

MINUTES

CITY COUNCIL MEETING

July 10, 2012

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council met in a special meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002.

Mayor Marshall called the meeting to order at 7:00 p.m. with Councilmembers Leamy, Sumrow, Levine, Pettie and Taylor present. A quorum was present.

Staff Present: City Attorney James Shepherd, City Administrator Jeff Flanigan, City Secretary Carrie Smith, Finance/H.R. Manager Johnna Boyd and Police Chief Tony Fragoso.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Councilmember Taylor led the pledge.

TEXAS PLEDGE: Councilmember Pettie led the pledge.

PUBLIC COMMENTS The City Council invites any person with business before the Council to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

Stacy Patrick, 5202 Ravensthorpe Dr. – Ms. Patrick expressed concern with D' Magazine publishing information that may put the community at risk. The article stated, *"Residents accidentally leave their garage doors open (sometimes over a weeklong vacation) and come home to find things just as they left them."* She asked that a letter be written to D' Magazine and ask that this line be removed from the online article. It was suggested that a letter be prepared or for Police Chief Fragoso to contact them.

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR JUNE 5, 2012.

Revisions to the June 5, 2012 meeting began on page 5 by adding the year to the estimated costs.

MOTION: Councilmember Sumrow moved to approve as revised. Councilmember Leamy seconded with Councilmembers Leamy, Sumrow, Levine and Pettie voting for. Motion carried 4-0. Taylor abstained.

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR JUNE 19, 2012.

The revision to the minutes was on page 3, the motion was changed to read, "*MOTION: Councilmember Leamy moved to make no changes to Ordinance 594 and reviewed again in 3 years, year 2015. Councilmember Sumrow seconded with Councilmembers Leamy, Sumrow, Levine and Pettie voting for. Motion carried 4-0.*"

MOTION: Councilmember Leamy moved to approve as revised. Councilmember Sumrow seconded with Councilmembers Leamy, Sumrow, Levine and Pettie voting for. Motion carried 4-0. Taylor abstained.

3. PUBLIC HEARING AND ANY CONSIDERATION ON A REQUEST TO ANNEX APPROXIMATELY 52.57 ACRES OF LAND IN THE ANN HURT SURVEY, ABSTRACT 428 SUBMITTED BY PARKER BEDELL FARMS, LTD.

Applicant/Owner Representative Steve Sallman was present to answer questions.

Mayor Marshall opened the public hearing at 7:08 p.m.

Hugh Lewis, Bois D'Arc Lane – Mr. Lewis received a drawing for a development and spoke in opposition to the number of houses and lack of amenities. Mr. Lewis was asked to contact City Administrator Flanigan to look over the drawing he received and further discuss this annexation.

Mr. Shepherd told the audience that a development agreement was approved for this property in August 2007, Resolution 2007-170. The property is currently in the Extra-Territorial Jurisdiction (ETJ) and the first step to development is to annex the property into the City limits. The property must be developed in accordance with the agreement.

Mayor Marshall closed the public hearing at 7:17 p.m. and announced the next public hearing will be held on July 17, 2012.

4. DISCUSSION AND/OR ANY APPROPRIATE ACTION ON AMENDING RESOLUTION 2011-329 ENTITLED POWERS AND DUTIES OF THE MAYOR.

Mayor Pro Tem Levine requested this item be brought back before Council for further discussion. He feels this ordinance hinders the Mayor's ability to efficiently run the City as he is charged with by State law. As the resolution is written it interferes with the mayor's ability to work with the finance manager and other staff as needed to conduct routine City business. He noted resolution was to resolve and have some control on issues with the previous Mayor.

Councilmember Leamy stated he has no objection if the Council wished to repeal this ordinance or keep it in place for a period of time.

Councilmember Pettie stated the rules should apply to all Councilmembers.

MOTION: Mayor Pro Tem Levine moved to rescind Resolution 2011-329. Councilmember Leamy seconded.

Councilmember Sumrow requested the resolution be amended only. She has served under multiple mayors' and, at times, Council has felt that more control over their actions was needed because the law is unclear on some duties of the mayor. The law also ties Council's hand to stop inappropriate behavior other than theft and other narrowly defined actions.

Councilmember's Leamy, Levine, Pettle and Taylor voting for. Sumrow opposed. Motion carried 4-1.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ALLOWING THE PARKER WOMEN'S CLUB TO USE THE CITY LOGO.

Parker Women's Club representative Jane Marshall requested permission to use the official, trademarked logo on a quilt to be donated to the Annual Volunteer Fundraiser.



MOTION: Mayor Pro Tem Levine moved to approve the use of the City logo on a quilt. Councilmember Leamy seconded, with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING A DONATION IN THE AMOUNT OF \$500 FROM COUNCILMEMBER LEAMY.

