

**Agenda  
Forney City Council  
Tuesday, February 7, 2023  
6:30 p.m. Regular Meeting  
Council Chambers  
City Hall, 101 E. Main Street, Forney, Texas 75126**

**I. CALL TO ORDER**

Mayor Lewis called the meeting to order at 6:30 p.m. Present were Mayor Amanda Lewis, Mayor Pro Tem Zahnd Schlensker and Council Members James Traylor, Cecil Chambers, Sandi Primous, Sarah Salgado and Jason Roberson. Also present was City Manager Charles Daniels.

**II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCIL MEMBER SARA SALGADO**

**III. PROCLAMATIONS / PRESENTATIONS**

**1. Proclamation for Black History Month.**

Mayor Lewis read the Proclamation and presented it to Mr. Darryl Malloy.

**IV. APROVAL OF MINUTES**

**1. Consider approval of the Minutes of the January 17, 2023, City Council meeting.**

Mayor Lewis asked if Council had any changes to the minutes. There being no changes, Mayor Lewis called for a motion. Mayor Pro Tem Schlensker made a motion to approve the Minutes of the January 17, 2023, City Council meeting and Council Member Primous seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

**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.

Mayor Lewis opened the floor to anyone in the audience who wished to speak to the Council. The following person came forward:

Darryl Malloy  
P. O. Box 2507  
Forney, Texas 75126

Mr. Malloy stated that there will be an art show honoring Black History Month at the Spellman Museum. The show is titled "Trains, Planes, Automobiles, Medicine and More." It starts this Thursday, February 9, 2023, starting at 6:30 p.m. and will continue on 2/16, 2/23 and 3/2. He invited everyone to attend.

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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 the quarterly investment report ending 12/31/22.**
- 2. **Consider approval of the acceptance of public improvements for the Gateway Parks Phase 4B project.**
- 3. **Consider a Resolution approving a contract with Steele & Freeman, Inc to provide CMAR (Construction Manager at Risk) Services for the Fire Station No. 2 Expansion/Renovations - CIP 225 project and all related issues.**
- 4. **Consider a Resolution awarding a contract to Home Run Construction, LLC for the Interim Fire Station No. 3 Project - CIP 226 and all related issues.**

Mayor Lewis read the items on the Consent Agenda and asked if Council wanted to pull any of the items for discussion. Mayor Pro Tem Schlensker asked to pull Consent Agenda Item No. 4. Mayor Lewis called for a motion for the remaining Consent Agenda Items No. 1, 2 and 3. Council Member Traylor made a motion to approve Consent Agenda Items No. 1, 2 and 3 and Council Member Roberson seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

Assistant City Manager Karl Zook discussed Consent Agenda Item No. 4, along with Chief Briggs and City Attorney Smith. After a lengthy discussion, Council Member Traylor made a motion to table this item for now so it can be discussed in executive session. Council Member Chambers seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

**VII. DISCUSSION / ACTION ITEMS**

- 1. **Discuss development of EDC Owned Properties.**

EDC Director Lynn Spencer discussed this item. Spencer stated that at the Forney Economic Development board meeting held January 12, 2023, the board requested clarification from City Council that the EDC could move forward with developing the EDC's properties located at Chestnut and Main Street and at Elm and Main.

The EDC postponed entering into agreements for the Chestnut and Main property due to the bond. The interested party is wanting to move forward with the development, but we need clarification from council that we can move forward and that the property will not be impacted by a future bridge. Assistant City Manager Karl Zook stated that the consultant for the County has not completed his study – we have no information. The Council stated that they would like for the EDC to wait until we have more information regarding the bridge.

