

**AGENDA**  
**FERRIS CITY COUNCIL**  
**CITY OF FERRIS**  
**A GENERAL LAW MUNICIPAL CORPORATION OF THE**  
**STATE OF TEXAS, ELLIS COUNTY**  
**AT THE**  
**COUNCIL CHAMBERS**  
**215 W. SIXTH STREET, FERRIS, TEXAS 75125**  
**6:00 P.M. MONDAY, MARCH 2, 2015**

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF FERRIS WILL MEET IN REGULAR SESSION AT 6:00 P.M. ON THE 2<sup>ND</sup> DAY OF MARCH, 2015 AT ITS REGULAR MEETING PLACE AT 215 W. SIXTH STREET, FERRIS, TEXAS FOR THE PURPOSE OF CONSIDERING:**

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
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**COUNCIL BUSINESS**

- |    |  |   |
|----|--|---|
| 1. | Call to order.   | 0 |
|    | <ul style="list-style-type: none"> <li>• Invocation</li> <li>• Pledge of Allegiance</li> </ul> |   |
| 2. | Roll call to determine the presence of a quorum.   | 1 |

**CONSENT AGENDA**

- |    |  |   |
|----|--|---|
| 3. | All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council. |   |
|    | <ul style="list-style-type: none"> <li>• Minutes of February 17, 2015 Joint City Council and Planning and Zoning meeting</li> <li>• Expenditures for the period ending February 20, 2015</li> </ul>  | 2 |

Sep. Cov.

PUBLIC COMMENT

4. The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.

0

AGREEMENT

5. Discussion, consideration, and action as may be appropriate regarding authorizing the Mayor and City Manager to enter into an agreement with Yeldell, Wilson, and Co., P.C. for audit services for the Fiscal Year ending September 30, 2015.

11

PROPOSED ORDINANCE

6. Discussion regarding proposed Ordinance No. O-15-787 providing for a Code of Conduct for all public officials and city employees.

17

PROCLAMATION

7. Proclamation recognizing March 15-21, 2015 as Poison Prevention Week.

29

PRESENTATION

8. Presentation of the certificate recognizing the City of Ferris as a 2015 Nationally Accredited Main Street Program.

31

**DISCUSSION**

9. Discussion regarding a proposed Residential Incentive Program. 33

**CLOSING**

10. Adjourn. 0

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**Executive Session Reservation**

The City Council reserves the right to convene into an Executive Session (closed to the public) as authorized by Section 551.071(2) of the TEXAS GOVERNMENT CODE, for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

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**Disability Assistance and Accommodation**

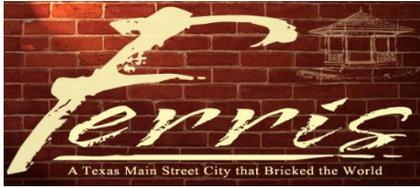
Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (972) 544-2110 two working days prior to the meeting so that appropriate arrangements can be made.

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I, DESTINY LUSK WRIGHT, HEREBY CERTIFY THE FOREGOING NOTICE WAS POSTED ON OR BEFORE THE 27<sup>TH</sup> DAY OF FEBRUARY, 2015 BY 5:00 P.M.



DESTINY LUSK WRIGHT  
CITY SECRETARY



# City Council

## Meeting Attendance Record 2014-2015

City Council		Oct.		Nov.		Dec.		Jan.		Feb.		March		Apr.		May		June		July		Aug.		Sept.	
Title	Name	6	20	3	17	1	15	5	20	2	17	2	16	6	20	4	18	1	15	6	20	3	17	8	21
Mayor	Micheal Driggers	P	A	P	P	-	P	-	P	P	P														
Mayor Pro Tem	James Starr	P	P	P	P	-	P	-	P	P	P														
Alderman, Place 2	Jay Walsh	P	P	P	P	-	A	-	P	P	P														
Alderman, Place 3	Angela Bruner	P	P	P	P	-	P	-	P	A	P														
Alderman, Place 4	Gary Ross	P	A	P	A	-	P	-	P	P	A														
Alderman, Place 5	Carol Wright	P	P	P	P	-	P	-	P	P	P														
Total:		6	4	6	5	-	5	-	6	5	5														

City Staff		Oct.		Nov.		Dec.		Jan.		Feb.		March		Apr.		May		June		July		Aug.		Sept.	
Title	Name	6	20	3	17	1	15	5	20	2	17	2	16	6	20	4	18	1	15	6	20	3	17	8	21
City Manager	Dennis Burn	P	P	P	P	-	P	-	P	P	P														
City Secretary	Destiny Wright	P	P	P	P	-	P	-	P	P	P														
City Attorney	Kent Hofmeister	P	A	A	A	-	A	-	A	A	A														
Fire Chief	Tim Birdwell	P	P	P	P	-	P	-	P	P	P														
I.T. Director	Doug Childers	P	P	P	P	-	P	-	P	P	P														
Eco. Dev. Coordinator	Chuck Dart	P	P	P	A	-	P	-	P	P	P														
Finance Director	Melissa Gonzalez	P	P	P	P	-	A	-	P	P	P														
Library Director	Kathy Harrington	P	P	P	P	-	P	-	P	P	P														
Chief Building Official	Bill Jordan	P	P	P	P	-	P	-	P	P	P														
Police Chief	Sam Love	P	P	P	P	-	P	-	A	P	P														
Total:		10	9	9	8	-	8	-	8	9	9														

Mayor, "Will the City Secretary call the roll?"

*The City Secretary calls each Member's position and name.*

*They respond if they are present.*

City Secretary, "Mayor, a quorum is present."

