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**Minutes**  
**Forney City Council**  
**Tuesday, January 7, 2020**  
**6:30 p.m. Regular Meeting**  
**City Hall, 101 E. Main Street, Forney, Texas 75126**

**I. CALL TO ORDER**

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

**II. INVOCATION / PLEDGE OF ALLEGIANCE – COUNCIL MEMBER DERALD COOPER**

Pastor David Griffin of cLife Church gave the invocation and Council Member Derald Cooper led the Pledge of Allegiance.

**III. PROCLAMATIONS / PRESENTATIONS**

There were no proclamations or presentations.

**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 Penn opened the floor to anyone in the audience who wished to address the Council on any subject not on tonight's agenda. The following persons came forward to address the Council:

John Daniel  
630 Cedar Street  
Forney, Texas 75126

Mr. Daniel handed out another complaint, this time against Jon Thatcher, City Attorney. Mr. Daniel made accusations of slander and fraud.

Constable Jason Johnson  
200 E. Main Street  
Forney, Texas 75126

Constable Johnson stated that he is running for re-election as Constable and asked everyone to vote for him.

There being no one else to address the Council, Mayor Penn closed the open forum session.

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**V. APPROVAL OF MINUTES**

- 1. Consider approval of the Minutes of the December 17, 2019, City Council Meeting.**

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

**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 Resolution ordering the General Election for May 2, 2020, and take any action necessary.** [Comenta y considerar la aprobación de una Resolución que ordena la Elección General el 2 de mayo de 2020, y tomar las medidas necesarias.]
- 2. Consider approval of the revised quarterly investment report ending 9/30/19.**

Mayor Penn asked if Council wished to pull an item for discussion. No items were pulled, so Mayor Penn called for a motion. Mayor Pro Tem Myers made a motion to approve the Consent Agenda and Council Member Cooper 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**

City Manager Carson stated that he had received comments from the Council that they would like to wait on holding a workshop until after the presentation on Pinson Farms, which will be made on February 4, 2020. Council has also stated that they prefer holding a workshop in the evening during the work week. Carson stated he would find a date after February 4 for a workshop.

- 2. Discuss and consider authorizing City staff to receive proposals for decorative holiday lights for the holiday lights event beginning in 2020.**

City Attorney Thatcher discussed the background of this item. The City Council has directed staff to begin the planning of a holiday event with a large light display for the upcoming calendar year. The City will seek proposals from interested firms on the design and construction of the light displays for use with the event. The proposal criteria will include cost of the light displays as well as the construction and set up time and overall design. There will also be a tram.

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99 Due to the anticipated cost for the light displays, the City is required to seek proposals for the  
100 goods and services. Staff will publish the request for proposals, review any responses and  
101 bring to the Council for later consideration of awarding the contract. This should take place at  
102 the first meeting in March.

103

104 Mayor Penn called for a motion. Council Member Johnson made a motion to approve this item  
105 and Council Member Thomas seconded the motion. The motion passed by a vote of 6 ayes  
106 and 1 absent [Powers].

107

108 **3. Discuss and consider any necessary action regarding**  
109 **recommended amendments to the City of Forney Home Rule**  
110 **Charter.**

111

112 City Attorney Thatcher discussed the background of this item. The Forney Charter Commission  
113 began meeting in October upon receiving the charge from the City Council to review the City's  
114 Charter and report to the City Council for consideration of any recommendations.

115

116 This agenda item is provided to allow the Council the opportunity to discuss each of the  
117 recommended Charter amendments and take any interim votes if necessary on the individual  
118 items in order to finalize the amendments that will be submitted to the voters in May.

119

120 It is anticipated that based on the report and ensuing discussion and any votes of the Council,  
121 an Ordinance will be presented at either the Council's next regular meeting or first meeting in  
122 February, calling the Charter Amendment Election and including the ballot language for each  
123 proposition.

124

125 Thatcher introduced Weldon Bowen, Chairman of the Commission and Andy Parker, Vice  
126 Chairman of the Commission. Mr. Bowen recognized the other members of the Commission:  
127 Roger Cross, Rodney Vike, Wende Hawthorne, Joe Dan McBeth, Gary Murray and Council  
128 Members Mike Thomas and David Johnson and Mayor Pro Tem Shaun Myers. Mr. Bowen then  
129 gave highlights of the proposed changes. Mr. Bowen thanked Mr. Thatcher for his assistance.  
130 Bowen stated that all the recommendations were done by unanimous vote of the Commission.

131

132 The amendments will be brought back to Council on February 21, 2020. No action was taken  
133 by Council at this time.

