



MINUTES

CITY COUNCIL MEETING

February 17, 2009

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Cordina called the meeting to order at 7:00 p.m. with Councilmember's Marshall, Sumrow, Threadgill, Evans and Levine present. A quorum was present.

Staff present: City Attorney Jim Shepherd, City Administrator Dena Daniel, Assistant City Administrator Jeff Flanigan, City Secretary Carrie Smith, and Police Chief Tony Fragoso.

EXECUTIVE SESSION –

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated the City Council may hold a closed meeting.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:

Mayor Cordina recessed the meeting into executive session at 7:00 p.m.

- A. Govt. Code 551.071 – Legal Consultation with City Attorney and Govt. Code 551.074 – Personnel: discuss the appointment of the incorporators and board members for the "City of Parker, Texas Cultural Education Facilities Finance Corporation."

2. RECONVENE REGULAR MEETING.

Mayor Cordina reconvened the regular meeting at 7:20 p.m.

3. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

No action was taken.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2009-257 APPROVING CREATION OF THE CITY OF PARKER, TEXAS CULTURAL EDUCATION FACILITIES FINANCE CORPORATION, APPROVING ARTICLES OF INCORPORATION AND BYLAWS THEREOF, AND RELATED MATTERS.

Mayor Pro-tem Threadgill asked Mayor Cordina to reconvene the executive session at the end of the meeting to allow the Council time to further discuss these matters.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON APPOINTMENTS OF INCORPORATORS AND/OR BOARD MEMBERS FOR THE CITY OF PARKER, TEXAS CULTURAL EDUCATION FACILITIES FINANCE CORPORATION.

PLEDGE OF ALLEGIANCE

Councilmember Eleanor Evans led the Pledge of Allegiance.

PUBLIC COMMENTS The City Council invites any person with business before the Council not scheduled on the agenda to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

Lee Pettle, 3000 Bluffs Lane – See Exhibit PC1. Discussed the Oncor power lines.

Bruce Covey, 4401 Willow Ridge – Requested the City hire an independent consultant to review the 62 proposed routes. He owns part of the easement. This property being turned into park land is not feasible. The electromagnetic field that goes through the City is quite substantial. Concerns with public safety and health.

Pam Sardo, 4601 Hackberry – Would like additional information and study of the power lines.

Russell Wright, 5207 Estate Lane – Opposed the City spending money to study power line placement. The City alone is not able to finance such an expensive project.

Andy Piziali – Exhibit PC2 written statement provided and read by City Administrator Daniel. Mr. Pizzio opposes spending city tax dollars to fight the Oncor power lines.

James Clay –Exhibit PC 3 written statement provided and read by City Administration Daniel. Dr. Clay opposes spending city tax dollars to fight the Oncor power lines.

INDIVIDUAL CONSIDERATION ITEMS

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR FEBRUARY 3, 2009.

Amendments: Scott Levine under Skip Caves comments should read “his” not “is”.

MOTION: Mayor Pro-tem Threadgill motioned to approve the minutes as amended. Councilmember Evans seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

7. INTRODUCTION OF NEW MEDICAL DIRECTOR DR. GAMBER.

Division Chief Richard Sherard introduced the new medical director for the Volunteer Fire Department, Dr. Gamber. Dr. Gamber works at Medical Center of Plano and City of Plano Fire Department. Our goal is to prepare a plan to provide the highest level of care to Parker residents.

8. PRESENTATION BY RON JOHNSTON, TXDOT REPRESENTATIVE, ON PROJECTS IN THE PARKER AREA.

Collin County Area Engineer with TXDOT Ron Johnston gave a brief presentation reviewing the progress of FM 2551/Hogge Road/Murphy Road. The project will begin at FM 544 and go through to Bethany Road. Currently public meetings and hearings are being held. The environmental study is about complete. Phase one will be from FM 544 to County Road 247 (Maxwell Creek); Phase 2 will be from County Road 247 to Curtis Lane; Phase 3 is Curtis to Bethany Road. Regional toll revenue is to pay for the projects. Collin County is responsible for the plans for FM 2514 and as soon as complete TXDOT will begin to review the schematics. Project updates are available on the TXDOT website.

