

MINUTES

CITY COUNCIL MEETING

SEPTEMBER 18, 2012

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 Leamy, Sumrow, Levine, Pettle and Taylor were present.

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

EXECUTIVE SESSION 5:30 PM – 7:00 PM

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:
 - a. Govt. Code 551.074— “Personnel--to deliberate the appointment, employment, evaluation, reassignment, or duties, of a public officer or employee----City Administrator, City Secretary, Finance/HR Manager, Police Chief, Police Officers, Court Administrator, Building Official, Water Department Employees, Administrative Assistant, and Utility Billing Clerk.”
 - b. Govt. Code 551.071 – “Confidential legal advice regarding City obligations or responsibility for public and private right of ways.”

Mayor Marshall recessed to executive session at 5:30 p.m.

2. RECONVENE REGULAR MEETING.

Mayor Marshall reconvened the open meeting at 7:15 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: Phyllis Houx led the pledge.

TEXAS PLEDGE: Ed Standridge 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.

Parks and Recreation Chairman Joe Sterk requested Council take action on Items 9 and 10 before Item 8 to allow the P&R members present to leave as needed.

Ed Standridge, long-time resident, noted he has moved back to Parker.

INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR AUGUST 21, 2012.

Mayor Pro Tem Levine requested the Motion for Item 12 on page 7 be modified to read, "City Attorney Shepherd is to investigate the 1115 Waiver and present facts to Mayor and Mayor Pro Tem to take appropriate action."

MOTION: Mayor Pro Tem Levine moved to approve the minutes as modified. Councilmember Pettle seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR SEPTEMBER 4, 2012.

Mayor Marshall requested Item 11, first paragraph be amended by adding "and Section 4" in the first sentence.

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

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 684 ADOPTING THE FY 2012-2013 BUDGET.

Mayor Pro Tem Levine requested confirmation from Staff that personnel and salaries were included in the proposed budget numbers.

MOTION: Councilmember Leamy moved to approve Ordinance 684 as presented. Councilmember Sumrow seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 685 ADOPTING AN AD VALOREM TAX RATE FOR THE YEAR 2012 AT A RATE OF \$0.37708.

MOTION: Councilmember Leamy moved to approve Ordinance 685 as written. Councilmember Pettle seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON GENERAL ELECTIONS, TERMS OF OFFICE, AND/OR THE PLACE SYSTEM FOR THE CITY OF PARKER IN COMPLIANCE WITH THE REQUIREMENTS OF SENATE BILL 100.

Mayor Pro Tem Levine gave a brief presentation on options to meet the requirements of Senate Bill 100. (See Exhibit 8A)

Option one, is status quo, would be to continue holding elections each year. Elections held in even numbered years would not be run by Collin County, but by City Staff.

Option two, un-stagger Council terms and hold elections only in odd numbered years to stay coordinated with Collin County. The terms would remain 2-years with a holdover of some council terms.

Option three, Change terms of office to 3 or 4-years. Changing to 3-years does not alleviate the even year issues. The 4-year term would eliminate elections in even numbered years, but would be required for voters to decide.

If staying with annual May elections, we would rent voting machines and City staff would conduct the election in even years. Pros discussed to holding annual elections included; 1) additional Saturday voting can be conducted, 2) no disruption or change in the current election process, and 3) no chance of a complete turnover of council because of single election. Cons discussed; 1) only one early voting location for voters in even numbered years, 2) County would not be conducting our election in even numbered years, and 3) cost of election process in even numbered years. It would be less expensive to change to odd years.

To change to May elections in odd number years would require seat terms to be un-staggered and terms held over until all Councilmembers and the Mayor would be up for election at one time. We would not be required to adopt a place system, but may make sense to do so. The place system does not divide the City up in wards, Council and Mayor would still run at-large.

Council discussed staying with two-year terms of office or changing to four-year terms; having staggered or un-staggered terms which could cause a total turnover in city government at one time; and adopting a place system for candidates who would still run at-large, just for a particular place/seat.

To un-stagger terms would require a resolution providing for the election of all members of the governing body at the same election. All members of the Council and the Mayor

would be elected in May of odd numbered years. There would be a holdover for terms expiring in May 2014 to May 2015. Mayor and all Council places would be up for election in May 2015. Further legal review is required on the procedure for the holdover.

Voter approval is required to change terms to 3 or 4-years. This item could be placed on the May 2013 ballot. Three-year terms do not alleviate holding elections in even numbered years. Four-year terms would not require un-staggered terms or a place system. An additional con to 4-year terms is to fill a vacant council seat a special election must be held, no longer can a member be appointed by Council.

There was discussion on term limits. The voters would have to approve term limits as well.

Council discussion ensued and the consensus was 3-year terms would not alleviate the issue of not to hold elections in even numbered years.

Council tabled this item for further legal review and research on holdovers. The deadline for Council to take action on this issue is December 31, 2012.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKERFEST 2012 BUDGET AND SCHEDULE OF EVENTS. [Flanigan/Houx]

Last year there was not enough food for everyone, so additional food was ordered for this year's event. Additional selections of food are available as well. See Exhibit 9A.