134

135 **4. Discuss and consider approval of an Ordinance amending the 2019-**  
136 **20 Fiscal Year budget to transfer \$100,000 from the EDC Fund**  
137 **Balance to the EDC Project Expense line item.**

138

139 EDC Director Warren Ketteman discussed the background of this item. The Forney EDC Board  
140 of Directors is scheduled to meet on Monday, January 6, 2020 to take action on an incentive  
141 request for "Project Sadie" to assist with infrastructure expansion to serve their new facility to be  
142 located in the Gateway industrial area. This would be help for Akron Way going east. They will  
143 build all the way to the property line. Mayor Penn called for a motion. Council Member Thomas  
144 made a motion to approve the Ordinance and Mayor Pro Tem Myers seconded the motion. The  
145 Ordinance Caption was read as follows:

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148 **ORDINANCE NO. 20-01**  
149

150 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, AMENDING**  
151 **ORDINANCE NO. 19-42, AS AMENDED, WHICH APPROVED AND ADOPTED A GENERAL**  
152 **BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND**  
153 **ENDING SEPTEMBER 30, 2020, BY TRANSFERRING FUNDS FROM EDC FUND BALANCE TO**  
154 **EDC PROJECT EXPENSE; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL**  
155 **CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**  
156

157 The motion passed by a vote of 6 ayes and 1 absent [Powers].  
158

159 **5. Discuss and consider approval of a market adjustment for**  
160 **Community Waste Disposal for the solid waste collection and**  
161 **recycling services agreement.**  
162

163 Finance Director Deborah Woodham discussed the background of this item. The contract with  
164 CWD for solid waste collection and recycling services allows for an annual market rate  
165 adjustment. CWD is requesting a 1.34% increase due to the increasing cost of disposal, diesel  
166 fuel, and landfill. The new rates paid by the City to CWD would be effective February 1, 2020.  
167

168 Residential rates were increased 5% during the budget process in anticipation of the market  
169 adjustment.  
170

171 Mayor Penn called for a motion. Mayor Pro Tem Myers made a motion to approve the market  
172 adjustment and Council Member Moon seconded the motion. The motion passed by a vote of 6  
173 ayes and 1 absent [Powers].  
174

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

176 **THE CITY MANAGER WILL DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE**  
177 **LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS FOR POSSIBLE ACTION, INCLUDING THE**  
178 **FOLLOWING:**  
179

180 City Manager Carson acknowledged all the Staff members that helped with the New Year's Eve  
181 Ball Drop and did not receive additional compensation for working the event. It was a great  
182 event.  
183

184 **IX. COUNCIL COMMENTS**

185 **PURSUANT TO SECTION 551.0415 TEX. GOV'T CODE, CITY COUNCIL MEMBERS MAY MAKE A REPORT**  
186 **ABOUT ITEMS OF COMMUNITY INTEREST DURING A MEETING OF THE GOVERNING BODY WITHOUT**  
187 **HAVING GIVEN NOTICE OF THE REPORT. ITEMS OF COMMUNITY INTEREST INCLUDE:**  
188

189 Council Member Johnson stated the Ball Drop was a great event. It would have been even  
190 better if the ball could have dropped all the way to the ground. He appreciates the citizens  
191 coming out and staff for all their hard work.  
192

193 Council Member Cooper stated he only got good comments about the event.  
194

195 Council Member Moon stated that it was a good event. He thanked the staff that cleaned up  
196 Downtown after the event ended.  
197

198 Mayor Pro Tem Myers stated it was a great event. He stated that Tony should get credit for  
199 bringing this to the table. There are going to be great things in 2020! He also thanked the  
200 Charter Commission for their hard work.

201  
202 Council Member Thomas said the Ball Drop was great and then with the ice rink and Christmas  
203 in the Park, we had a great holiday season. Thanks go to Tony for a great job. Thomas said he  
204 is looking forward to a great 2020. We do it right. Professionalism.

205  
206 Mayor Penn said she got three things from the Ball Drop – Excitement, Energy and Enthusiasm.  
207 Next year will be even better with fireworks, confetti and snow. Forney is doing great things. It  
208 is the best place to live.

209  
210 There being no further business to come before the Council, Mayor Penn called for a motion to  
211 adjourn the meeting at 7:22 p.m. Mayor Pro Tem Myers made a motion to adjourn the meeting  
212 and Council Member Johnson seconded the motion. The motion passed by a vote of 5 ayes, 1  
213 nay [Thomas], and 1 absent [Powers].

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215 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY,**  
216 **TEXAS, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

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220 **ATTEST:** **Mary Penn, Mayor**

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224 **Dorothy Brooks, City Secretary**

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