

## MINUTES

### CITY COUNCIL MEETING

December 8, 2015

#### 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. Council members Levine, Pettie, Standridge, Stone and Taylor were present.

Staff Present: City Administrator Jeff Flanigan, Finance/H.R. Manager Johnna Boyd, City Attorney Jim Shepherd, Fire Chief Mike Sheff, Police Chief Bill Rushing, and Police Captain Kenneth Price

#### PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Steven Elliott led the pledge.

TEXAS PLEDGE: Steve Rhodes 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.

Diane Newman, 5010 Hackberry, spoke briefly in regard to item #6, *consideration and/or any appropriate action on final plat for Parker Ranch Estates Phase 1*. As Ms. Newman passed out construction maps of the area, she commented she wanted to bring awareness to her situation and state her major concern, which was flooding from future developments such as Parker Ranch Estates Phases II and III. She was concerned the installed drainage ditches were causing water to collect in the NW corner of her property during the recent rains.

Steve Rhodes, 6808 Audubon, spoke briefly about his concerns in regard to the Water Rate Review Committee (WRRRC) and how the water rates were set. Mr. Rhodes said the rates were currently steeply graduated and his solution was to simply flatten the rates. He said he believed the WRRRC planned to hire a consultant. Mr. Rhodes described his experience with electric rates in California and voiced concerns that the City of Parker would continue to have steeply graduated water rates.

Mayor Marshall then read an email from Billy Barron, regarding the Water Rate Committee Report. (See Exhibit 1.)

**CONSENT AGENDA** Routine Council 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.

Mayor Marshall noted a few changes were made to the November 17, 2015 minutes prior to the meeting; therefore, the City Council would remove approval of the minutes from the consent agenda to discuss those changes further.

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE DECEMBER 15, 2015 REGULAR MEETING. [FLANIGAN]
3. REPUBLIC WASTE QUARTERLY REPORT [BERNAS]
4. DEPARTMENT REPORTS-ANIMAL CONTROL, BUILDING, COURT, FIRE, POLICE AND WEBSITE

MOTION: Councilmember Taylor moved to approve consent agenda items 2 through 4, as presented. Councilmember Standridge seconded with Councilmembers Levine, Pettie, Standridge, Stone, and Taylor voting for. Motion carried 5-0.

**INDIVIDUAL CONSIDERATION ITEMS (1 of 3)**

1. APPROVAL OF MEETING MINUTES FOR NOVEMBER 17, 2015. [SCOTT GREY]

After discussion, the following revisions to item 1, the November 17, 2015 City Council meeting minutes, were requested: page 3, paragraph 1, changing "Mayor Marshall" to "City Administrator"; page 3, paragraph 2, changing "to explain any violation" to "if we were in compliance"; page 3, paragraph 6, changing "and agreed" to "The City Administrator recommended"; and page 5, paragraph 1, changing "I" to "It".

MOTION: Councilmember Taylor moved to approve the November 17, 2015 minutes, as amended. Councilmember Stone seconded with Councilmembers Levine, Pettie, Standridge, Stone and Taylor voting for. Motion carried 5-0.

**PROCLAMATION**

Mayor Marshall presented a proclamation, recognizing Steven Elliott, a Parker, Texas, homeschooler for being selected for the Honorable Representative Sam Johnson's prestigious 2015-2016 Congressional Youth Advisory Council and exemplary student. Mr. Elliott accepted the proclamation and thanked everyone.

**INDIVIDUAL CONSIDERATION ITEMS (2 of 3)**

5. WATER RATE REVIEW COMMITTEE RECOMMENDATIONS [ASIATICO]

Mayor Marshall stated Ms. Asiatico had not arrived, so the item was skipped.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON FINAL PLAT FOR PARKER RANCH ESTATES PHASE1. [FLANIGAN]

City Administrator Flanigan stated there were some concerns with regard to the road connection. A request to move to Executive Session was made. Mayor Pro Tem Levine suggested City Council continue with the remaining items before moving to Executive Session. City Council agreed.

**7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2015-498 ON INVESTMENT POLICY. [BOYD]**

Finance/H.R. Manager Boyd reviewed the legislative changes to the Public Funds Investment Act (PFIA). The changes pertained to training requirements, which needed to be reflected in the City's Investment Policy. The Investment Policy training changed from ten (10) hours of training to eight (8) hours of training every two (2) years for all Investment Officers. The training requirement could be waived if the City invests in only interest bearing accounts, such as Money Markets and Certificate of Deposits (CDs). Ms. Boyd stated while the training was not required by law, it was strongly suggested. Training was a good idea and should be considered, especially since the new law was more flexible on the length of time to take the required training hours. Auditors were asked about the changes and agreed; training was not required, but recommended.

Councilmember Pettie requested Article V RESPONSIBILITY AND CONTROL, Section A. Delegation – Investment Officer; Investment Committee, page 3, the fourth sentence read, *The review of this investment policy shall also take place in June of each year, as noted in Article IIC, above, "or as soon as possible."* Also, Article V RESPONSIBILITY AND CONTROL, Section E. Investment Training Requirements, page 5, the seventh sentence read, *A list will be maintained of the number of hours and conferences attended for each Investment Official and a report of such information "will be maintained by the City Finance Director, and available for review by City Council members."*, rather than "will be provided to the City Council.

MOTION: Councilmember Levine moved to approve the item, as amended. Councilmember Taylor seconded with Councilmembers Levine, Pettie, Standridge, Stone and Taylor voting for. Motion carried 5-0.

**8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A RESOLUTION 2015-499 AS RELATES TO ROAD ALIGNMENT ADJACENT TO THE DONIHOO FARMS DEVELOPMENT AND THE PLANO INDEPENDENT SCHOOL DISTRICT PROPERTY. [FLANIGAN]**

City Administrator Flanigan discussed the need for an agreement between Donihoo Farms Development and Plano Independent School District (PISD), regarding the movement of thoroughfare road alignment approximately 400 feet to the west. City Attorney Jim Shepherd contacted PISD's legal counsel Robert "Bob" Roeder. Rarely would all roads on Master Thoroughfare Plan be exact; therefore, a slight adjustment at the edge of PISD property is needed. PISD would dedicate right of way (ROW) to the developer, so the developer could construct the road. An agreement was already been drawn up and was ready for signature, awaiting City of Parker, Texas, City Council approval. Once the agreement is signed and the Donihoo Farms, Phase 1 Plat is approved, the construction could begin within thirty (30) days.

Developer Stephen L. Sallman also discussed the situation with PISD and the dedication of ROW.

**MOTION:** Councilmember Standridge moved to approve Resolution 2015-499 as relates to road alignment adjacent to the Donihoo Farms Development and the Plano Independent School District property. Councilmember Stone seconded with Councilmembers Levine, Pettie, Standridge, Stone and Taylor voting for. Motion carried 5-0.

**9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2015-500 TRASH CONTRACT. [SHEPHERD]**

Mayor Marshall recommended the City Council table the 2015 trash contract. City Attorney Jim Shepherd said he received the Republic Services, Inc. d/b/a Allied Waste Services of Plano contract late last week and there were still issues to be resolved.

**MOTION:** Councilmember Taylor moved to table the trash contract. Councilmember Pettie seconded with Councilmembers Levine, Pettie, Standridge, Stone and Taylor voting for. Motion carried 5-0.

**10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2015-501 VOTES FOR COLLIN COUNTY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS. [MARSHALL]**

Mayor Marshall stated the City Council was given six (6) votes for the 2016-2017 Collin County Central Appraisal District Board of Directors election; a list of six (6) nominee names; and a small biography on each of the six (6) individuals. The City Council may allocate these votes in any matter they choose. Mayor Marshall stated he only met and had a conversation with Nominee Wayne Mayo. He had not had any contact with the other nominees.

**MOTION:** Councilmember Taylor moved to allot all six (6) Parker City Council votes to Wayne Mayo. Councilmember Pettie seconded with Councilmembers Levine, Pettie, Standridge, Stone and Taylor voting for. Motion carried 5-0.

**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

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

- a. Open agenda item 6. "Consideration and/or any appropriate action on Final Plat for Parker Ranch Estates Phase I" Legal liability of the city for the possible denial of the proposed final Plat, or other council action related to apparent errors in the construction of Public Roadways, or portions of public roadways lying within the subdivision itself and extending off-site to Allen Heights Road.

Mayor Marshall recessed the regular meeting to Executive Session at 7:39 p.m.

1. RECONVENE REGULAR MEETING.

Mayor Marshall reconvened the meeting at 8:00 p.m.

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

Mayor Marshall asked if there was any action on Item #6, consideration and/or any appropriate action on final plat for Parker Ranch Estates Phase 1.

MOTION: Councilmember Levine moved to table Item #6; return to the Consent Agenda, Item #2, *consideration and/or any appropriate action on canceling the December 15, 2015 regular meeting*, and re-open Item #2, so Item #6 can be addressed on December 15, 2015. Councilmember Taylor seconded with Councilmembers Levine, Pettle, Standridge, Stone and Taylor voting for. Motion carried 5-0.

**INDIVIDUAL CONSIDERATION ITEMS (3 of 3)**

5. WATER RATE REVIEW COMMITTEE RECOMMENDATIONS [ASIATICO]

Mayor Marshall went back to Item #5, which was skipped earlier in tonight's meeting, because Ms. Asiatico had not arrived.

MOTION: Councilmember Pettle moved to table Item #5 and asked that this item be placed on the December 15, 2015, agenda as well. Councilmember Standridge seconded with Councilmembers Levine, Pettle, Standridge, Stone and Taylor voting for. Motion carried 5-0.

**ROUTINE ITEMS**

11. FUTURE AGENDA ITEMS

After a brief discussion, Mayor Marshall asked that the tabled items:

- WATER RATE REVIEW COMMITTEE RECOMMENDATIONS [ASIATICO],
- CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON FINAL PLAT FOR PARKER RANCH ESTATES PHASE1. [FLANIGAN],  
and
- CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2015-500 TRASH CONTRACT. [SHEPHERD],

be placed on the December 15, 2015, agenda. Also, a request for Developer Stephen L. Sallman to be present at the December 15, 2015 City Council meeting, if the Donihoo Farms, Phase 1 Plat is approved at the next Planning and Zoning (P&Z) Commission meeting Thursday, December 10, 2015.

12. UPDATE - MUNICIPAL BUILDINGS

City Administrator Flanigan gave an overview of the issues at the Police Station caused by the Thanksgiving Holiday rains.

13. ADJOURN

Mayor Marshall adjourned the meeting at 8:03 p.m.



APPROVED:

  
\_\_\_\_\_  
Mayor Z Marshall

ATTESTED:

  
\_\_\_\_\_  
Patti Scott Grey, City Secretary

Approved on the 19th day  
of January, 2016.

# Exhibit 1

**From:** Billy Barron  
**Sent:** Tuesday, December 08, 2015 4:04 PM  
**To:**  
**Subject:** Water Rate Committee Report

Hi,

Though I attended every meeting on this so far, I will not be able to tonight. My comments:

1. Based on my discussions with people, the current regressive structure is working as designed. Several people who got hit by big bills have told me that they have changed their behavior.
2. I oppose the commission of a Water Rate Study. I do not feel that it will make the situation any better than it currently is and the result could be worse. Instead it is adding an additional cost of \$10-20 per meter in the city.
3. If a study is going to be done, the core issue that started this has not been addressed and needs to be input to the study. Does the city feel that the current rate structure is too regressive or not? Personally, I feel it is not.
4. Based on Z's questioning of the water committee audience and my own thoughts, I do not think there is a demand for average billing. Low end water users have average billing (the minimum) and high end users need to fill
5. I strongly support the suggested drought-resistance ordinance.

Thanks for your time,

Billy Barron  
6707 Overbrook Drive