P	Present
A	Absent

**STATE OF TEXAS  
COUNTY OF ELLIS**

**THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH THE PLANNING AND ZONING COMMISSION FEBRUARY 17, 2015 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W. SIXTH STREET, FERRIS, TEXAS.**

<b>COUNCIL ATTENDANCE</b>		
Mayor	Micheal Driggars	P
Mayor Pro Tem	James Starr	P
Alderman, Place 2	Jay Walsh	P
Alderman, Place 3	Angela Bruner	P
Alderman, Place 4	Gary Ross	A
Alderman, Place 5	Carol Wright	P

<b>STAFF ATTENDANCE</b>		
City Manager	Dennis Burn	P
City Secretary	Destiny Wright	P
City Attorney	Kent Hofmeister	A
Fire Chief	Tim Birdwell	P
I.T. Director	Doug Childers	P
Eco. Dev. Coordinator	Chuck Dart	P
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	P
Chief Building Official	Bill Jordan	P
Police Chief	Sam Love	P

<b>COMMISSION ATTENDANCE</b>		
Chair	Jim Kay	P
Commissioner, Place 2	Rudy Amor	P
Commissioner, Place 3	Bill Malloy	P
Commissioner, Place 4	Vacant	-
Vice Chair	Charles Hatfield	P
Commissioner, Place 6	Christi Farish	A
Commissioner, Place 7	Richard Barrett	P

**COUNCIL BUSINESS**

**1. Call to order.**

- **Invocation**
- **Pledge of Allegiance**

Mayor Driggars called the meeting to order at 6:00 P.M. The invocation was given by Mayor Pro Tem Starr.

**2. Roll call of the City Council to determine the presence of a quorum.**

City Secretary Wright called roll and determined that a quorum of the City Council was present.

- 3. Roll call of the Planning and Zoning Commission to determine the presence of a quorum.**

City Secretary Wright called roll and determined that a quorum of the Planning and Zoning Commission was present.

### **CONSENT AGENDA**

- 4. All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.**

- **Minutes of February 2, 2015 City Council meeting**
- **Expenditures for the periods ending January 30, 2015 and February 6, 2015**

Alderman Bruner moved to approve the Consent Agenda. Seconded by Mayor Pro Tem Starr. For: Unanimous. Motion carried 4-0-0.

### **APPROVAL OF MINUTES – PLANNING AND ZONING COMMISSION**

- 5. Consider approval of meeting minutes for the Planning and Zoning meeting of November 20, 2014.**

Vice Chair Hatfield moved to approve the meeting minutes for the Planning and Zoning meeting of November 20, 2014. Seconded by Commissioner Amor. For: Unanimous. Motion carried 5-0-0.

### **PUBLIC COMMENT**

- 6. The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding**

**matters not listed on the Agenda may be referred to Staff for research and possible future action.**

No comments made.

**NEW BUSINESS**

- 7. Discussion, consideration, and action as may be appropriate regarding the acceptance of the FY 2013-2014 Annual Audit as presented by Yeldell, Wilson, and Co., P.C.**

Alderman Wright moved to accept the FY 2013-2014 Annual Audit. Seconded by Mayor Pro Tem Starr. For: Unanimous. Motion carried 4-0-0.

**DISCUSSION**

- 8. Discussion regarding Special Use Permit Applications submitted by Ferris ISD.**

City Manager Burn informed Council and the Commission that Ferris ISD has filed Special Use Permit applications to have message board signs placed at Hazel Ingram Elementary, Lucy Mae McDonald Elementary, Ferris Intermediate School, and Ferris Junior High School.

**PUBLIC HEARING #1**

- 9. Open Public Hearing.**

Mayor Driggars opened the Public Hearing at 6:19 P.M.

- 10. Conduct Public Hearing to consider Special Use Permit Application No. 14FER-SUP0001 filed by Ferris ISD for the placement of a message board sign on approximately 7.519 acres located east of South Central Avenue and south of East Tenth Street in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as Hazel Ingram Elementary.)**

No comments made.

**11. Close Public Hearing.**

Mayor Driggars closed the Public Hearing at 6:20 P.M.

**PUBLIC HEARING #2**

**12. Open Public Hearing.**

Mayor Driggars opened the Public Hearing at 6:20 P.M.

**13. Conduct Public Hearing to consider Special Use Permit Application No. 14FER-SUP0002 filed by Ferris ISD for the placement of a message board sign on approximately 29.86 acres located east of FM 983 and South of Jimmie Birdwell Blvd.in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as Lucy Mae McDonald Elementary.)**

No comments made.

**14. Close Public Hearing.**

Mayor Driggars closed the Public Hearing at 6:21 P.M.

**PUBLIC HEARING #3**

**15. Open Public Hearing.**

Mayor Driggars opened the Public Hearing at 6:21 P.M.

**16. Conduct Public Hearing to consider Special Use Permit Application No. 14FER-SUP0003 filed by Ferris ISD for the placement of a message board sign on approximately 15.408 acres located north of FM 664 and east of Rolling Hills in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as the Ferris Intermediate School.)**

No comments made.

**17. Close Public Hearing.**

Mayor Driggars closed the Public Hearing at 6:21 P.M.

**PUBLIC HEARING #4**

**18. Open Public Hearing.**

Mayor Driggars opened the Public Hearing at 6:22 P.M.

**19. Conduct Public Hearing to consider Special Use Permit Application No. 14FER-SUP0004 filed by Ferris ISD for the placement of a message board sign on approximately 35.28 acres located south of FM 660 and east of Wallace Dr. in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as the Ferris Junior High School.)**

No comments made.

**20. Close Public Hearing.**

Mayor Driggars closed the Public Hearing at 6:22 P.M.

**PLANNING AND ZONING COMMISSION BUSINESS**

**21. Final report by the Planning and Zoning Commission regarding Special Use Permit Application No. 14FER-SUP0001 filed by Ferris ISD for the placement of a message board sign on approximately 7.519 acres located east of South Central Avenue and south of East Tenth Street in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as Hazel Ingram Elementary.)**

Commissioner Barrett moved to recommend approval of Special Use Permit Application No. 14FER-SUP0001. Seconded by Commissioner Amor. For: Unanimous. Motion carried 5-0-0.