MOTION: Councilmember Sumrow moved to accept a donation of \$500 from resident David Leamy, which is to be allocated to the Police Department. Councilmember Pettle seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING A DONATION IN THE AMOUNT OF \$1000 FROM STEVE SALLMAN.

MOTION: Councilmember Sumrow moved to accept a donation of \$1000 from Steve Sallman. Councilmember Taylor seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE CITY GENERAL ELECTION DATES.

City Secretary Smith reported the staff conducted the May 2012 general election, which saved the City approximately \$5,900. The election was very successful with a record voter turnout of 35%.

City Secretary Smith reported that there were comments and concerns from the voters and most were regarding:

- 1) Being required to vote at City Hall for City Election and in Allen for the Allen ISD election.

City Secretary Smith responded, Allen ISD and the City of Allen has chosen not to contract with the County any longer. We have no control over this issue.

- 2) Only one early voting location and being required to vote in multiple locations.

City Secretary Smith responded the Council chose to have Staff conduct the election and not sign a full service contract with the County. A full service contract with the County provides the voters with additional conveniences such as additional Early Voting locations, dates and times; voting in multiple elections at one location during Early Voting; and viewing all election results on Collin County's webpage.

- 3) Not having Saturday Early Voting.

City Secretary Smith estimated for an additional \$200, the City could hold Saturday Early Voting if Council choose to have staff conduct future elections.

Council was provided the options prepared by TML for future elections and a brief list of pros and cons for each option in their packet.

- 1) Unstagger terms by resolution by December 31, 2012, and include in the resolution term adjustment provisions (e.g., for holdover or to cut terms short). (Election Code §41.0052(b); Local Gov't Code §21.004; Tex. Const. Art. XVI, §17.) This allows the continuation of May uniform election date, but only in odd numbered years. Note - all members, Mayor and Council would be elected in May of odd numbered years, with the possibility of election of all new members. The County would be required to conduct our election if we chose to contract with them.

Pros	Cons
<ul style="list-style-type: none"> ◦ Reduced election costs by holding an election every two years instead of annually ◦ Contract with the County for full services at a lower cost 	<ul style="list-style-type: none"> ◦ Risk of having an entirely new governing body at one time ◦ Residents only participate in elections every two years

- 2) Move to November uniform election date by adopting a resolution by December 31, 2012, under Election Code §41.0052(a), as amended by S.B. 100, and include in the resolution term adjustment provisions (e.g., for holdover or to cut terms short). (Election Code §41.0052(b); Tex. Const. Art. XVI, §17.) This allows for a joint election with the county on each November uniform election date.

<p>Pros</p> <ul style="list-style-type: none"> ◦ Voter convenience ◦ Higher voter turnout ◦ Citizens vote in local elections every year ◦ Cost shared with County and other entities ◦ Contract with the County for full services at a lower cost 	<p>Cons</p> <ul style="list-style-type: none"> ◦ Possibility voters not voting city ballot due to straight party voters ◦ Hard to educate with publicity
---	---

3) Buy or lease machines from a vendor. This allows a city to continue to conduct its own annual elections on the May uniform election date.

<p>Pros</p> <ul style="list-style-type: none"> ◦ No changes for voters ◦ Council to keep current terms 	<p>Cons</p> <ul style="list-style-type: none"> ◦ Availability of voting equipment if renting ◦ Storage of voting equipment if purchased ◦ Possibility of purchased equipment becoming de-certified or obsolete
---	--

4) County will still conduct joint election or provide machines to city. This allows a city to continue with annual elections on the May uniform election date by conducting its own election or holding a joint election with county.

This option depends on the terms of Collin County’s Election Administrator.

A recommendation was made to appoint a committee to work with City Secretary Smith to evaluate the different options. The committee will focus on the top three issues financial, political and administrative. Councilmember Pettle would like to hear from the voters on this topic as well.

MOTION: Councilmember Leamy moved to appoint Mayor Marshall, Mayor Pro Tem Levine, Councilmember Leamy and City Secretary Smith to a committee to further research the City’s options for future elections. Councilmember Taylor seconded with Councilmember’s Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

ROUTINE ITEMS

9. FUTURE AGENDA ITEM REQUESTS.

- a. The budget sessions will begin at 4:00 p.m. at City Hall on July 16 and July 17.


- b. Mayor Marshall requested the review of the Mayor and Council Travel Expense policy be postponed to the August 7 agenda.
- c. Councilmember Sumrow requested a date be set for reviewing Ordinance 481. Mayor requested Ordinance 481 be scheduled for Executive Session on August 7 and, if needed, August 21.

10. ADJOURN

Mayor Marshall adjourned the meeting at 8:22 p.m.



APPROVED:



Mayor Z Marshall

ATTESTED:



City Secretary Carrie L. Smith, TRMC, CMC

APPROVED on the 17th day of
July, 2012.