9. PRESENTATION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION APPROVING THE 2007-2008 AUDIT.

City Auditor Howard Pingleton reviewed the 2007-2008 Audit.

Financial Highlights

- The assets of the City of Parker exceeded its liabilities at the close of the most recent fiscal year by \$52,344,378 (net assets). Of this amount, \$7,707,938, (unrestricted net assets) may be used to meet the government's ongoing obligations to citizens and creditors.
- The government's total net assets increased by \$593,216. This increase is attributable to the governmental activities actual expenses being less than budgeted expenses.
- As of the close of the current fiscal year, the City of Parker's governmental funds reported combined ending fund balances of \$7,213,657, an increase of \$4,564,592 in comparison with the prior year. Most of the increase is due to bond proceeds. Of the fund balance, \$2,596,919 is available for spending at the government's discretion (*unreserved fund balance*).
- At the end of the current fiscal year, unreserved fund balance for the general fund was \$2,596,919 or 117 percent of total general fund expenditures.
- The City of Parker's long-term debt increased by \$6,973,030 during the current fiscal year. This was due to the issuance of \$3,995,000 of governmental activities bonds and \$3,250,000 of business-type activity bonds.

MOTION: Councilmember Marshall motioned to approve the 2007-2008 Audit as presented. Councilmember Levine seconded with Councilmember's, Sumrow, Threadgill, and Evans, voting for. Marshall and Levine opposed. Motion carried 3-2.

10. CONSIDERATION AND/OR ANY APPROPRIATE TO RATIFY THE FINAL FORM OF ORD. 2009-608, AMENDING THE COMPREHENSIVE ZONING ORDINANCE.

MOTION: Councilmember Sumrow motioned to ratify Ordinance 2009-638 in its final form. Mayor Pro-tem Threadgill seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

11. DISCUSSION ON INTERLOCAL AGREEMENT WITH THE CITY OF MURPHY FOR ANIMAL CONTROL SERVICES.

City of Murphy's Kim Parker stated the Murphy City Council approved a new animal control ordinance.

Dena noted the daily handling fee will change to \$10.00/day. Once they have the new ordinance in place, Murphy would like us to mirror their ordinance. As for the wild animals, Murphy would handle those calls during normal working hours and after hours if needed but only if the animal had bit or scratched or if a snake was actually inside a home. Some details will need to be finalized, such as communications and procedures.

This item will be placed on a future agenda for action.

12. CONSIDERATION AND/OR ACTION ON RESOLUTION 2009-255 CALLING THE MAY 9, 2009 GENERAL ELECTION.

Mayor Cordina requested the Council table this item until he can meet with another company that leases voting equipment. City Attorney Shepherd and City Secretary Smith noted there was not enough time to request approval from the DOJ's office to change the current election process. The City will look at other opportunities at the upcoming planning session.

MOTION: Councilmember Levine motioned to adopt Resolution 2009-255 subject to amending the section numbering. Mayor Pro-tem Threadgill seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

13. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2009-256 APPROVING A CONTRACT/AGREEMENT WITH THE COLLIN COUNTY ELECTION ADMINISTRATION TO CONDUCT THE MAY 9, 2009 GENERAL ELECTION.

MOTION: Councilmember Marshall motioned to approve Resolution 2009-256 with Option 1 for three council positions. Councilmember Evans seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

14. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A RECOGNITION POLICY FOR THE CITY.

Councilmember Sumrow requested Section 1 to be amended adding “a small plaque by the tree to recognize the honoree.”

Council discussed allowing the public to purchase a tree for someone they wanted to recognize. This issue will be placed on a future agenda.

MOTION: Councilmember Sumrow motioned to approve Resolution 2009-257 subject to adding “permanent name plate posted at the tree” and a “where as” statement. Councilmember Levine seconded with Councilmember’s Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

15. DISCUSSION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON NEW SIGNAGE FOR CITY HALL.

Assistant City Administrator Flanigan discussed various types of signs for City Hall. After discussion, Council requested Flanigan to bring back an estimate for a smaller version of the Parker Monument sign.

16. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ACCEPTING A GIFT FROM THE PARKER’S WOMEN’S CLUB TO FINANCE AND CONSTRUCT A GAZEBO IN THE ROSE GARDEN AREA.

Stacy Patrick with the Parker Women’s Club was present. There was discussion of the PWC donating a gazebo in the southwest corner of the Rose Garden in the Preserve.

MOTION: Councilmember Sumrow motioned to accept a gift from the PWC of a gazebo. Councilmember Marshall seconded with Councilmember’s Marshall, Sumrow, Threadgill, Evans and Levine voting for. Motion carried 5-0

Mayor Cordina requested the final plans be brought back before Council to see the exact location of the gazebo.

17. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A REQUEST AND RECOMMENDATION FROM THE PARKS AND RECREATION COMMISSION FOR STAFF TO CONSTRUCT A PARKING LOT FOR THE PRESERVE.

The Parks and Recreation Commission has recommended extending the Preserve parking to the south. Assistant City Administrator Flanigan said the City had plenty of donated road base for the project and city staff could complete the project.

MOTION: Councilmember Evans motioned to approve additional parking at the Preserve using donated road base and staff time. Councilmember Sumrow seconded with Councilmember’s Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

ROUTINE ITEMS

18. FUTURE AGENDA ITEM REQUESTS

- 2008 Year end recap for waste services
- Sign quote
- Animal control agreement and ordinance
- Tree dedication program
- Financial report
- Parks and Recreation Commission vacancy
- Policies and procedure for police department

19. STAFF UPDATES

- a. Monthly reports
 - i. No comments
- b. Calendar and training updates
 - i. Discussion of upcoming training sessions and work sessions.

Mayor Cordina reconvened the executive session at 10:05 p.m.

- B. Govt. Code 551.071 – Legal Consultation with City Attorney and Govt. Code 551.074 – Personnel: discuss the appointment of the incorporators and board members for the “City of Parker, Texas Cultural Education Facilities Finance Corporation.”

RECONVENE REGULAR MEETING.

Mayor Cordina reconvened the regular meeting at 11:15 p.m.

ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

No action was taken.

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2009-257 APPROVING CREATION OF THE CITY OF PARKER, TEXAS CULTURAL EDUCATION FACILITIES FINANCE CORPORATION, APPROVING ARTICLES OF INCORPORATION AND BYLAWS THEREOF, AND RELATED MATTERS.

MOTION: Councilmember Marshall motioned to approve Resolution 2009-257. Mayor Pro-tem Threadgill seconded with Councilmember’s Marshall, Sumrow, Threadgill, Evans and Levine voting for. Motion carried 5-0.

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON APPOINTMENTS OF INCORPORATORS AND/OR BOARD MEMBERS FOR THE CITY OF PARKER, TEXAS CULTURAL EDUCATION FACILITIES FINANCE CORPORATION.

MOTION: Mayor Pro-tem Threadgill motioned to appoint Joe Cordina, Z Marshall and Jim Threadgill as initial board members and incorporators. Councilmember Evans seconded with

Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.


It was noted that at a later time Council may appoint additional directors.

20. ADJOURN

Mayor Cordina adjourned the meeting at 11:45 p.m.


APPROVED:





Joe Cordina
Mayor

ATTESTED:



Carrie L. Smith, TRMC
City Secretary

APPROVED on the 3rd day of
March, 2009.

Insert Exhibits
Letters from Public Comments

February 17, 2009

Joe Cordina, Mayor City of Parker

Eleanor Evans, Councilmember

Jim Threadgill, Councilmember

Allison Sumrow, Councilmember

Scott Levine, Councilmember

Z Marshall, Councilmember

Re: Oncor's proposed new power lines

Dear Mayor and Councilmembers,

Oncor is proposing new lines in our community along an easement to which they have already acquired the rights and contains power lines. Due to this, it would seem futile to spend tax dollars to study and/or fight the new lines coming in. What I feel is a better course of action is to try to negotiate with Oncor for concessions to make the easement more attractive to us. In return for our cooperation, Oncor could be asked to provide landscaping to the affected area, build sound barriers, berms and bike, horse and hiking trails. Oncor could work with Parks and Recreation to develop and implement a plan that would enhance the area as much as possible and turn a negative into a positive for the city of Parker.