**22. Final report by the Planning and Zoning Commission regarding Special Use Permit Application No. 14FER-SUP0002 filed by Ferris ISD for the placement of a message board sign on approximately 29.86 acres located east of FM 983 and South of Jimmie Birdwell Blvd. in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as Lucy Mae McDonald Elementary.)**

Vice Chair Hatfield moved to recommend approval of Special Use Permit Application No. 14FER-SUP0002. Seconded by Commissioner Barrett. For: Unanimous. Motion carried 5-0-0.

23. **Final report by the Planning and Zoning Commission regarding Special Use Permit Application No. 14FER-SUP0003 filed by Ferris ISD for the placement of a message board sign on approximately 15.408 acres located north of FM 664 and east of Rolling Hills in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as the Ferris Intermediate School.)**

Commissioner Amor moved to recommend approval of Special Use Permit Application No. 14FER-SUP0003. Seconded by Vice Chair Hatfield. For: Unanimous. Motion carried 5-0-0.

24. **Final report by the Planning and Zoning Commission regarding Special Use Permit Application No. 14FER-SUP0004 filed by Ferris ISD for the placement of a message board sign on approximately 35.28 acres located south of FM 660 and east of Wallace Dr. in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as the Ferris Junior High School.)**

Commissioner Barrett moved to recommend approval of Special Use Permit Application No. 14FER-SUP0004. Seconded by Commissioner Malloy. For: Unanimous. Motion carried 5-0-0.

### COUNCIL BUSINESS

25. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-782 amending the Zoning Ordinance and the Official Zoning Map by approving Special Use Permit Application No. 14FER-SUP0001 filed by Ferris ISD for the placement of a message board sign on approximately 7.519 acres located east of South Central Avenue and south of East Tenth Street in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as Hazel Ingram Elementary.)**

Alderman Walsh moved to approve Ordinance No. O-15-782. Seconded by Alderman Bruner. For: Unanimous. Motion carried 4-0-0.

26. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-783 amending the Zoning Ordinance and the Official Zoning Map by approving Special Use Permit Application No. 14FER-SUP0002 filed by Ferris ISD for the placement of a message board sign on approximately 29.86 acres located east of FM 983 and South of Jimmie Birdwell Blvd. in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as Lucy Mae McDonald Elementary.)**

Mayor Pro Tem Starr moved to approve Ordinance No. O-15-783. Seconded by Alderman Walsh. For: Unanimous. Motion carried 4-0-0.

27. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-784 amending the Zoning Ordinance and the Official Zoning Map by approving Special Use Permit Application No. 14FER-SUP0003 filed by Ferris ISD for the placement of a message board sign on approximately 15.408 acres located north of FM 664 and east of Rolling Hills in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as the Ferris Intermediate School.)**

Alderman Bruner moved to approve Ordinance No. O-15-784. Seconded by Mayor Pro Tem Starr. For: Unanimous. Motion carried 4-0-0.

28. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-785 amending the Zoning Ordinance and the Official Zoning Map by approving Special Use Permit Application No. 14FER-SUP0004 filed by Ferris ISD for the placement of a message board sign on approximately 35.28 acres located south of FM 660 and east of Wallace Dr. in the Mason Phelps Survey, A-824, Ferris, Ellis County, Texas. (More commonly known as the Ferris Junior High School.)**

Alderman Bruner moved to approve Ordinance No. O-15-785. Seconded by Alderman Walsh. For: Unanimous. Motion carried 4-0-0.

### **CLOSING – PLANNING AND ZONING COMMISSION**

29. **Adjourn.**

Commissioner Barrett moved to adjourn the Planning and Zoning Commission. Seconded by Vice Chair Hatfield. For: Unanimous. The motion carried 5-0-0. With no further business to come before the Planning and Zoning Commission, Chairman Kay adjourned the Commissioners at 6:33 P.M.

### **NEW BUSINESS**

30. **Discussion, consideration, and action as may be appropriate regarding approving 4A E.D.C. funding of a City of Ferris Strategic Plan and Implementation Plan and allowing the Chair of the 4A E.D.C., James Harrison, to enter into an agreement with Catalyst Commercial, Inc. for the services.**

Mayor Pro Tem Starr moved to approve 4A E.D.C. funding of a City of Ferris Strategic Plan and Implementation Plan and allow the Chair of the 4A E.D.C., James Harrison, to enter into an agreement with Catalyst Commercial, Inc. Seconded by Alderman Bruner. For: Unanimous. Motion carried 4-0-0.

**ORDINANCES**

- 31. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-786 adding a new Section 30.04, “Chief Building Official” to the Code of Ordinances to provide for the creation of the position of the Chief Building Official and to establish the power, authority, and duties of that position.**

Mayor Pro Tem Starr moved to approve Ordinance No. O-15-786. Seconded by Alderman Bruner. For: Unanimous. Motion carried 4-0-0.

- 32. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-779 adopting the 2012 edition of the *International Swimming Pool and Spa Code*.**

Mayor Pro Tem Starr moved to approve Ordinance No. O-15-779. Seconded by Alderman Walsh. For: Unanimous. Motion carried 4-0-0.

- 33. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-780 adopting the 2014 edition of the *National Electrical Code*.**

Mayor Pro Tem Starr moved to approve Ordinance No. O-15-780. Seconded by Alderman Bruner. For: Unanimous. Motion carried 4-0-0.

- 34. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-781 adopting the 2012 edition of the *International Fuel Gas Code*.**

Mayor Pro Tem Starr moved to approve Ordinance No. O-15-781. Seconded by Alderman Walsh. For: Unanimous. Motion carried 4-0-0.

**CLOSING**

- 35. Adjourn.**

Alderman Wright moved to adjourn the meeting. Seconded by Alderman Bruner. For: Unanimous. The motion carried 4-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 6:46 P.M.

