

## MINUTES

### CITY COUNCIL MEETING

September 7, 2010

#### CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Cordina called the meeting to order at 7:02 p.m. with Councilmembers Marshall, Sumrow, Threadgill, Evans and Levine present. A quorum was present.

Staff present: City Administrator Dena Daniel, City Attorney Jim Shepherd, Assistant City Administrator Jeff Flanigan, City Secretary Carrie Smith, Finance Manager Johnna Boyd, Police Chief Tony Fragoso and Fire Chief Mike Sheff.

#### PLEDGE OF ALLEGIANCE

City Attorney Shepherd led the pledge to the American Flag.

Mayor Cordina led the pledge to the Texas Flag.

**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.

Joe Sterk 4200 Pecan Orchard Lane – Mr. Sterk gave Council an update on what the Parks and Recreation Commission are currently working on and requested a standard time for Parks and Recreation to provide updates to Council.

#### INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR AUGUST 17, 2010.

MOTION: Mayor Pro-tem Threadgill moved to approve the minutes as written. Councilmember Levine seconded with Councilmembers Sumrow, Threadgill, Evans and Levine voting for. Councilmember Marshall abstained. Motion carried 4-0.

2. PUBLIC HEARING, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 656 ADOPTING THE FISCAL YEAR 2010-2011 BUDGET.

Mayor Cordina said the Council held multiple work sessions to prepare the proposed budget and looked at the City's long-term needs and the needs for the year to come.

City Administrator Daniel said the only changes from the budget proposed at the July work session were an addition of \$2000 for Police Department dispatch and \$800 for Fire Department AD&D coverage.

Finance/HR Manager Boyd said the budget was balanced with a total of \$3,040,494 in General Operation, \$3,135,000 in Water Operation and a combined total of \$6,175,494. The tax rate has remained the same, 0.37708, since 2006.

Mayor Cordina opened the public hearing at 7:10 p.m.

Katie Rau 5408 Estate Lane – Ms. Rau thanked City Staff and Council for doing a great job on the budget. She said she has seen a number of changes in Parker in her eighteen-years and she feels Parks and Recreation are a very important part to any city.

David Leamy 5801 Rathbone Drive – Mr. Leamy said he has been a resident for 6-years and the preparation and presentation of the budget has greatly improved during that time. He said he would like to see the Police Department and Fire Department budgets become more equitable.

Lee Pettle 3000 Bluff Drive – Ms. Pettle said she greatly appreciated the work the Council and Staff have done to provide the same City services without a tax increase during these difficult economic times. She spoke in strong support of assisting the Parker Women's Club with the City phone directory which is to be provided to all residents at no charge. She also would like to see equal recognition for the Police Department.

Joe Lozano 4112 Pecan Orchard Drive – Mr. Lozano thanked Council and Staff for maintaining the low tax rate for the past number of years. He said he would like the City to keep the Parks and Recreation Commission and provide City funding. He served as a City liaison with Collin County to obtain grant funding for the City park plan and stated that a number of scout projects have been done in the Preserve. He did not feel the Preserve has been a financial drain for the City.

Debbie Piziali 6616 Estados Drive - Ms. Piziali had done an independent survey of approximately 100 residents and asked three questions 1) Do you realize Parker has a park?; 2) Have you visited the park?; and 3) Have you donated time, labor or money to the park?. Her findings were 59% knew there was a park, 21% have visited the park, and 12% have donated time, labor and/or money to the park. She said grant funding is taken from the city, county, state or federal government and is not free money. She also spoke in opposition to funding the Parker Women's Club directory and approving the Dallas Morning News as the official newspaper of the City.

Mayor Cordina said the City is required by law to publish notices in a paper of local circulation. He said he was working with Senator Florence Shapiro to change the law by not requiring newspaper notices for cities with websites.

Andy Piziali 6616 Estados Drive – Mr. Piziali read his written statement to Council.

*“Mr. Mayor and City Council,*

*Thank you for giving me the opportunity to speak this evening. While at the last meeting I focused on a particular city budget item, the Parks and Recreation Department and its associated liability, euphemistically called the “Preserve,” this evening I’d like to direct your attention to a broader budgeting concern having moral implications.*

*As I presume each of you are well aware, this nation was founded as a constitutional republic, not a democracy. In 1846 the Republic of Texas agreed to retain its republican form of government as a condition to joining the United States as the 28<sup>th</sup> state. This republican form of government percolates down to the local level, distinguished from a democracy in that the powers of the government are constrained to those defined by law. As a general law city, the powers delegated to Parker are defined and granted by the state of Texas. However, as our esteemed city attorney will testify, these powers are quite broad, allowing democratic initiatives to trample the rights of minorities.*

*For example, a minority of residents desired a “preserve,” and lacking character traits that would have led them to purchase the property themselves, foisted its cost upon their neighbors and everybody else in Parker. This is democracy at work, a form of government considered by our founders and rejected. Why? Because in a democracy the majority can tyrannize the minority, and in some situations the minority tyrannize the majority! Obviously an immoral and unfair situation, how can Parker rise above this to become a beacon of freedom and liberty at the local level?*

*I suggest that as city council and mayor consider spending initiatives of any kind, they reject asking the question “How many residents desire this project?,” substituting “Does this project indirectly take money from some to give to others?” While the former provides answers like 95%, 55% and 5%—which are ultimately arbitrary delineations—the latter answers “yes” or “no.” If “yes,” the project ought to be rejected. If “no,” move on to whether or not the project falls within the scope of core city responsibilities: roads, water, fire and police.*

*Most in this room were appalled when candidate Obama told Joe the Plumber he thought it best to spread the wealth around. If we reject the “how many” question in favor of the “take money to give to others” question, we demonstrate that we reject spreading the wealth around and take a major step toward becoming a beacon of liberty in small town America.”*

John Barber 4905 Hackberry Lane – Mr. Barber thanked the city for repairing Hackberry Lane and requested the Parks and Recreation budget be reduced and reallocated for additional road repairs or return the money to the taxpayers.

Mayor Cordina told Mr. Barber the city had earned a great amount of revenue from the interest on the bonds for the Public Safety Building and Water Tower. Councilmember Marshall said the City gained \$160,000 in interest on City investments in the past two years.

Chuck Molyneaux 6618 Estados drive – Mr. Molyneaux asked Council not to purchase hand held water meter readers. Instead he would like them to consider a comprehensive plan to replace the current position of the meter readers. He said the Parker Women’s Club directory was a cheap investment and an excellent product; however, Council is setting precedence by providing funding.

Joe Sterk 4200 Pecan Orchard Lane – Mr. Sterk spoke in opposition of reducing or eliminating funding for Parks and Recreation. He feels community is vital anywhere you live.

Andy Piziali was allowed to speak again. He said the land is in flood plain and could not be sold for development so the land owner loaded it off onto the City.

Dave Leamy was allowed to speak again. He said, “Go Vote! You don’t have the right to criticize those that go out and vote.”

Tom Evans 3507 Hogge Road – Mr. Evans said the Council has been doing very good things because Parker is number 1 in North Texas.

Chuck Molyneaux was allowed to speak again. He said he and Andy Piziali were working diligently requesting people vote and encouraging citizen activity.

Phyllis Houx 5007 Willow Point Circle – Ms. Houx said the Preserve is located in a floodplain; however, it is also the original home place where Parker began. She would like for the City to honor Parker’s founders.

Councilmember Evans said the Preserve is where the original Presbyterian Church was located in 1816 and it is Parker’s history. Some residents said they did not know the history of the Preserve. Mayor Pro-tem Threadgill said the history can be found in the Parker directory and the City website.

Stacy Patrick 5202 Ravensthorpe Drive – She said she is a very proud resident of Parker and member of the Parker Women’s Club. She feels the directory is a viable asset to the community. This is the first year they have asked for aid in the printing of the directory due to increased printing cost and the current economic situation. The Parker Women’s Club asked for \$3000 which is less than \$3.00 per household and the directory is given to all residents. All labor and research is done by the club.

Sandy Waites 5804 Overton Drive – said that if the Parker Women’s Club would not be selling advertisements this year the directory would be considerably smaller.

Bill Bailey 4606 Boulder Drive – He said the City sent out a survey to all residents prior to the purchase of the Preserve land and the purchase was approved by the majority of the residents and public meetings were even held at Swin’D for input.

Mayor Cordina closed the public hearing at 8:34 p.m.

Councilmember Levine discussed reallocating a portion of the Council Contingency funds to street improvements. Councilmember Marshall said the street budget has been doubled and feels the money being in the contingency fund could be better managed. Mayor Pro-tem Threadgill said he was not opposed to spending the money on the roads if it is available at the time of need.

MOTION: Councilmember Sumrow moved to adopt Ordinance 656 as written. Mayor Pro-tem Threadgill seconded with Councilmembers Marshall, Sumrow, Threadgill, Evans and Levine voting for. Motion carried 4-0.

**3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 657 ADOPTING THE PROPOSED AD VALOREM TAX RATE OF .37708.**

The tax rate of .37708 per \$100 value has remained the same since 2006. This rate is one of the lowest in Collin County.

MOTION: Mayor Pro-tem Threadgill moved to adopt Ordinance 659 as written. Councilmember Evans seconded with Councilmembers Marshall, Sumrow, Threadgill, Evans and Levine voting for. Motion carried 5-0.

**4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2010- 309 APPROVING THE DALLAS MORNING NEWS AS THE OFFICIAL CITY NEWSPAPER.**

MOTION: Councilmember Evans moved to approve Resolution 2010-309 as written. Councilmember Sumrow seconded with Councilmembers Marshall, Sumrow, Threadgill, Evans and Levine voting for. Motion carried 5-0.

**5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 658 APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION.**

MOTION: Councilmember Levine moved to adopt Ordinance 658 as written. Councilmember Marshall seconded with Councilmembers Marshall, Sumrow, Threadgill, Evans and Levine voting for. Motion carried 5-0.

## **ROUTINE ITEMS**

**6. FUTURE AGENDA ITEM REQUESTS.**

Councilmember Sumrow said the September 21 agenda had a number of items and the items she has requested could be moved to a later date if needed.

**7. UPDATES**

**a. Staff Action Items**

Mayor Cordina said item 577 on the spreadsheet, regarding emergency preparedness, will be getting underway. Currently the City is using Collin

County's plan and the plan needs to be customized to Parker. Councilmember Marshall and Mayor Pro-tem Threadgill volunteered to serve as liaisons to the committee. Resident David Leamy volunteered to serve as well.

Councilmember Sumrow requested item 571, Council parking signage, be placed on the next agenda, before the signs are purchased, for Council discussion.

City Administrator Daniel said she started this staff action list to keep Council updated on what is going on and the time frame in which they expect information to get back to them. Also to make sure if Council asked for something and it doesn't appear on this list they need to let her know so she can get it on the list to make her aware of everything that has been promised. The list will not include all closed/completed items each week only the items that were closed since the previous Council meeting. The information will still be available.

#### 8. ADJOURN

Mayor Cordina adjourned the meeting at 9:13 p.m.



ATTESTED:

  
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Carrie L. Smith, TRMC, CMC  
City Secretary

APPROVED:

  
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Joe Cordina  
Mayor

APPROVED on the 21th day of  
September, 2010.