

1
2
3
4
5
6
7

MINUTES
FORNEY CITY COUNCIL
Tuesday, November 1, 2022
6:30 p.m. Regular Meeting
City Hall, 101 E. Main Street, Forney, Texas 75126

8
9
10
11
12

I. CALL TO ORDER

Mayor Lewis called the meeting to order at 6:31 p.m. Present were Mayor Amanda Lewis, Mayor Pro Tem Zahnd Schlensker and Council Members James Traylor, Cecil Chambers, Sarah Salgado and Jason Roberson. Council Member Sandi Primous was absent. Also present was City Manager Charles Daniels.

13
14
15

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCIL MEMBER JASON ROBERSON

16
17

III. PROCLAMATIONS / PRESENTATIONS

18
19

1. Proclamation for Municipal Courts Week

Mayor Lewis read the Municipal Courts Week Proclamation and presented it to the Forney Municipal Court staff.

20
21
22
23
24
25

2. Recognition of Forney area resident, Charlie Webb, for his assistance with a recent residential fire.

Fire Chief, Derek Briggs, recognized and presented a Certificate of Appreciation to Forney area resident, Charlie Webb.

26
27
28
29

IV. APPROVAL OF MINUTES

30
31
32
33

1. Consider approval of the Minutes of the October 18, 2022, City Council Meeting.

Mayor Lewis asked if Council had any changes to the Minutes of the October 18, 2022, City Council Meeting. There being no changes, Mayor Lewis called for a motion. Council Member Traylor made a motion to approve the Minutes of the October 18, 2022, City Council Meeting. Mayor Pro Tem Schlensker seconded the motion. The motion passed unanimously by a vote of 5 ayes, 1 abstention [Chambers] and 1 absent [Primous].

34
35
36
37
38
39
40

V. OPEN FORUM / CITIZEN COMMENTS

This is the public's opportunity to address the City Council on any matter related to the City. In accordance with the Texas Open Meetings Act, Section 551.042, the City Council cannot discuss, consider, or take action on matters not listed on the agenda. The City Council will receive citizen comments on non-agenda items, 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.

41
42
43
44
45
46
47
48
49
50

Mayor Lewis open the floor to anyone in the audience who wished to address the Council. The following individual came forward to address the Council:

- 51 1. Robert Holman
52 310 W. Trinity Street
53 Forney, Texas 75126
54

55 Mr. Holman spoke in opposition of the City of Forney's Proposition E on the upcoming
56 November 8, 2022 General Election Ballot, due to the negative impacts the new roads and
57 infrastructure might have on his residence. He also spoke in opposition of the other
58 Propositions on the ballot.
59

60 **VI. DISCUSSION / ACTION ITEMS**

61 **1. Presentation on current and future projects of the Forney Economic** 62 **Development Corporation.**

63 Director of Economic Development, Lynn Spencer, presented an update on current and future
64 EDC projects, including previous and future groundbreaking, retail development and a
65 timeframe for the Gateway Towncenter Development.
66
67

68 Council discussed these topics with Ms. Spencer, but no action was taken.
69
70

71 **2. Discuss and consider approval of a Resolution approving the Wholesale** 72 **Water Contract with High Point SUD.**

73
74 City Attorney, Jenni Barnes Smith, discussed this item. High Point and the City have previously
75 entered into a Wholesale Water Contract dated May 2, 2006, and as amended on June 22,
76 2006, July 6, 2017, and November 21, 2017, whereby the City agreed to provide potable water
77 to High Point in quantities specified therein. Due to development and demand for water within
78 High Point's service area, and increases in the City's wholesale water supply, it has become
79 necessary for High Point and the City to restate and amend the prior Wholesale Water Contract
80 to provide for additional quantities of potable water to meet the current and future demand for
81 water by customer within High Point's service area and a revised just and reasonable rate for
82 wholesale water.
83

84 Mayor Lewis called for a motion. Council Member Traylor made a motion to approve a
85 Resolution approving the Wholesale Water Contract with High Point SUD. Council Member
86 Roberson seconded the motion. The motion passed unanimously by a vote of 6 ayes and 1
87 absent [Primous].
88

89 **3. Discuss and consider approval of a Resolution approving the Wholesale** 90 **Water Contract with Talty SUD.**

91
92 City Attorney, Jenni Barnes Smith, discussed this item. Talty and the City have previously
93 entered into a Wholesale Water Contract dated May 2, 2006, and as amended on June 22,
94 2006, July 6, 2017, and November 21, 2017, whereby the City agreed to provide potable
95 water to Talty in quantities specified therein. Due to development and demand for water within
96 Talty's service area, and increases in the City's wholesale water supply, it has become
97 necessary for Talty and the City to restate and amend the prior Wholesale Water Contract to
98 provide for additional quantities of potable water to meet the current and future demand for
99 water by customer within Talty's service area and a revised just and reasonable rate for
100 wholesale water.

101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151

Mayor Lewis called for a motion. Council Member Traylor made a motion to approve a Resolution approving the Wholesale Water Contract with Talty SUD. Council Member Roberson seconded the motion. The motion passed unanimously by a vote of 6 ayes and 1 absent [Primous].

4. Discuss and consider a Resolution approving a Development Agreement between the City of Forney and 38 ON 1641, LP for the development of an approximate 37.8064 acres of land located on FM 1641.

City Attorney, Jenni Barnes Smith, discussed this item. 38 ON 1641, LP has approximately 37.8064 acres of land in the City’s ETJ. The property is located on the northeast side of FM 1641 between Monitor Blvd. and Gateway Blvd. 38 ON 1641, LP desires to develop their property constructing one or more structures for warehouse or distribution center buildings and general retail.