**APPROVED THIS THE 2<sup>ND</sup> DAY OF MARCH, 2015.**

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Micheal L. Driggars, Mayor  
City Council

ATTEST:

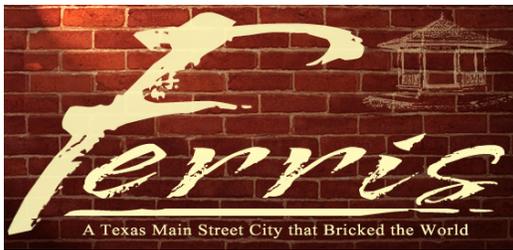
APPROVED AS TO FORM:

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Destiny Lusk Wright, City Secretary

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Kent Hofmeister, City Attorney



## **MEMORANDUM**

**DATE:** March 2, 2015  
**FROM:** City Manager, Dennis Burn  
**TO:** Mayor and City Council  
March 2, 2015 City Council Meeting

**SUBJECT: Audit Contract**

**Attached to this agenda item is a contract between the City of Ferris and Yeldell, Wilson & Co., P.C. This contract is for the preparation of the audit of the financial statements for fiscal year ended September 30, 2015. Yeldell, Wilson & Co. have prepared the city's financial statements for several years and have always performed well.**

**This is an action item that requires a vote. I recommend that you approve the contract and authorize the Mayor and the City Manager to sign the contract.**



January 28, 2015

To the Honorable Mayor, City Council and City Manager  
City of Ferris, Texas

We are pleased to confirm our understanding of the services we are to provide City of Ferris, Texas for the year ended September 30, 2015. We will audit the financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of City of Ferris, Texas as of and for the year ended September 30, 2015. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement City of Ferris, Texas' basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to City of Ferris, Texas' RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary Comparison Schedule.

We have also been engaged to report on supplementary information other than RSI that accompanies City of Ferris, Texas' financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and we will provide an opinion on it in relation to the financial statements as a whole:

- 1) Combining and Individual Fund Financial Statements and Schedules.

### **Audit Objective**

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting

Honorable Mayor, City Council and City Manager  
City of Ferris, Texas  
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principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of accounting records, and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the City of Ferris, Texas's financial statements. Our report will be addressed to the City Council of the City of Ferris, Texas. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or may withdraw from this engagement.

### **Management Responsibilities**

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. You agree to assume all management responsibilities or any other nonattest services we provide oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them

Management is responsible for (a) establishing and maintaining effective internal controls, including monitoring ongoing activities for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in

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communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

#### **Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys

Honorable Mayor, City Council and City Manager  
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as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about for the financial statements; and related matters.

#### **Audit Procedures—Internal Control**

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures.

An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

#### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of City of Ferris, Texas' compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

#### **Engagement Administration, Fees, and Other**

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing. If such assistance is provided by our audit staff, such services will be billed based on the actual time spent at our standard hourly rates, ranging from \$75 to \$200.

Greer Yeldell, CPA is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee for the financial statements audit, including expenses will not exceed \$26,100. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes sixty days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Honorable Mayor, City Council and City Manager  
City of Ferris, Texas  
Page Five

Our fees for bookkeeping time necessary to generate auditable balances will be based on the actual time spent at our standard hourly rates ranging from \$75 to \$200. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned.

We appreciate the opportunity to be of service to City of Ferris, Texas and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



Yeldell, Wilson & Co., P.C.  
*Certified Public Accountants*

RESPONSE:

This letter correctly sets forth the understanding of City of Ferris, Texas.

Management signature: \_\_\_\_\_

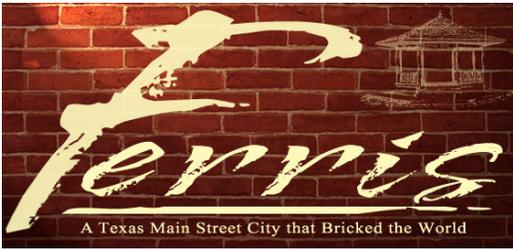
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Date: \_\_\_\_\_

Governance signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



## **MEMORANDUM**

**DATE:** March 2, 2015  
**FROM:** City Manager, Dennis Burn  
**TO:** Mayor and City Council  
March 2, 2015 City Council Meeting

**SUBJECT: Code of Conduct**

**At the January 20, 2015 City Council meeting, the City Council authorized the City Manager to prepare a Code of Conduct for all elected officials, all board members and all employees. Attached to this agenda item is a draft of a Code of Conduct. I prepared the document and the Mayor has reviewed it.**

**Before I forward the document to our attorney, the City Council needs to review it and comment. I will revise the document with any suggestions the City Council has and then forward it to the attorney.**

**This is not an action item. This item is for discussion only.**

**ORDINANCE NO. O-15-787**

**AN ORDINANCE OF THE CITY OF FERRIS, TEXAS, AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES BY ADDING SECTION 30.33 PROVIDING A CODE OF CONDUCT FOR PUBLIC OFFICIALS AND ALL CITY EMPLOYEES; PROVIDING DEFINITIONS; ESTABLISHING STANDARDS OF CONDUCT; PROVIDING FOR REVIEW OF COMPLAINTS; PROVIDING DISCIPLINARY MEASURES FOR VIOLATION OF THE STANDARDS OF CONDUCT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Ferris, Texas, upon full consideration of the matter, has determined the desirability and the necessity of providing standards of conduct for the City's public officials and employees and providing measures for violations of such standards; and

**WHEREAS**, the Mayor, the members of the City Council, the Planning and Zoning Commission, Board of Adjustments, 4A Economic Development Commission, 4B Economic Development Commission, Park Board, Main Street Board, Library Board, Housing Authority Board, all city employees and any appointed or confirmed member of any City of Ferris board, commission, corporation, or committee established by Ordinance, Charter, State Law or otherwise, operating either under the direct or indirect authority or subject to the direct or indirect control of the City Council, should be governed by a code of conduct;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FERRIS, TEXAS:**

SECTION 1. That the Code of Ordinances of the City of Ferris, Texas, be, and the same is hereby amended, by amending Chapter 30, in part, to add Section 30.33 to read as follows.

**"SECTION 30.33 CODE OF CONDUCT**

**(A) Purpose**

It is hereby declared to be the policy of the City that the proper operation of democratic government requires that public officials and city employees be independent, impartial and responsible only to the citizens of the City; that no Officer shall permit any interest, financial or otherwise, direct or indirect, or engagement in any business, transaction or professional activity to conflict with the proper discharge of their duties in the public interest; that public office not be used for personal gain; and that the City Council, Planning and Zoning Commission, Board of Adjustments, 4A Economic

Development Commission, 4B Economic Development Commission, Park Board, Main Street Board, Library Board, Housing Authority Board and any appointed or confirmed member of any City of Ferris board, commission, corporation, or committee established by Ordinance, Charter, State Law or otherwise, operating either under direct or indirect authority or subject to the direct or indirect control of the City Council at all times shall be maintained as a nonpartisan body. To implement such a policy, the City Council deems it advisable to enact a Code of Conduct for all officials, whether elected or appointed, paid or unpaid, to serve not only as a guide for official conduct of the City's public servants, but also as a basis for discipline for those who refuse to abide by its terms, the overriding interest being that officers of the City shall at all times strive to avoid even the appearance of impropriety.

**(B) Title; Application**

- (1) This Article shall be known as the Code of Conduct.
- (2) The Code of Conduct shall apply to all Officials as defined herein.
- (3) The Code of Conduct shall apply to all city employees.

**(C) Definitions**

The following words, terms and phrases, when used in this Article, shall have the meanings respectively ascribed to them herein, except where the context clearly indicates a different meaning:

*Benefit* means anything reasonably regarded as pecuniary or economic gain or pecuniary or economic advantage, including benefit to any other person in whose welfare the beneficiary has a Substantial Interest.

*Business Entity* means any person, entity, corporation (whether for-profit or non-profit), general or limited partnership, sole proprietorship, joint venture, unincorporated association or firm, institution, trust, foundation, holding company, joint-stock company, receivership, or other entity recognized by law, whether or not organized for profit conducting or seeking to conduct business with the City. Business Entity also includes any business entity that represents a party conducting or seeking to conduct business with the City.

*Confidential information* means any information to which an Official has access in such person's official capacity which may not be disclosed to the public except pursuant to state and/or federal law and which is not otherwise a matter of public record or public knowledge.

ORDINANCE NO. O-15-787

*Contract* means any lease, claim, account or demand against or agreement with any person, whether express or implied, executed or executory, oral or written.

*City* shall mean the City of Ferris, Texas.

*City Council* means the legislative and governing body of the City, consisting of the Mayor and City Council members.

*Knowingly* means a person acts knowingly, or with knowledge, with respect to the nature of the person's conduct or to circumstances surrounding the conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of the person's conduct whether the person is aware that the conduct is reasonably certain to cause the result.

*Employee* means any person employed by the City, including those individuals on a full-time, part-time or internship basis, but does not include independent contractors.

*Gift* means anything of value, regardless of form, including a favor offered or given in the absence of adequate and lawful consideration.

*Intentionally* means a person acts intentionally, or with intent, with respect to the nature of his conduct or to a result of his conduct when it is the person's conscious objective or desire to engage in the conduct or cause the result.

*Officer* or *Official* means the Mayor, the members of the City Council, any appointed or confirmed member of any City board, commission, corporation, or committee established by ordinance, charter, state law or otherwise, on a temporary or permanent basis, operating either under the direct or indirect authority or subject to either the direct or indirect control of the City Council. Such term shall include the City Manager, City Secretary, Municipal Judge, members of the Planning and Zoning Commission, the Board of Adjustments, the 4A Economic Development Commission, the 4B Economic Development Commission, the Park Board, the Main Street Board, the Library Board, and the Housing Authority Board.

*Relative* means any person related to an Officer within the first degree by consanguinity or affinity. This relationship includes the spouse, parents, children, stepchildren, father and mother-in-law, or son and daughter-in-law of the Officer. The affinity relationship continues after death or divorce

if there is a living child of that marriage.

*Specific Economic Effect* is an economic effect on a business entity that is distinguishable from the effect on the public.

*Substantial Interest* means the following.

- (i) Substantial interest in a Business Entity means: (i) the person owns ten percent (10%) or more of the voting stock or shares of a Business Entity; or (ii) the person owns ten percent (10%) or more or \$15,000 or more of the fair market value of a Business Entity; or (iii) funds received by the person from the Business Entity exceed ten percent (10%) of the person's gross income for the previous year; and action on the matter involving the Business Entity will have a specific economic effect on the Business Entity that is distinguishable from the effect on the public.
- (ii) Substantial Interest in real property means the person has an interest in the real property that is equitable or legal ownership with a fair market value of \$2,500 or more; and it is reasonably foreseeable that an action on a matter involving the real property will have a specific economic effect on the value of the real property distinguishable from its effect on the public.
- (iii) An Official is considered to have a Substantial Interest under the Code of Conduct if a Relative has a Substantial Interest under the Code of Conduct.

**(D) Standards of Conduct for Officers**

No Officer of the City or a Relative thereof shall

- (1) Have a financial interest, direct or indirect, in any contract with the City or shall such person be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service. The "financial interest" contemplated under this Section 1.1803 and under Article XII, Section 2 of the City Charter requires that the Officer receive an actual financial benefit from the transaction with the City. An actual financial benefit from the transaction shall not include
  - (a) An ownership in the entity transacting business

ORDINANCE NO. O-15-787

with the City where the ownership interest is less than one (1) percent; or

(b) Compensation as an Employee, Officer or director of the entity transacting business with the City where such compensation is not affected by the entity's transaction with the City.

(2) Participate in a vote or decision on any matter in which the Officer has a Substantial Interest.

(3) Represent or appear on behalf of private interests of others before the City Council, or any agency, board, commission, corporation, or committee of the City, nor represent any private interests of others in any action or proceeding involving the City, nor voluntarily participate on behalf of others in any litigation to which the City is a party or to which there is a substantial likelihood that the City will be a party.

(4) Accept any Gift from any person that might reasonably tend to influence such Officer in the discharge of official duties, or that the Officer knows or should know is being offered with the intent to influence the Officer's official conduct. The prohibition against Gifts shall not apply to

(a) A lawful political contribution as defined by the Texas Election Code;

(b) An honorarium in consideration for services unless the Officer would not have been asked to provide the services but for the Officer's position;

(c) Meals, lodging, transportation in connection with services rendered by the Officer at a conference, seminar or similar event that is more than merely perfunctory;

(d) Complimentary copies of trade publications and other related materials;

(e) Attendance at hospitality functions at local, regional, state or national association meetings and/or conferences;

ORDINANCE NO. O-15-787

- (f) An item with a value less than fifty dollars (\$50);
  - (g) Tee shirts, caps, mementos and other similar promotional material or items with a value less than fifty dollars (\$50);
  - (h) Gifts on account of kinship or a personal, or professional, or business relationship independent of the Officer's status;
  - (i) Complimentary attendance at political or charitable fundraising events; and
  - (j) Meals, lodging, transportation, or entertainment furnished in connection with public events, appearances or ceremonies related to official City business, if furnished by the sponsor of such public events.
- (5) Use such person's official position to secure special privileges or benefits for such person or others.
  - (6) Grant any special consideration, treatment or advantage to any citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group.
  - (7) Disclose confidential information.
  - (8) Use City supplies, personnel, property, equipment or facilities (whether tangible or intangible) for any purpose other than the conduct of official City business, unless otherwise provided for by law, ordinance or City policy.
  - (9) Act as a surety on any official bond required of any Officer or Employee of the City, or for a business that has a Contract with the City.

**(E) Additional Standards**

- (1) No member of the City Council, the Planning and Zoning Commission, or Board of Adjustment shall participate in, or vote on, any land use matter (e.g. zoning, variances, plats, permits) in which such Officer has a Substantial Interest in any real property within 200 feet of the

ORDINANCE NO. O-15-787

real property, the subject of the land use matter.

(2) No member of the City Council who is on the governing body of a nonprofit organization shall vote on any funding request by that nonprofit organization other than for membership or subscription dues or fees, or as part of the City's annual budget, unless the nonprofit organization has a governing body appointed in whole or in part by the City Council.

(3) With the exception of those proceedings allowed under this Code of Conduct, City Councilmembers shall not personally appear in their own behalf before the City Council, or any City board, commission, corporation or committee but may designate and be represented by a person of their choice in any such personal matter.

**(F) Appearance by Past Officer**

No past Officer of the City, shall for a period of one (1) year after the date of termination of such relationship with the City, appear before the City Council, or any City board, commission, corporation, or committee, to represent the interests of another on any matter.

**(G) Disclosure of Substantial Interest; Affidavit**

Any Officer, who has a Substantial Interest in any matter pending before the body, board, commission, corporation or committee of which the Officer is a member, before a vote or decision on such matter, shall file an affidavit stating the nature and extent of the Substantial Interest, and shall abstain from further participation in such matter. Such Officer shall not be physically present when such matter is discussed, or when action is taken thereon. The affidavit shall be on a form provided by the City and must be filed with record keeper for such body, board, commission, corporation or committee.

**(H) Disclosure of Real Property Interest**

Upon the election, appointment or confirmation of appointment, and thereafter on or before January first of each calendar year, every Officer shall file in writing with the City Secretary on a disclosure form provided by the City, the existence and location of any real property in the City in which the Officer, has any equitable or ownership interest, including any interest of one (1) percent or more in any entity which has an equitable or ownership interest in any real property in the City. Said disclosure shall also include the identity and location of all real property within the City in which the Officer has acquired or conveyed any interest since the filing of the last report required by this Code of Conduct. If an Officer has an

interest in an entity that will not disclose to the Officer whether or not the entity has a financial interest in real property in the City, the Officer may satisfy this disclosure requirement by stating such fact in writing to the City Secretary.

**(I) Complaints against Officers**

(1) All complaints or allegations of a violation of this Code of Conduct against an Officer shall be made in writing on a form provided by the City, sworn to before a notary public, and filed of record with the City Secretary. Such complaint shall describe in detail the act or acts complained of and the specific section(s) of this Code of Conduct alleged to have been violated. A general complaint lacking in detail shall not be sufficient to invoke the investigation procedures contained herein; and anonymous complaints shall not be considered. The City Secretary shall provide a copy of the complaint to the affected Officer, City Council and immediately refer the complaint to the City Attorney, who shall initially review the complaint to determine if the complaint contains sufficient detail and alleges a violation of the Code of Conduct. The affected Officer may file a written response to the complaint within seven (7) days after the complaint is filed with the City Secretary, who shall forward the response, if any, to the City Attorney.

(2) The City Attorney shall submit a written report to the Council as soon as possible but not later than fourteen (14) days after the receipt of the complaint, unless an extension is granted by a majority of the non-implicated Councilmembers. The City Attorney may contact the complainant, interview witnesses and examine any documents necessary for the report. Such report shall be comprehensive and explain in detail all facts, findings and conclusions in support of the City Attorney's opinion as to whether or not a violation of this Code of Conduct occurred. When the City Attorney receives a vague complaint or one lacking in detail, the City Attorney shall contact the complainant to request written clarification. If the complainant fails to provide the City Attorney with written clarification, or if after written clarification is provided, it is the opinion of the City Attorney that the complaint is insufficient in detail and/or fails to allege a prima facie violation of the Code of Conduct, a written report to that effect shall be submitted to the City Council. If the City Attorney determines that a criminal violation may exist, the City Attorney shall refer the matter to the appropriate law enforcement agency.

