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Minutes
Forney City Council
Tuesday, March 5, 2019
6:30 p.m. Regular Meeting
City Hall, 101 E. Main Street, Forney, Texas 75126

8 I. **CALL TO ORDER**

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

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

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

18 III. **PROCLAMATIONS / PRESENTATIONS**

20 1. **17th Annual March for Meals Month Proclamation.**

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

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

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

32 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.**

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

38 4. **Presentation from Sharing the Love Foundation.**

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

42 IV. **OPEN FORUM/CITIZEN COMMENTS**

43 This is the public's opportunity to address the City Council on any matter related to the City. However, in accordance
44 with the Texas Open Meetings Act, Section 551.041, the City Council cannot discuss, consider, or take action on
45 matters not listed on the agenda. The City Council will receive citizen comments, and if necessary, may refer the matter
46 to City staff for research, resolution or referral to Council on a future agenda. As described in the City's Public Meeting
47 Procedures, comments will be limited to three (3) minutes.

49 Mayor Pro Tem Penn opened the meeting to anyone in the audience who wished to address the
50 Council on any subject not on tonight's agenda. No one came forward, so Mayor Pro Tem Penn
51 closed the open forum session.

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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").

103 In the original agreement, the City of Forney agreed to sponsor the residential development for
104 wastewater services through the Buffalo Creek Interceptor System Contract with the City of
105 Rockwall ("Rockwall"), the City of Heath ("Heath") and the North Texas Municipal Water District
106 ("NTMWD"). The original scope of the development contained a service area of 925 acres.
107

108 The First Amendment to the Wastewater Service Contract was approved in October 2007 to add
109 additional acreage to the service area including an additional 114.446 acres. The expansion of
110 Forney's sponsorship was acknowledged and approved by NTMWD, Rockwall, and Heath.
111

112 KCMUD 3 now requests expansion of the wastewater service area to include an additional 487
113 acres of land. If approved by the City of Forney, the Cities of Heath and Rockwall will need to
114 acknowledge and approve the increase in use by KCMUD 3.
115

116 Mr. Larry Freeman of Freeman-Millican, Inc., the developer's consulting engineer, came forward
117 to address any questions that the Council might have. There is no adverse impact on our system.
118 The developer will pay for their portion plus 20%. There is no cost to the city. Thatcher advised
119 that it is a cooperative effort by all three cities.
120

121 Mayor Pro Tem Penn called for a motion. Council Member Myers made a motion to approve the
122 Resolution approving a Second Amendment to the Wastewater Contract with Kaufman County
123 Municipal Utility District No. 3, with the contingency that it must also be approved by the Cities of
124 Rockwall and Heath. Council Member Thomas seconded the motion. The motion passed by a
125 vote of 6 ayes and 1 absent [Wilson].
126

127 **2. Vision 2025 -- Goals and Initiatives**

128

129 City Manager Carson advised there was nothing to discuss.
130

131 **3. Discuss and consider approval of the authorization to expand and** 132 **extend the scope for the Mustang Creek Lift Station CIP project.** 133

134 City Engineer Karl Zook discussed the background of this item. This project consists of
135 constructing a new 24 MGD firm capacity lift station and approximately 6,900 linear feet of 42-
136 inch gravity main pipeline. The project is being managed by North Texas Municipal Water District
137 (NTMWD) to help increase capacity on the Mustang Creek Interceptor.
138

139 Staff is requesting direction from City Council for expanding the scope of the project to include
140 construction of a temporary construction access road with asphalt in the amount of \$340,000
141 (referenced as Bid Item No. 25 – Alternate Bid Item No. 2 on attached Exhibit C). The proposed
142 temporary access road for construction (Option Two) would be constructed in an existing NTMWD
143 30-foot easement that is approximately 2,985 linear feet. Enforcement would be applied to be
144 sure construction traffic does not go through the subdivision.
145

146 Mayor Pro Tem Penn called for a motion. Council Member Johnson made a motion to approve
147 authorization to expand and extend the scope for the Mustang Creek Lift Station CIP project and
148 Council Member Myers seconded the motion. The motion passed by a vote of 6 ayes and 1
149 absent [Wilson].
150