Currently, the City does not have land use control or authority over the property that is not located in the city limits. 38 ON 1641, LP further desires to petition the City for the annexation of all of their property not currently in the city limits. The development agreement proposes that the property will be developed for the aforementioned uses, following the initiation of annexation of the property and approval of the necessary zoning to allow the uses contemplated in the development agreement.

The development would be subject to wastewater and roadway impact fees and other required development fees. The property is currently within the Talty SUD. However, 38 ON 1641, LP may seek to decertify the property from Talty’s CCN and the City would be the retail provider of water services. The proposed development agreement contemplates a light industrial zoning with a few additional regulations that are set forth in the agreement. Included in these additional regulations is a prohibition of parking or “stacking” on FM 1641 of any commercial vehicles.

Should the City Council approve the proposed development agreement, 38 ON 1641 will submit a petition for annexation to be conducted during the month of February concurrently with their zoning application for the property.

City Council members discussed the proposed development uses of the property. Council’s consensus was to further review the proposed uses, along with an updated site plan.

Mayor Lewis called for a motion. No motion was made.

Mayor Lewis called for a motion once more. Mayor Pro Tem Schlensker made a motion to table this item until the November 15, 2022 City Council Meeting. Council Member Traylor seconded the motion. The motion passed unanimously by a vote of 6 ayes and 1 absent [Primous].

- VII- 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:
- Department Reports (Fire, Police, Municipal Court, Finance)
 - Citizen Complaints – Actions taken or to be taken
 - Upcoming Special Events

- 152 • Personnel Changes
- 153 • Commendations
- 154 • Public Works/Street Projects, Repairs or Construction
- 155 • Park Issues
- 156 • Inspection Issues
- 157 • CIP Projects
- 158

159 The deadline to apply for an ARPA grant is this Friday, November 4th. Households, small
160 businesses, and non-profits may be eligible for a grant under the American Rescue Plan Act.
161 For more information and to apply, residents can go to forneytx.gov/ARPA.

162
163 The City of Forney and Sharing the Love Foundation are partnering to host a Veterans Day
164 auto show. This event will be at Forney Community Park on Sunday, November 13th, from 12
165 to 4 p.m. For more information, residents can visit forneytx.gov.

166
167 The Forney Fire Department is happy to announce that their Car Seat Safety Program is
168 officially live. Residents who live in Forney city limits or Forney ISD's jurisdiction can schedule
169 an appointment with the Forney Fire Department to provide car seat installation training. For
170 more information and to make an appointment, visit forneytx.gov/CarSeatSafety.

171
172 Early voting for the Forney Bond is open now and runs through November 4th. Election Day is
173 Tuesday, November 8th. For more information, including voting times and locations, visit
174 Forney2022Bond.com.

175 176 **VIII. ANNOUNCEMENT OF COMMUNITY EVENTS**

177 This section is used to communicate items of community interest, specifically, reminders about
178 upcoming events organized or sponsored by the governing body or other information regarding a
179 social, ceremonial, or community event organized or sponsored by an entity other than the governing
180 body that may be of interest to the citizens of Forney.

181
182 Mayor Lewis made the following announcements:

- 183
184 1. The CCD Mobile Community Pantry will be at St. Martin of Tours on Saturday,
185 November 5th, in the new Church Lot from 9:30 a.m. until 11:00 a.m.
- 186
187 2. The Downtown Artisan and Farmers Market will be held on Saturday, November
188 12th, from 10:00 a.m. until 3:00 p.m.
- 189
190 3. A Veterans Day 5K Run will be held on Saturday, November 12th, at Terrell
191 Veterans Memorial Park.
- 192
193 4. Carter BloodCare will be holding a Blood Drive on Tuesday, November 15th, from
194 2:00 p.m. until 6:00 p.m., at the Jackson Middle School.

195
196 Mayor Lewis announced that Council would now go into Executive Session under Chapter 551,
197 Texas Government Code, Sections 551.072 and 551.074 and called for a motion. Mayor Pro
198 Tem Schlensker made a motion to adjourn into Executive Session at 7:15 p.m. Council
199 Member Traylor seconded the motion. The motion passed unanimously by a vote of 6 ayes and
200 1 absent [Primous].

201 202 **IX. EXECUTIVE SESSION**

PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE, THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:

1. **Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (Tex. Gov't Code 551.074): Fire Department**
2. **Deliberate the purchase, exchange, lease, or value of real property. (Tex. Gov't Code Section 551.072):**
 - a. **Project Double Doors**
 - b. **Project Outlands**
 - c. **Project Cherry**
 - d. **Project Roadrunner**

X. RECONVENE INTO REGULAR SESSION

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL WILL RECONVENE INTO REGULAR SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.

Council returned to Chambers at 7:50 p.m. Mayor Lewis called for a motion to adjourn out of Executive Session at that time. Council Member Roberson made a motion to adjourn out of Executive Session. Council Member Traylor seconded the motion. The motion passed unanimously by a vote of 6 ayes and 1 absent [Primous].

No action was taken as a result of Executive Session.

XI. ADJOURNMENT

There being no further business to come before the Council, Mayor Lewis called for a motion to adjourn at 7:50 p.m. Council Member Salgado made a motion to adjourn. Council Member Traylor seconded the motion. The motion passed unanimously by a vote of 6 ayes to 1 absent [Primous].

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, this _____ day of _____, 2022.

ATTEST:

Amanda Lewis, Mayor

Laura J. Calcote, Interim City Secretary