MOTION: Councilmember Leamy moved to approve the plan and budget for Parkerfest and to add \$300.00 from City Administrator contingency for incidentals totaling \$3,800.00. Councilmember Pettle seconded with Councilmember Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012 – 392 ADOPTING A LIVING LEGACY TREE PROGRAM. [Flanigan/Shepherd]

The language in Exhibit A, of Resolution 2012-392, will need to be amended by making the language, dates and times consistent throughout the document. The Parks and Recreation Commission are to revise Exhibit A and return the final document to the City Secretary. The application deadline will be removed from the final document so it may be changed as necessary. Applications will be accepted year round; however, it is necessary for a deadline for the current year's planting season so trees can be ordered and planted at one time. The costs of the trees will be reviewed annually and approved with the City fee schedule. The cost is to include the tree, a one-year warranty and plaque.

MOTION: Councilmember Leamy moved to approve Resolution 2012-392 adopting the Living Legacy Tree Program subject to amending the language, dates and times making them consistent throughout the document and exhibits. Councilmember Sumrow

seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AMENDING RESOLUTION 2011-345, A POLICY ON MAYOR AND COUNCIL TRAVEL AND EXPENSES. [Flanigan/Marshall]

MOTION Councilmember Sumrow moved to approve Resolution 2012-393 subject to Section 2 last sentence, "City Councilmembers should provide an estimate of expenses to the city administrator prior to departure." being deleted. Councilmember Pettle seconded with Councilmembers Sumrow, Levine, Pettle and Taylor voting for. Leamy opposed. Motion carried 4-1.

12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012-394 APPROVING A MUTUAL AID AGREEMENT WITH THE CITY OF WYLIE. [Sheff]

Chief Sheff's summary:

"For several years Parker citizens have benefited from automatic aid with Lucas and Fairview fire departments where Parker/Lucas/Fairview all responds on a first alarm to each other's structure fires. Automatic aid supplements Parker's existing mutual aid agreement with all Collin County fire departments by, among other things, "pre-planning" the response to an emergency among nearby fire departments, and by authorizing the automatic dispatch of auto-aid departments by the dispatch center in whose district the fire is reported. Citizens benefit from automatic aid with faster response times by fire suppression crews in numbers sufficient to protect life and minimize damage to property. Automatic aid agreements are designed for structure fires and other major emergency incidents; they are not intended for single patient emergency medical calls nor are they designed for small grass fires or alarm investigations. However, auto aid agreements are drafted to allow dispatchers discretion to "upgrade" any call within their jurisdiction and to dispatch an assigned auto-aid department. No city is obligated to send resources if sending resources will leave them without sufficient coverage for their own citizens.

To avoid confusion, 911 calls by Parker residents (unless dialed on a cell phone) are assigned to the Plano dispatch center, which is the dispatcher for Parker FD.

Parker FD now desires to enter into an automatic aid agreement with Wylie FD similar in concept to what we already have with Lucas and Fairview. Wylie is a 24/7 paid fire department. Expanding Parker's fire suppression platform to include the addition of Wylie FD, and the proximity of Wylie Station 2 on Country Club Rd. to the eastern Parker area, will improve our fire response metrics. In turn, Parker can expect to be assigned to the first alarm on fires that occur in Wylie Station 2's coverage area.

Memorializing automatic aid with Wylie FD will also improve Parker's chance of bettering our ISO rating when we are rated late this year or early next year. An improved ISO rating can lower the cost of property insurance to our residents.

Wylie and Parker already share a common radio system with Plano (but having independent dispatch centers) which will enable communication between our dispatch centers and between individual fire apparatus on patched radio channels. To facilitate control and command of resources, Parker, Wylie, Murphy and Sachse (all departments having automatic aid with Wylie) and (probably) Lucas FD will re-number our fire trucks using our designated numbers under the Metrocrest numbering system (i.e., Parker has been designated numbers 810-819, so our Engine 1 becomes Engine 810 – this avoids having three Engine 1s from three different fire departments on the same fire). It will cost Parker approximately \$2,000 to re-decal our apparatus and change out helmet shields and the like with new unit numbers. This is a reasonable tradeoff for greatly improving fire response for our citizens and the expense can be accommodated under the fire department's FY 2013 budget.

We expect no additional material cost to be incurred as we are already responding into Wylie under standard mutual aid.

For the six months ending June 30, 2012 we sent fire apparatus into Wylie four times at a cost, to Parker, of \$250.00. Wylie sent us help one time. On a proforma basis, had we adopted automatic aid with Wylie as of January 1st, Parker would have sent help into Wylie approximately eight times and Wylie would have sent us help four times. These numbers are not sufficiently large enough to cause a material jump in operating costs regarding fuel and depreciation of apparatus and equipment."

Council discussion ensued. The proposed agreement is substantially different than the current mutual aid agreement with Lucas and Fairview.

