANCE NO. _____

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF FORNEY, KAUFMAN COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

The motion passed by a vote of 4 ayes 1 nay [Penn] and 2 absent [Wilson and McGee].

There being no further business to come before the Council, Mayor Pro Tem Penn adjourned the meeting at 8:59 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, this _____ day of _____, 2018.

Rick Wilson, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary