

**MINUTES**  
**CITY COUNCIL MEETING**

**April 21, 2015**

**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 Marshall called the meeting to order at 5:30 p.m. Councilmembers Stone, Standridge, Levine and Taylor were present. Pettie was absent

Staff Present: City Attorney Jim Shepherd, City Administrator Jeff Flanigan, City Secretary Carrie Smith, Finance/H.R. Manager Johnna Boyd, Police Chief Rushing and Fire Chief Sheff

**EXECUTIVE SESSION – 5:30 P.M. TO 7:00 P.M.** Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
  - A. Govt. Code 551.087 and 551.071---Confidential legal advice regarding a development agreement with Geneva Partners for approximately 131 acres located at the Northeast Corner of Donihoo Lane and Donna Lane, in Parker's extra territorial jurisdiction (ETJ).
  - B. Govt. Code 551.071---Confidential legal advice regarding legal issues arising from past litigation with the City of Allen and current legal options.
  - C. Govt. Code 551.071---Confidential legal advice regarding the pending litigation of Jernigan vs. City of Parker.

Mayor Marshall recessed the meeting at 5:30 p.m.

2. RECONVENE REGULAR MEETING.

Mayor Marshall reconvened the meeting at 7:00 p.m.

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

No action was taken.

## PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Mr. James Barrett led the pledge.

TEXAS PLEDGE: Mr. Elliott led the pledge.

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

Cindy Meyers, 6618 Estados – spoke in opposition to the zoning change on Donihoo Farms.

**CONSENT AGENDA** Routine business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

### 4. APPROVAL OF MEETING MINUTES FOR APRIL 7, 2015 [SMITH]

Page 4 – public comments changed to read:

- *Pat Moorer and John Barber sent a letter in favor. (Exhibit 7B)*
- *Mark and Cindy Stachiw sent a letter in opposition. (Exhibit 7C)*

### 5. CANCEL MAY 5, 2015 REGULAR MEETING DUE TO EARLY VOTING. [MARSHALL]

### 6. ACCEPTANCE OF A DONATION OF TWO PICNIC TABLES FROM THE PARKER WOMEN'S CLUB. [FLANIGAN]

### 7. DEPARTMENT REPORTS – ANIMAL CONTROL, POLICE, BUILDING, COURT, WEBSITE

MOTION: Councilmember Taylor moved to approve the consent agenda with amended minutes. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Levine and Taylor voting for. Motion carried 4-0.

## INDIVIDUAL CONSIDERATION ITEMS

### 8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE FORM OF ORDINANCE 726 ZONING CHANGE ON APPROXIMATELY 322.34 ACRES OF LAND LOCATED IN THE G.W. GUNNELL SURVEY, ABSTRACT NO. 350, AND THE THOMAS ESTES SURVEY, ABSTRACT NO. 298, COLLIN COUNTY, TEXAS FROM SINGLE- FAMILY AND AGRICULTURAL-OPEN SPACE TO SINGLE- FAMILY TRANSITIONAL WITH SPECIAL CONDITIONS, DONIHOO FARMS TRACTS 2 AND 3 [SHEPHERD]

Amendments to Ordinance:

Section 2. C. add the following

*Setbacks for all Lots: Front Setbacks =50', Side Setbacks 25 feet for lots less than 2 Acres; and 40 feet for lots 2 Acres or more, Rear Setbacks = 30", Corner Setbacks = 50'*

Section 8. add the following

*The 70 foot drainage easement on Tract 3 will be vacated at the time of platting the Community Open Space area shown on Exhibit B.*

MOTION: Councilmember Standridge moved to approve Ordinance 726 subject to noted amendments. Councilmember Taylor seconded with Councilmember Standridge, Levine and Taylor voting for. Stone opposed. Motion carried 3-1.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2015-471 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, APPROVING THE FORM OF AN AGREEMENT BETWEEN THE CITY OF PARKER AND GENEVA PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP AND WARNER LAND ADVISORS, L.P., A TEXAS LIMITED PARTNERSHIP PROVIDING FOR A DEVELOPMENT AGREEMENT FOR APPROXIMATELY 131.6 ACRES OF LAND IN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF PARKER, DONIHOO FARMS [SHEPHERD]

MOTION: Councilmember Taylor moved to approve Resolution 2015-471 as written. Councilmember Standridge seconded with Councilmembers Standridge, Levine and Taylor voting for. Stone opposed. Motion carried 3-1

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PRELIMINARY PLAT FOR SOUTHRIDGE ESTATES PHASE 3; BEING 50± ACRES GENERALLY LOCATED SOUTHWEST OF CURTIS LANE AND LEWIS LANE [P&Z]

MOTION: Mayor Pro Tem Levine moved to approve the plat subject to City Engineer's final approval. Councilmember Taylor seconded with Councilmembers Stone, Standridge, Levine and Taylor voting for. Motion carried 4-0.

Mayor Marshall moved to Item 12.

12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2015-474 APPROVING BIDS FOR ESTATE LANE PROJECT. [FLANIGAN]

MOTION: Councilmember Standridge moved to approve Resolution 2015-474, the bid and contract of \$267,347.60, as recommended by the City Engineer's office, and to waive the contractor's error in the procedural formality identified by the City Engineer. Councilmember Stone seconded with Councilmembers Stone, Standridge, Levine and Taylor voting for. Motion carried 4-0

Mayor Marshall returned to Item 11.

11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2015-469 APPROVING AN AGREEMENT BETWEEN THE CITY OF PARKER AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR LANDSCAPING AND MAINTENANCE OF FM 2551 [SHEPHERD]

Need clarification from TXDOT that the City is not responsible for maintenance of sidewalks.

MOTION: Councilmember Standridge moved to approve Resolution 2015-469 as presented; and directed City Attorney Shepherd to get clarification on sidewalk maintenance and bring back before Council for an update at the first Council meeting in June. Councilmember Taylor seconded. Councilmembers Stone, Standridge, Levine and Taylor voting for. Motion carried 4-0.

12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2015-474 APPROVING BIDS FOR ESTATE LANE PROJECT. [FLANIGAN]

MOTION: Councilmember Standridge moved to approve the contract as presented subject to waive the formalities as recommended by the City Engineer. Councilmember Stone seconded with Councilmembers Stone, Standridge, Levine and Taylor voting for. Motion carried 4-0

**ROUTINE ITEMS**

13. FUTURE AGENDA ITEMS

14. STAFF UPDATE - COMPUTER SERVER [BOYD]

City Finance Manager Boyd reported to the Council the City Hall Server is 5 years old and having hardware failures. A budget adjustment will be necessary to purchase a new server in the amount of \$6,000; which, included installation.

15. ADJOURN

Mayor Marshall adjourned the meeting at 8:23 pm.



APPROVED:

A handwritten signature in black ink, appearing to be "Tem Levine", written over a horizontal line.

Mayor Pro Tem Levine

ATTESTED:

Carrie L. Smith  
City Secretary Carrie L. Smith

APPROVED on the 19<sup>th</sup> day  
of May, 2015.