MOTION: Councilmember Sumrow moved to approve Resolution 2012-394 subject to legal review and approval. Councilmember Pettle seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

ROUTINE ITEMS

13. FUTURE AGENDA ITEMS

October 16 – SB100 [Levine]

October 16 – Parks and Recreation appointment of alternates and officers.
[Flanigan]

October 16 – Use of City Logo by a third party. [Sumrow]

October 16 – Ordinance 481 [Sumrow]

Future Item – Builder and developer signs [Leamy]

14. UPDATES

Department Reports and Updates – Animal Control, Police, Building/Code, Fire, Finance, Website

15. ADJOURN

Mayor Marshall adjourned the meeting at 9:32 p.m.

ATTESTED:

Carrie L. Smith
City Secretary Carrie L. Smith, TRMC, CMC



APPROVED:

Al Marshall
Mayor Z Marshall

APPROVED on the 16th day of
October, 2012.

EXHIBITS
8A – SB 100 Presentation
9A – Parkerfest 2012 Plan and Budget

Senate Bill 100

What does it mean for future Parker General Elections?



Annual May Elections

- Continue to hold elections each May
- Rent voting machines
- City staff conduct election in even years



May Election in Odd Years

- Un-stagger seat terms
- Adopt a "place" system



Options

- Maintain status quo and rent equipment for even year elections.
- Un-stagger Council terms and move to odd year elections.
- Change terms of office to 3 or 4 years and keep staggered terms-Would require voter approval.



Annual May Elections

Pros

- Additional Saturday voting can be conducted.
- No disruption or change in election process
- No chance of complete turnover of council as a result of single election

Cons

- Only one early voting location for voters in even numbered years
- No County support in conducting the election in even numbered years
- Cost of election process in even numbered years



May Election Odd Years

Pros

- Reduced election costs since elections would be held only once every two years instead of annually (\$8000 - \$10,000)
- Continue to have Collin County support and provide equipment for all elections
- PISD has adopted this schedule

Cons

- Create the possibility of having an entirely new governing body at one time as a result of a single election



Un-Stagger Officials Elected Terms

- Adopt a resolution providing for the election of all members of the governing body at the same election.
- All members of the Council and the Mayor would be elected in May of odd numbered years.
- The terms expiring in May 2014 would holdover in office until May 2015. Then, in May 2015, a general election would be called for the purpose of electing the Mayor and all 5 Council members.



Creation of Place System

- A related, but not required, form of ordinance to allow Parker to adopt the Place system. This can reduce the election to only those places which are contested, as opposed to all council and challengers running against one another. This could be helpful if the Parker council decided to "unstagger" the terms. Only those incumbents who drew opposition for their Place, or places which were vacant and had more than one candidate, would have a contested election. Places that drew no opposition would not have to campaign against all other council candidates, as they do today. The Place system does not specifically impact the Mayor's position.



3 or 4 Year Terms

- Must have voter approval. Could put on May 2013 ballot.



3 or 4 Year Terms

<u>Pros</u>	<u>Cons</u>
<ul style="list-style-type: none"> • Staggered terms • Election every other odd year for 4 year terms. • If 3 year staggered terms, no election every three years beginning in 2015. • No election costs every even year 	<ul style="list-style-type: none"> • Longer terms • No term limits currently





Council Agenda Item

Budget Account Code:	1-55-6850	Meeting Date:	September 18, 2012
Budgeted Amount:	\$3500	Department/ Requestor:	Parks and Rec
Fund Balance-before expenditure:	\$3500	Prepared by:	P Houx, Sub-Committee Chair
Estimated Cost:	\$3500	Date Prepared:	9/13
Exhibits:			

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKERFEST 2012.

SUMMARY

The Parker Parks and Rec Commission would like to submit the following expenditures for this year's ParkerFest for approval from City Council.

*2 Portable Potties	\$ 171.00
*Food from Two Rows	1878.00
(200 brats, buns, kraut, 150 corn dogs & 40 baked potatoes)	
*Kettle Corn	380.00
*Sodas & Waters	200.00
*Band	400.00
*Signage	325.00
*Trophies	100.00
<u>**Miscellaneous</u>	46.00
Total	3500.00

This year's ParkerFest is planned for Saturday, October 20, 2012. We will start the event at 8:30 am with a Pet Costume Contest followed up with a walk on the Trail at 9:00 am.

The other event activities begin at 11:00 am and continue until 4:00 pm. We will have Vendors selling their products, a Bake-Off to be judged at noon and a Carved Pumpkin Contest, which will be judged at 1:00 pm. Other activities will include horse

rides, "washers", face painting and possible presentations by Native Indians, an experienced Horse rider and a wild bird release again this year. We are also excited to have a great group of Antique and Classic Cars on display. We anticipate another great day for the City of Parker.

Thank you for your consideration.

Phyllis Houx

POSSIBLE ACTION

Move to approve.

Inter – Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:		Date:	