Thank you for your consideration,

A handwritten signature in black ink that reads "Lee Pettie". The signature is written in a cursive, flowing style.

Lee Pettie

3000 Bluffs Lane

Parker, Texas 75002

February 14, 2009

Mr. Mayor and City Council,

Thank you for giving me the opportunity to address you and my fellow citizens of Parker on the subject of the proposed additional Oncor power lines and their burial.

There is a coalition of Parker residents preparing to lobby the City of Parker to subsidize their effort to get the new power lines buried in the existing easement. This special interest group--and it is one by definition--seeks to spend their neighbors' money through the taxing arm of city government rather than fund this effort themselves or solicit voluntary contributions to achieve their ends. Why are they turning to coercion of government (taxation) rather than persuasion? Because (1) they prefer to spend others' money rather than their own for their own benefit and (2) few people would voluntarily contribute to this effort. Each speaks volumes about the individuals involved.

Would most Parker residents benefit from buried power lines? Of course not! Not only will a small fraction of households see these power lines, those who will ... already do! The new lines will be run beneath the existing high tension lines.

This also explains why few families would contribute to burying the power lines. In this economic downturn, families would prefer to put food on the table than pay for the frill of one less power line on the horizon. Hence the need for the coalition to turn to coercion to achieve their ends.

Your decision is clear: Spend your constituents tax money on this special interest beautification project or pass, recognizing future pet projects for what they are.

Thank you.

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Andy Piziali, <andy@piziali.dv.org>, +1-214-455-8577
Skype andrew_piziali

Dena Daniel

From: James Clay [dr.clay@verizon.net]
Sent: Friday, February 13, 2009 8:17 PM
To: asevans(tx.rr.com)); Joe Cordina; jthreadgill(tx.rr.com); Verizon Email; Scott (sdl@banowsky.com); Marshall
Cc: Carrie Smith; Dena Daniel
Subject: Comment Tues. Mtg.

Dear Mayor and Council:

I will be unable to attend the council meeting on 2/17. Please read this email message into the record when "Citizen's Comments" are to be heard.

Referencing the burying of power lines proposed by ERCOT to be placed into the existing right-of-way traversing the Spring Hill area of Parker, I have the following thoughts:

- The suggested loss in home values due to running an additional power line in an existing right-of-way may be more fantasy than fact.
- The suggestion that the additional power lines be buried at the city's expense is unfair to the general population of Parker, since it is to mitigate suggested loss of property values, whether real or not, for a very small number of Parker residents.
- The idea that burying the new power lines will increase property values suggests that this situation is perfect for the creation of a utility district in which the affected property owners shall pay for the cost of burying the power lines since it is they who will reap the benefit of increased property values far more than the city may recoup from increased tax revenue, plus creating a large debt. This is assuming that property values will be affected.
- The idea that Parker, Plano ISD (currently running a deficit of several million dollars), and the county shall collaborate and cost share the project is probably fantasy as well. Those on council with any experience know that it is extremely difficult to forge alliances with other government agencies when a project is going to cost all involved millions of dollars. None of these agencies have money to spare during current economic conditions.
- When one buys property by a power line easement, one should expect decreased property values and use of the easement to its maximum efficiency. It is not the City of Parker's responsibility to "bail out" those whose judgment was not as good as others in selection of their property location.
- Rather than spending thousands of dollars doing studies, and paying consultants, why doesn't a council member or staff member simply call the tax assessor and ask if he anticipates lowering assessed property values along the power line easement simply because another line is placed in the existing easement. This may be too simple and make too much sense, but it is worth a try, in my opinion. All the concern over property values may be baseless, if it is all about property values. If it is about a diminished view from someone's window, then we are back to the utility district concept where only those citizens benefiting from a project should pay for said project.

Thank you for considering my views, and please be frugal when spending citizens' money. We work hard for our money.

Best regards,

Dr. James Clay
 2007 Dublin Road
 Parker, TX 75094