- 151
152 4. Discuss and consider approval of an Ordinance amending the 2018-
153 19 fiscal year budget to transfer funds from the Capital Purchases
154 Fund and CIP Fund balance to create a technology infrastructure
155 project. [Read Ordinance Caption]
156

157 IT Director Neil Cardwell discussed the background of this item. The ordinance will reallocate
158 funds that were already set aside for a phone system upgrade for use to upgrade the network
159 switches city-wide. This will also allow the purchase of the needed server equipment and software
160 to upgrade the city hall systems that have past end of support and end of life. This will then allow
161 the IT department to see into current network issues and begin to put a plan in place to tackle the
162 challenges expressed by city staff.
163

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

167
168 CITY OF FORNEY, TEXAS
169 ORDINANCE NO. 19-12
170

171 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, AMENDING
172 ORDINANCE NO. 18-38, AS AMENDED, WHICH APPROVED AND ADOPTED A GENERAL
173 BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING
174 SEPTEMBER 30, 2019, BY TRANSFERRING FUNDS FROM THE CAPITAL PURCHASES FUND
175 AND CIP FUND BALANCE TO CREATE A TECHNOLOGY INFRASTRUCTURE PROJECT;
176 PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL CONFLICTING ORDINANCES; AND
177 PROVIDING AN EFFECTIVE DATE.
178

179 The motion passed by a vote of 6 ayes and 1 absent [Wilson].
180

- 181 5. Discuss and consider appointments to various boards and
182 commissions.
183

184 City Secretary Brooks advised that this item had been requested to be on the agenda by Council.
185 We currently have two Alternate Member positions on the Historic Overlay District/Architectural
186 Review Board. At least 1 of the positions requires that the member live within the Historic Overlay
187 District.
188

189 Council Member Johnson made a motion to appoint Andy Parker to Alternate Member 1 with a
190 term ending 06-30-2020 and Council Member Powers seconded the motion. The motion passed
191 by a vote of 6 ayes and 1 absent [Wilson].
192

193 Council Member Powers made a motion to appoint Sandy Blair to Alternate Member 2 with a term
194 ending 06-30-2019 and Council Member Moon seconded the motion. The motion passed by a
195 vote of 6 ayes and 1 absent [Wilson].
196

197 Brooks advised that there were two vacancies on the Board of Adjustment. Council Member
198 Powers made a motion to appoint Paul Babham as Member #3 with a term ending 06-30-2020
199 and Council Member Johnson seconded the motion. The motion passed by a vote of 6 ayes and
200 1 absent [Wilson]. Council Member Thomas made a motion to appoint Johnathan Dolleman as
201 Alternate Member #3 with a term ending 06-30-2020 and Council Member Myers seconded the
202 motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].
203

204 VIII. CITY MANAGER'S REPORT

205
206 City Manager Carson stated he had nothing to report tonight.

207
208 IX. COUNCIL COMMENTS

209 Council Member Thomas had no comments.

210
211
212 Council Member Myers thanked everyone for coming out tonight. He thanked Staff for their
213 hard work. He congratulated all the non-profits who received checks tonight and thanked
214 Sharing the Love Foundation for the plaque.

215
216 Council Member Powers had no comments.

217
218 Council Member Moon thanked Staff for all they do. He thanked City Secretary Brooks for all
219 her hard work. He asked that everyone keep Cary Griffin in their prayers.

220
221 Council Member Johnson thanked everyone for coming out tonight and the organizations who
222 helped with Christmas. He thanked Staff for all their hard work.

223
224 Mayor Pro Tem Penn thanked everyone for coming out tonight.

225
226 Council Member Myers made a motion to adjourn the meeting at 7:15 p.m. and Council Member
227 Johnson seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Wilson].

228
229 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY,
230 TEXAS, this 19 day of March, 2019.

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233
234 ATTEST:



Rick Wilson, Mayor

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236 
237
238 Dorothy Brooks, City Secretary