Spencer stated that they have been approached by potential users for the Main Street property. We would like to gain feedback from council on any preference on whether we should entertain development proposals as they come in or if they would like to hold off on developing the corner property until a downtown study is conducted. Spencer advised that the potential user wants to put a brewery there. They would like a patio and would like to find out food regulations/selling

105 alcohol. They also would like to be able to have food trucks. Community Development Director  
106 Peter Morgan advised that he will work with the EDC on this and will get more information  
107 regarding food trucks.  
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109 **2. Update and discussion on the Bellagio Planned Development project.**

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111 Community Development Director Peter Morgan discussed this item. This project was approved  
112 in January 2021 and has Phase 1 approved plats for 337 residential lots, 63 lots in Phase 1A, and  
113 a site plan for 300 multifamily units. The final plans for the lagoon have not yet been approved.  
114 The next step is to create and issue the Public Improvement District (PID) bonds. The City has  
115 no financial obligation for this project.  
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117 **3. Presentation of Updated Street Maintenance Plan.**

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119 Public Works Director Kyle Groves discussed this item and gave a short power point presentation.  
120 Last year the City did a study called the Pavement Condition Index study that reviewed the quality  
121 of every city maintained street, and as a result, created a priority list of street improvements.  
122 There are 13 streets listed for planned maintenance. The total estimated FY22-23 cost to improve  
123 the streets is \$1,356,648.90. The information will be posted on the Public Works webpage.  
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125 **4. Discuss and consider approval of an Interlocal Agreement with the**  
126 **City of Allen.**

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128 Public Works Director Kyle Groves discussed this item. The City of Allen currently has a contract  
129 in place with Pursuit Safety Inc. for the upfitting of vehicles (this includes things like light packages,  
130 radar, dash cams, etc.) This interlocal agreement with the City of Allen would allow us to utilize  
131 their contract for the benefit of the City of Forney in upfitting City vehicles. This would allow the  
132 City to obtain good pricing, provide efficiencies in the purchasing process, and help reduce the  
133 amount of time vehicles are unavailable due to upfitting needs.  
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135 Mayor Lewis called for a motion. Council Member Roberson made a motion to approve the  
136 Interlocal Agreement and Mayor Pro Tem Schlensker seconded the motion. The motion passed  
137 unanimously by a vote of 7 ayes and 0 nays.  
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139 **5. Discuss and consider authorizing staff to purchase 2 Fleet vehicles**  
140 **for the Fire Department.**

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142 Public Works Director Kyle Groves discussed this item. Staff is requesting approval to fund and  
143 move forward with purchasing 2 F-150 vehicles and all related equipment to upfit the vehicle for  
144 the Fire Department. Currently, the Fire Department does not have any spare vehicles for times  
145 when maintenance and training are required. The purchase and upfitting of these 2 vehicles would  
146 allow the Fire Department to have 2 fleet pool vehicles to be used to attend classes and take the  
147 place of a vehicle that is downed for maintenance so that they are able to continue to carry out  
148 operations without any hinderances. Estimated cost per vehicle, which includes the purchase of  
149 the vehicle and upfitting, is \$96,000. Funding is available in the undesignated fund balance of the  
150 Capital Purchase Fund for \$180,000 of this cost and the remaining amount would come from the  
151 escrowed money for Fire apparatus replacement fund to support this purchase.  
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153 Mayor Lewis called for a motion. Mayor Pro Tem Schlensker made a motion to authorize staff to  
154 purchase the two Fleet vehicles and Council Member Salgado seconded the motion. The motion  
155 passed unanimously by a vote of 7 ayes and 0 nays.  
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**6. The Forney Fire Department is seeking approval for application with the U.S. Department of Homeland Security (OHS), Federal Emergency Management Agency's (FEMA), Assistance to Firefighters Grants (AFG) program.**

Fire Chief Briggs discussed this item and stated they are seeking Council approval for the Fire Department to apply for a FEMA grant for Assistance to Fire Fighters. This is for self-contained breathing apparatus.

Council Member Traylor made a motion to authorize the Fire Department to file an application for a FEMA grant for Assistance to Firefighters and Council Member Roberson seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

**7. Discuss and consider authorizing staff to seek proposals through a request for qualifications from qualified firms for professional services to update the Parks and Open Spaces Master Plan.**

Parks Director Kyle Rouvaldt discussed this item. Staff is requesting Council to authorize them to issue an RFQ for professional services to update the Parks and Open Spaces Master Plan. The Master Plan was last updated in 2014. The development of the master plan is a very thorough process that involves an evaluation of recreational demands, a youth and adult amenities study, current outdoor asset conditions, a user fee study, and more. During the process the selected consultant with work under the supervision of staff to gather input from the Parks and Recreation Board, City Council, and residents. The cost is budgeted at \$75,000.00.

Mayor Lewis called for a motion. Mayor Pro Tem Schlensker made a motion to authorize staff to issue an RFQ for professional services to update the Parks and Open Spaces Master Plan and Council Member Chambers seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

**8. Discuss and consider action to provide direction to staff for moving forward on roadway projects that were included in the Proposition E Bond election held on November 8th 2022.**

Council Member Traylor made a motion to table this matter to our next meeting, February 21, 2023, and Mayor Pro Tem Schlensker seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

**9. Discuss and consider discontinuing the water and sewer industrial rate.**

Finance Director Deborah Woodham discussed this item. On January 17, 2017, the City Council approved two industrial user agreements (water and sewer) with Smufit Kappa. The agreements provided a rate structure that included both variable cost as well as a fixed profit margin and were for a six-year term. In their first year, the agreements reduced rates paid by Smufit Kappa over \$247,000. The Utility Billing Supervisor surveyed surrounding cities for an industrial rate structure as the agreements were expiring in January 2023. She contacted the cities of Mesquite, Garland, Terrell, Balch Springs, and Rowlett and discovered that none of them offered a reduced rate for industrial users. All cities that were surveyed charge their industrial customers at their standard commercial rate. Staff recommends converting Smurfit Kappa to the commercial rates for both water and sewer consumption. Smurfit is the only industrial customer.

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Mayor Lewis called for a motion. Council Member Chambers made a motion to discontinue the water and sewer industrial rate and Mayor Pro Tem Schlensker seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

**10. Discuss and consider approval of adding Juneteenth to the City Holiday Schedule.**

HR Director Jamie Holbert discussed this item. The HR Department conducted a survey and 27 cities have adopted the Juneteenth holiday and several other cities are planning on adding the holiday this year.

Mayor Lewis called for a motion. Council Member Chambers made a motion to add Juneteenth to the City Holiday Schedule starting this year and Mayor Pro Tem Schlensker seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

**VIII. CITY MANAGER’S REPORT**

City Manager Daniels announced that the Government Finance Officers Association has awarded the Certificate of Achievement for Excellence in Financial Reporting to the City of Forney for its annual comprehensive financial report for the fiscal year that ended on September 30th, 2021. The report has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive spirit of full disclosure. This is the 27<sup>th</sup> time that the city’s finance department has earned this achievement.

I would like to commend our public works department for their work on treating roads and responding to service calls during last week’s winter storm. I’d also like to thank our police and fire departments for working around the clock to ensure the safety of our residents during that time.

**IX. ANNOUNCEMENT OF COMMUNITY EVENTS**

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

Mayor Lewis made the following announcements:

1. The Kaufman County Collection Event has been rescheduled to Saturday, February 11, 2023, from 8 a.m. to 4 p.m. at the Forney Convenience Station located at 12051 Pct Circle in Forney.
2. The OC (Opportunity Central) will be opening this fall 2023. The career, college and community center will operate seven days a week to include community engagement activities. The FISD has a survey on their website taking comments on the activities.
3. The First Baptist Church is hosting a prom on Friday, February 10, 2023, for special need teens ages 14+. This is a Tim Tebow event.

Mayor Lewis announced that Council would now adjourn into Executive Session under 551.071 and asked for a motion. Mayor Pro Tem Schlensker made a motion at 7:52 p.m. to adjourn into Executive Session and Council Member Primous seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

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Council returned to Chambers at 8:08 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 and Council Member Primous seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

Mayor Lewis asked if there was any action to be taken as a result of Executive Session. With regard to Consent Agenda No. 4, Council Member Traylor made a motion to approve the Resolution awarding a contract to Home Run Construction, LLC for the Interim Fire Station No. 3 Project and Council Member Salgado seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

There being no further business to come before the Council, Mayor Lewis called for a motion to adjourn at 8:09 p.m. Council Member Traylor made a motion to adjourn and Mayor Pro Tem Schlensker seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**ATTEST:**

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**Amanda Lewis, Mayor**

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