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**Minutes**  
**Forney City Council**  
**Tuesday, April 16, 2019**  
**6:30 p.m. Regular Meeting**  
**City Hall, 101 E. Main Street, Forney, Texas 75126**

**I. CALL TO ORDER**

Mayor Wilson called the meeting to order at 6:30 p.m. Present were Mayor Rick Wilson, Mayor Pro Tem Mary Penn and Council Members Mike Thomas, Shaun Myers, Kevin Moon and David Johnson. Council Member Robbie Powers was absent. Also present was City Manager Tony Carson.

**II. INVOCATION / PLEDGE OF ALLEGIANCE – COUNCIL MEMBER KEVIN MOON**

Pastor Marty Reid gave the invocation and Council Member Moon led the Pledge of Allegiance.

**III. PROCLAMATIONS / PRESENTATIONS**

**1. Proclamation for National Safe Digging Month and presentation from  
ATMOS Energy to the Forney Fire Department**

Mayor Wilson read and present the Proclamation to Eva Hummel from ATMOS Energy. Ms. Hummel introduced Warren Moss, Director of Operations for ATMOS, Blake Parker, Operations Supervisor and Gus the Gopher. They presented a gas detector to Chief Townsend and his fire crew.

**2. Mid-Year Budget Update**

Finance Director Deborah Woodham presented the Mid-Year Budget Update.

**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 Wilson opened the floor to anyone in the audience who wished to address the Council on any subject not on tonight's agenda. No one came forward, so Mayor Wilson closed the open forum session.

**V. APPROVAL OF MINUTES**

**1. Consider approval of the Minutes from the April 2, 2019, City Council meeting.**

Mayor Wilson asked if Council had any changes to the Minutes. There being no changes, Mayor Wilson called for a motion. Council Member Myers made a motion to approve the Minutes from the April 2, 2019 City Council meeting and Mayor Pro Tem Penn seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Powers].

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**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 a final plat for Lover’s Landing, located north of U.S. Highway 80 and east of Lovers Lane.**
2. **Consider approval of a preliminary plat for the Grayhawk Addition, Phase Four, single-family residential subdivision.**
3. **Consider approval of the acceptance of the project for the EDC Detention Pond Repairs north of Highway 80 and east of FM 548, adjacent to Lowe’s Home Improvement store.**
4. **Consider a Resolution awarding a contract to DDM Construction Corp. for the construction services for the Trailhouse Roadway Completion Project, Phase One, and all related issues.**
5. **Consider approval of the acceptance of public improvements for Overland Grove, Phase 1B development.**
6. **Consider the acceptance of improvements for the Windmill Farms Phase 3B final plat, located in the City of Forney extra-territorial jurisdiction.**

Mayor Wilson asked if Council wanted to pull an item for discussion. No items were pulled, so Mayor Wilson called for a motion. Council Member Thomas made a motion to approve the entire Consent Agenda and Council Member Moon seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Powers].

**VII. DISCUSSION / ACTION ITEMS**

1. **Vision 2025 -- Goals and Initiatives**

There was no discussion for this item.

2. **Discuss and consider approval of an Ordinance rezoning 108.2 acres of land from Mixed-Use District to a Planned Development District with single-family, multi-family and commercial uses. The property is located south of the U.S. Highway 80 and F.M. 460 intersection in the City of Forney.**

Mayor Wilson opened the floor to Brad Watson, Senior Director of Community Affairs of Vistra, the parent company of Luminant, 6555 Sierra Drive, Irving, Texas 75039. Mr. Watson stated why Luminant as against this development. Luminant must have a reliable water source. They researched moving the water lines and it is approximately \$4M to just move the lines. This does not include any cost for the purchase of land/easements. Additionally, he does not believe that the Corps of Engineers would approve this.

Community Development Director Peter Morgan advised that the applicant has requested that this item be tabled until the May 7, 2019, City Council meeting. Mayor Wilson called for a motion. Council Member Johnson made a motion to table this item until the May 7, 2019, City Council

108 meeting and Mayor Pro Tem Penn seconded the motion. The motion passed by a vote of 6 ayes  
109 and 1 absent [Powers].

110

111 **3. Discuss and consider approval of a revised site plan for Blackburn**  
112 **Elementary School, located southwest of the intersection of Irongate**  
113 **Blvd and Concord Drive in the City of Forney extra-territorial**  
114 **jurisdiction.**

115

116 Community Development Director Peter Morgan discussed this item. Morgan stated the Forney  
117 Independent School District is remodeling three schools (Action Items #4 and #5) and the request  
118 is the same for all three schools. Mr. Kip Jameson, representing Forney ISD, requests approval  
119 of a revised site plan for Blackburn Elementary School. The purpose of the request is to establish  
120 the site design for an expansion of the existing school.

121

122 **Current Standards:**

123 The existing building consists of 74,791 square feet on 16 acres of property. The property is  
124 located outside Forney's City limits but inside Forney's extra-territorial jurisdiction (ETJ). The  
125 property is regulated by a development agreement approved by City Council in 2003. The  
126 development agreement states that non-residential development shall meet the City of Forney's  
127 development requirements.

128

129 **Revised Site Plan:**

130 The applicant is proposing to expand the building by 12,392 square feet. The existing building  
131 has one hundred fifty-three (153) parking spaces which would still meet the requirements of City  
132 of Forney Zoning Ordinance Section 38.6 if the proposed building addition is added.

133 The expansion serves a dual purpose of classroom and storm shelter. The storm shelter is  
134 required by the adopted building codes (2015 ICC Series) and the ISD elected to design it large  
135 enough to hold all students in the event of a major weather event.

