Minutes
Forney City Council
Tuesday, March 5, 2019
6:30 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 a 6:30 p.m. Present were Mayor Pro Tem Mary Penn and Council Members Mike Thomas, Shaun Myers, Robbie Powers, Kevin Moon and David Johnson. Mayor Rick Wilson was absent. Also present was City Manager Tony Carson.

II. INVOCATION / PLEDGE OF ALLEGIANCE – COUNCIL MEMBER SHAUN MYERS

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

III. PROCLAMATIONS / PRESENTATIONS

1. 17th Annual March for Meals Month Proclamation.

Mayor Pro Tem Penn read and presented the Proclamation to Melinda Polk, Executive Director of Seniors Connect, which recognized them and her organization, for the work they do for the Meals on Wheels program in Kaufman County.

2. Presentation to Sharing the Love for the Christmas in the Park Tree Decorating Contest.

Special Events Coordinator Alexa Beasley presented a check to Sharing the Love Foundation. The Bailey Family won the prize and donated the funds, $158.00, to Sharing the Love Foundation.

3. Presentation to Sharing the Love, Forney Lions Club, Forney Food Pantry, Forney Education Foundation and Forney PAWS for Forney On Ice Give Back Days.

Alexa Beasley presented checks to each of the entities for their participation in Give Back Days.

4. Presentation from Sharing the Love Foundation.

Sharing the Love Foundation presented a plaque to the Council for it's support of Turkey Trax.

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 meeting 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 Pro Tem Penn closed the open forum session.
V. APPROVAL OF MINUTES

1. Consider approval of the Minutes from the February 19, 2019, City Council meeting.

Mayor Pro Tem Penn asked if Council had any changes to the Minutes. There being no changes, Mayor Pro Tem Penn called for a motion. Council Member Moon made a motion to approve the Minutes from the February 19, 2019, City Council meeting and Council Member Johnson seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].

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 to accept the public improvements for First Baptist Church.

2. Consider approval of a Resolution authorizing the City Manager to execute a contract with the Kaufman County Election Administrator for the May 4, 2019 General Election.

3. Consider a Resolution approving an Interlocal Agreement between the City of Forney and North Central Texas Emergency Communications District (NCT9-1-1) for the provision of 9-1-1 services.

4. Consider a Resolution approving a Chapter 380 Agreement between the City of Forney and FG-1, LLC for development located at the southwest corner of the intersection of Highway 80 and Gateway Boulevard.

Mayor Pro Tem Penn asked if Council wished to pull any of the Consent Agenda items. No items were pulled, so Mayor Pro Tem Penn called for a motion. Council Member Johnson made a motion to approve the entire Consent Agenda and Council Member Thomas seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].

VII. DISCUSSION / ACTION ITEMS

1. Discuss and consider action on a Resolution approving a Second Amendment to the Wastewater Contract with Kaufman County Municipal Utility District No. 3 to provide additional wastewater services for residential development outside of the city limits of the City of Forney.

City Attorney Jon Thatcher discussed the background of this item. The City of Forney entered into A Wastewater Service Contract with Wynne/Jackson West Tract, L.P. on March 1, 2005 for the provision of wastewater services for a residential development outside of the city limits of Forney in the City of Dallas extra-territorial jurisdiction (“ETJ”). This contract was assumed by the Kaufman County Municipal Utility District No. 3 (“KCMUD 3”).
In the original agreement, the City of Forney agreed to sponsor the residential development for wastewater services through the Buffalo Creek Interceptor System Contract with the City of Rockwall ("Rockwall"), the City of Heath ("Heath") and the North Texas Municipal Water District ("NTMWD"). The original scope of the development contained a service area of 925 acres.

The First Amendment to the Wastewater Service Contract was approved in October 2007 to add additional acreage to the service area including an additional 114.446 acres. The expansion of Forney's sponsorship was acknowledged and approved by NTMWD, Rockwall, and Heath.

KCMUD 3 now requests expansion of the wastewater service area to include an additional 487 acres of land. If approved by the City of Forney, the Cities of Heath and Rockwall will need to acknowledge and approve the increase in use by KCMUD 3.

Mr. Larry Freeman of Freeman-Millican, Inc., the developer's consulting engineer, came forward to address any questions that the Council might have. There is no adverse impact on our system. The developer will pay for their portion plus 20%. There is no cost to the city. Thatcher advised that it is a cooperative effort by all three cities.