(3) The City Council shall consider the complaint and the City Attorney's report at an executive session of the City Council. The affected Officer may request that the complaint be considered in a public meeting. At such meeting, the City Attorney shall present a written report to the City Council describing in detail the nature of the complaint and the City

ORDINANCE NO. O-15-787

Attorney's findings and conclusions as to a possible violation of this Code of Conduct. The affected Officer shall have the right to a full and complete hearing before the City Council with the opportunity to call and cross-examine witnesses and present evidence in such person's behalf. The non-implicated Councilmembers in attendance shall conduct a hearing and review the complaint. The City Council may reject the complaint or take action authorized by Section (J). If deemed necessary the City Council may direct the City Manager with the concurrence of the City Attorney to appoint a special legal counsel to conduct a further investigation and to provide a written report to the City Council

(4) No action or decision with regard to the complaint shall be made except in a meeting which is open to the public.

**(J) Violations**

The City Council may take any one or more of the following actions in an open meeting concerning a complaint:

- (1) Issue a statement finding the complaint is totally without merit, brought for the purpose of harassment, or brought in bad faith; or
- (2) Issue a letter of notification when the violation is unintentional. A letter of notification shall advise the Officer of any steps to be taken to avoid future violations; or
- (3) Issue a letter of admonition when the violation is minor or may have been unintentional, but calls for a more substantial response than a letter of notification; or
- (4) Issue a reprimand when a violation has been committed knowingly or intentionally; or
- (5) Remove from office an Officer, other than a City Councilmember, for a serious or repeated violation of this Code of Conduct. Removal shall be in compliance with the Charter and State Law; or
- (6) Pass a resolution of censure or a recommendation of recall when the City Council finds that a serious or repeated violation of this Code of Conduct has been committed intentionally by a member of the City Council.

**(K) Adoption of State Statute**

ORDINANCE NO. O-15-787

Chapter 171 of the Texas Local Government Code, as amended, being the statute which regulates conflicts of interest of Officers of municipalities in the State of Texas, is hereby adopted and made a part of this Code of Conduct for all purposes, with the proviso that, in the case of a conflict between the provisions of this code of conduct and the state statute, then in that event the more restrictive provision shall govern.

**(L) Limitations**

A person must bring a complaint that an Officer has violated a provision(s) of this Code of Conduct not later than twelve (12) months after the day the complained act(s) occurred.

**(M) Interpretation of Code**

Any Officer may request and the City Attorney shall issue, a verbal or written opinion (as deemed appropriate) concerning the meaning or effect of any section, word, or requirement of this Code of Conduct as it affects such person.

**(N) Criminal History Checks of Board and Commission Applicants**

(1) Any person making application for appointment to a position on any board, commission, agency, or committee to which the City has the final authority to make such appointment shall consent to a criminal history check prior to consideration of the person's application.

(2) Failure to consent to a criminal history check as required by this section shall be grounds for disqualification for consideration for appointment by the City Council.

(3) The City shall cause a criminal history check to be conducted on each applicant for appointment to a position described in subsection (a) of this section. If upon review of a criminal history check an applicant is found to have been convicted within the last 10 years or the applicant is on parole or probation for any of the following offenses, the applicant shall not be considered for appointment: a felony or any offense involving theft, burglary or moral turpitude. (Moral turpitude may be described as intentional dishonesty, fraud, deceit, conduct contrary to justice, or otherwise immoral conduct.)

(4) The provisions of this section are administrative in nature and not subject to criminal penalties."

ORDINANCE NO. O-15-787

**SECTION 2.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

**SECTION 3.** That all provisions of the Code of Ordinances of the City of Ferris, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** This ordinance shall take effect immediately from and after its passage; provided however, the Code of Conduct shall apply to officials and acts occurring after

**IT IS ACCORDINGLY SO ORDAINED.**

**DULY PASSED** and **APPROVED** by the City Council of the City of Ferris, Texas on this the \_\_\_ day of \_\_\_\_\_, 2015.

**APPROVED:**

\_\_\_\_\_  
Micheal L. Driggars, Mayor

**ATTEST:**

\_\_\_\_\_  
Destiny Lusk Wright, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kent S. Hofmeister, City Attorney



## **MEMORANDUM**

**DATE:** March 2, 2015  
**FROM:** City Manager, Dennis Burn  
**TO:** Mayor and City Council  
March 2, 2015 City Council Meeting

**SUBJECT: Poison Prevention Week Proclamation**

**Included with this agenda item is a Proclamation regarding poison prevention week. The proper handling and disposal of medicines and chemicals is very important so that potential harm to humans, animals and the environment is avoided.**

**The North Texas Poison Center has requested that the week of March 15-21, 2015 be proclaimed “Poison Prevention Week” in Ferris.**

# Proclamation

*From the City of Ferris*

*Whereas*, our society has become increasingly dependent on household chemicals to perform labor-saving, time-saving miracles; and on medicine to provide health-giving, life-sustaining benefits;

*Whereas*, these products, when not used as intended or directed, may be hazardous, particularly if children gain access to them;

*Whereas*, over the past 53 years, the nation has been observing Poison prevention Week to call attention to these hazards and how proper handling and disposal of these substances and proper use of safety packaging can help eliminate them;

*Whereas*, the efforts of our community organizations, complemented by the efforts of the North Texas Poison Center have reduced childhood poisonings in, Ferris, Texas.