136

137 The building elevation plan shows that brick, stone, and CMU block are the primary exterior  
138 construction material. Percentage of masonry materials per façade calculate to 90% on the South  
139 Elevation, 80% on the North Elevation, 79% on the East Elevation, and 79% on the West  
140 Elevation. The zoning ordinance states that non-residential buildings need to have a minimum of  
141 90% masonry construction, more-or-less equally distributed around all sides of the building. The  
142 elevation plan shows that a metal parapet is proposed. The metal would have the ability to detach  
143 from the storm shelter base during tornado level winds.

144

145 The applicant is requesting a variance to request to use alternative materials per City of Forney  
146 Zoning Ordinance 42.2 (F).

147

148 **Future Requirements:**

149 If the site plan is approved, future development of the property will require approval of:

150 1. Building Plans (staff approved)

151

152 **Recommendation:**

153 The Planning and Zoning Commission considered the request on April 4, 2019. The Commission  
154 voted unanimously to recommend approval.

155

156 Mr. Jameson was available to answer any questions the Council might have.

157

158 Mayor Wilson called for a motion. Council Member Myers made a motion to approve the revised  
159 site plan for Blackburn Elementary School and Mayor Pro Tem Penn seconded the motion. The  
160 motion passed by a vote of 6 ayes and 1 absent [Powers].

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**4. Discuss and consider approval of a revised site plan for Crosby Elementary School, located west of the intersection of Overton Drive and Diamond Creek Drive.**

Community Development Director Morgan stated that this request is the same as Action Item #3. Mayor Wilson called for a motion. Council Member Johnson made a motion to approve the revised site plan for Crosby Elementary School and Council Member Moon seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Powers].

**5. Discuss and consider approval of a revised site plan for Henderson Elementary School, located south of the intersection of Monitor Boulevard and F.M. 1641.**

Community Development Director Morgan stated that this request is the same as Action Items #3 and #4. Mayor Wilson called for a motion. Council Member Moon made a motion to approve the revised site plan for Henderson Elementary and Mayor Pro Tem Penn seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Powers].

**6. Discuss and consider approval of Bid Advertisement for CR212 Roadway Restoration Project.**

Public Works Director Rick Saillers discussed the background of this item. The City's ownership of CR212 includes the responsibility to maintain the roadway in comfortable and safe condition for the traveling public. The current condition does not meet the City's goal to ensure safety on our City streets. This project includes restoration of a ¼ mile section of this roadway, from Gateway Blvd. to Kiest Drive, which will improve roadway conditions for this City street used by Gateway residents and other traveling public.

The Restoration process will provide a much improved driving surface over the next 3-5 years (possibly longer) until full street rehabilitation can be planned in the future.

Staff recommends approval of the Project Bid Advertisement in the estimated amount of \$230,000. Funding for this Project will be through the 2019 Street Maintenance Budget.

Mayor Wilson called for a motion. Mayor Pro Tem Penn made a motion to approve the Bid Advertisement for CR212 Roadway Restoration Project and Council Member Johnson seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Powers].

**VIII. CITY MANAGER'S REPORT**

THE CITY MANAGER WILL DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS FOR POSSIBLE ACTION, INCLUDING THE FOLLOWING:

The Texas Cornhole League (TCL) is coming to Downtown Forney. On April 27 from 11 a.m. to 6 p.m., Eno's, 215 S. Bois d' Arc, will host a TCL regional event open to anyone who would like to toss some bags. People can sign up online.

Movies and Concerts in the Park will be starting soon. A complete schedule can be found on our website.

212  
213 Mayor Wilson gave an update on the train incident from last week. Hopefully, we will have a  
214 protocol in place with our Police Department for any future incidents. There is a new emergency  
215 number to call, which will help UP keep track of the incidents. He thanked Jim Bell and Lance  
216 Gooden for their assistance.

217  
218 **IX. COUNCIL COMMENTS**

219 PURSUANT TO SECTION 551.0415 TEX. GOV'T CODE, CITY COUNCIL MEMBERS MAY MAKE A REPORT  
220 ABOUT ITEMS OF COMMUNITY INTEREST DURING A MEETING OF THE GOVERNING BODY WITHOUT  
221 HAVING GIVEN NOTICE OF THE REPORT. ITEMS OF COMMUNITY INTEREST INCLUDE:

222  
223 Council Member Thomas recognized the boy scouts in the audience and asked why they were  
224 here. They are working on merit badges. He asked if they earned them tonight and they replied  
225 yes!

226  
227 Council Member Myers thanked Staff for all that they do and he thanked everyone for coming out  
228 tonight.

229  
230 Council Member Moon congratulated the boy scouts on earning their merit badges. He thanked  
231 Staff for all that they do.

232  
233 Mayor Pro Tem Penn asked that everyone keep Dan Chambliss in their prayers, he is not doing  
234 well. She told everyone to do their civic duty and get out and vote.

235  
236 Council Member Johnson thanked the boy scouts for being here tonight. He thanked Staff for all  
237 that they do and for being here tonight.

238  
239 Mayor Wilson stated that the Auto Show held to benefit Shane Carney this past weekend was a  
240 success. He asked everyone to remember Emily – the softball player that died last year. He  
241 stated that First Baptist is celebrating their 125<sup>th</sup> anniversary on May 5. God Bless.

242  
243 There being no further business to come before the Council, Mayor Wilson adjourned the meeting  
244 at 7:11 p.m.

245  
246 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY,**  
247 **TEXAS, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

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250 **ATTEST:** **\_\_\_\_\_  
Rick Wilson, Mayor**

251  
252 **\_\_\_\_\_  
Dorothy Brooks, City Secretary**