Mayor Pro Tem Penn called for a motion. Council Member Myers made a motion to approve the Resolution approving a Second Amendment to the Wastewater Contract with Kaufman County Municipal Utility District No. 3, with the contingency that it must also be approved by the Cities of Rockwall and Heath. Council Member Thomas seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].

2. Vision 2025 -- Goals and Initiatives

City Manager Carson advised there was nothing to discuss.

3. Discuss and consider approval of the authorization to expand and extend the scope for the Mustang Creek Lift Station CIP project.

City Engineer Karl Zook discussed the background of this item. This project consists of constructing a new 24 MGD firm capacity lift station and approximately 6,900 linear feet of 42-inch gravity main pipeline. The project is being managed by North Texas Municipal Water District (NTMWD) to help increase capacity on the Mustang Creek Interceptor.

Staff is requesting direction from City Council for expanding the scope of the project to include construction of a temporary construction access road with asphalt in the amount of $340,000 (referred to as Bid Item No. 25 – Alternate Bid Item No. 2 on attached Exhibit C). The proposed temporary access road for construction (Option Two) would be constructed in an existing NTMWD 30-foot easement that is approximately 2,985 linear feet. Enforcement would be applied to be sure construction traffic does not go through the subdivision.

Mayor Pro Tem Penn called for a motion. Council Member Johnson made a motion to approve authorization to expand and extend the scope for the Mustang Creek Lift Station CIP project and Council Member Myers seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].
4. Discuss and consider approval of an Ordinance amending the 2018-19 fiscal year budget to transfer funds from the Capital Purchases Fund and CIP Fund balance to create a technology infrastructure project. [Read Ordinance Caption]

IT Director Neil Cardwell discussed the background of this item. The ordinance will reallocate funds that were already set aside for a phone system upgrade for use to upgrade the network switches city-wide. This will also allow the purchase of the needed server equipment and software to upgrade the city hall systems that have past end of support and end of life. This will then allow the IT department to see into current network issues and begin to put a plan in place to tackle the challenges expressed by city staff.

Mayor Pro Tem Penn called for a motion. Council Member Moon made a motion to approve the Ordinance and Council Member Thomas seconded the motion. The ordinance caption was read as follows:

CITY OF FORNEY, TEXAS
ORDINANCE NO. 19-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, AMENDING ORDINANCE NO. 18-38, AS AMENDED, WHICH APPROVED AND ADOPTED A GENERAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019, BY TRANSFERRING FUNDS FROM THE CAPITAL PURCHASES FUND AND CIP FUND BALANCE TO CREATE A TECHNOLOGY INFRASTRUCTURE PROJECT; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes and 1 absent [Wilson].

5. Discuss and consider appointments to various boards and commissions.

City Secretary Brooks advised that this item had been requested to be on the agenda by Council. We currently have two Alternate Member positions on the Historic Overlay District/Architectural Review Board. At least 1 of the positions requires that the member live within the Historic Overlay District.

Council Member Johnson made a motion to appoint Andy Parker to Alternate Member 1 with a term ending 06-30-2020 and Council Member Powers seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].

Council Member Powers made a motion to appoint Sandy Blair to Alternate Member 2 with a term ending 06-30-2019 and Council Member Moon seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].

Brooks advised that there were two vacancies on the Board of Adjustment. Council Member Powers made a motion to appoint Paul Babham as Member #3 with a term ending 06-30-2020 and Council Member Johnson seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson]. Council Member Thomas made a motion to appoint Johnathan Dolleman as Alternate Member #3 with a term ending 06-30-2020 and Council Member Myers seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].
VIII. CITY MANAGER'S REPORT

City Manager Carson stated he had nothing to report tonight.

IX. COUNCIL COMMENTS

Council Member Thomas had no comments.

Council Member Myers thanked everyone for coming out tonight. He thanked Staff for their hard work. He congratulated all the non-profits who received checks tonight and thanked Sharing the Love Foundation for the plaque.

Council Member Powers had no comments.

Council Member Moon thanked Staff for all they do. He thanked City Secretary Brooks for all her hard work. He asked that everyone keep Cary Griffin in their prayers.

Council Member Johnson thanked everyone for coming out tonight and the organizations who helped with Christmas. He thanked Staff for all their hard work.

Mayor Pro Tem Penn thanked everyone for coming out tonight.

Council Member Myers made a motion to adjourn the meeting at 7:15 p.m. and Council Member Johnson seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, this 19 day of March, 2019.

ATTEST:

Rick Wilson, Mayor

Dorothy Brooks, City Secretary

CITY OF FORNEY

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