*Whereas*, the North Texas Poison Center, a regional poison center, located at Parkland Health & Hospital System, provides the ultimate in human service programming, immediate, accessible emergency information to save lives of victims of poison-related emergencies, and;

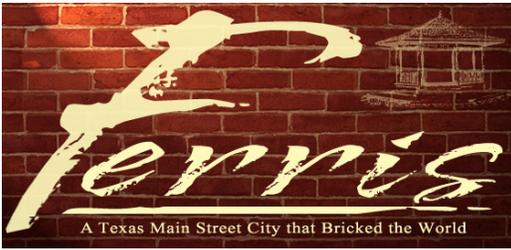
*Whereas*, these programs must continue as long as even one child swallows a household product or medicine by mistake.

*Now, Therefore*, I, Micheal Driggars, Mayor of the City of Ferris, do hereby proclaim the week of March 15-21, 2015, as Poison Prevention Week in this city. Further, I direct the appropriate agencies in our local government to continue their cooperation with concerned citizens and community organizations, including our schools, to develop programs which will alert our people to the continued danger of misusing medicines and household products and to promote effective safeguards against accidental poisonings among young children.

*In Witness Thereof*, I have hereunto set my hand this 2nd day of March, 2015, and caused this seal to be affixed.

---

Micheal L. Driggars, Mayor



## **MEMORANDUM**

**DATE:** March 2, 2015  
**FROM:** City Manager, Dennis Burn  
**TO:** Mayor and City Council  
March 2, 2015 City Council Meeting

**SUBJECT: 2015 Nationally Accredited Main Street Program**

**The City of Ferris has been recognized as a 2015 Nationally Accredited Main Street Program. City staff submitted a criteria report that addresses 10 progress areas. Those areas are: Support, Vision/Mission, Work Plan, Preservation Ethic, Board/Committees, Budget, Manager Expertise, Meeting Training Requirements, Reporting and maintaining National Main Street membership. In Texas, each program is required to have an overall passing score of 90. The City of Ferris program had an overall score of 96.**

**This is an outstanding achievement by the City with credit going to our Economic Development/ Main Street Coordinator, Mr. Chuck Dart and Karen Carreon, Chair of the Main Street Board. Attached to this agenda item is a copy of the certification. I will have the framed original at the meeting.**

**This is not an action item. No vote is required. This agenda item is for discussion only.**



THE CITY OF

**FERRIS**

IS RECOGNIZED AS A

# 2015 Nationally Accredited Main Street Program



**TEXAS HISTORICAL COMMISSION**  
*real places telling real stories*

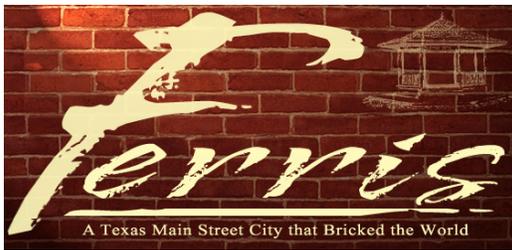
[www.thc.state.tx.us](http://www.thc.state.tx.us)

A handwritten signature in black ink, appearing to be 'M. J. ...'.

DIVISION DIRECTOR  
COMMUNITY HERITAGE DEVELOPMENT DIVISION

A handwritten signature in red ink, appearing to be 'Debra Drescher'.

STATE COORDINATOR  
TEXAS MAIN STREET PROGRAM



## **MEMORANDUM**

**DATE:** March 2, 2015  
**FROM:** City Manager, Dennis Burn  
**TO:** Mayor and City Council  
March 2, 2015 City Council Meeting

**SUBJECT: Residential Incentive Program**

**Residential development has remained somewhat dormant for a number of years in Ferris. The City of Terrell, Texas enacted a residential incentive program in 2012 that rewards single family home construction in “infill” or stagnant locations. This program pays the original builder of the home the equivalent of the city’s ad valorem taxes annually for a period of four years. In Terrell, 300 new homes have been built under this program.**

**Attached to this agenda item is a document that describes the benefits and cost of enacting such a program in Ferris. The document includes a timetable which, if followed, will result in new home construction in the Shaw Creek Subdivision by May of this year.**

**This is not an action item. No vote is required. This agenda item is for discussion only.**

# Residential Infill Incentives



A tool to spur residential development in Shaw Creek, Wallace Estates, and empty lots throughout the City of Ferris.

# Case Study

In 2012, City of Terrell Resolution #716 created an incentive program to encourage high quality residential neighborhoods that:

1. are aesthetically pleasing and
2. meet the diverse housing market needs of the community.



Since 2012 over 300 homes have been added in areas that were otherwise bypassed for development.

Source: City of Terrell City Manager

# Program Example

- The program rewards builders, developers, and property owners.
- A builder/developer agreement must go through approval process, including council approval.
- An annual incentive is paid after the home is completed and first year city taxes on the improvement are current.



- Terrell's program ends after four years of payments.
- Other stipulations exist to qualify.

# Incentive Calculation

## Incentive Rate

- In Terrell, the incentive rate is \$0.600 per one hundred dollars assessed value.
- Ferris City tax rate (2014) is \$ 0.687134 per one hundred dollars assessed value .



## Example

- A \$125,000 home x \$0.6/\$100 = \$750 per year
- Four years of incentive payouts equal \$3,000.
- The actual amount would be based on yearly assessed value.

# Builder Attraction

The purpose of the incentive is to attract builders and developers to the City to build homes on infill lots.



Camden Homes, a Dallas based home builder, approached Steve Donosky about purchasing 76 lots in Shaw Creek and building out the development in a 24-36 month timeframe.

The incentive program will be available to Camden and any other builder.

# Next Steps

- Discussion of proposed residential incentive program March 2
- Staff finalizes a generic builder/developer agreement March 3
- Staff review first builder applicant March 9
- Council takes action on the Residential Incentive Resolution. March 16
- Council takes action on first builder applicant. March 16
- Builder begins construction May 1