

MINUTES
CITY COUNCIL MEETING

DECEMBER 4, 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 5:00 p.m. Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor were present. A quorum was present.

Staff Present: City Attorney James Shepherd, 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 5:00 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 551.071 - Confidential legal advice regarding threatened or pending litigation.
 - b. Govt. Code 551.074 - To deliberate the employment, evaluation, reassignment or duties of one or more members of the police department.

Mayor Marshall recessed the open meeting to executive session at 5:00 PM.
Mayor Marshall recessed the open meeting to executive session at 8:35 PM.

2. RECONVENE REGULAR MEETING.

Mayor Marshall reconvened the open meeting at 7:06 PM. Mayor Marshall noted the Council would reconvene to executive session after the open meeting.

Mayor Marshall reconvened the open meeting at 9:00 PM.

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

No action taken.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Eleanor Evans led the pledge.

TEXAS PLEDGE: Dave Leamy led the pledge.

RECOGNITION

Eagle Scout Josh Weyrens

Mr. Weyrens was unavailable and his recognition will be rescheduled.

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.

Jim and Renee Goldblatt, 3705 Saddle Trail, Parker –Mr. Goldblatt e-mailed Mayor Marshall. The e-mail was read for the permanent city record. (See Exhibit A)

INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR OCTOBER 30, 2012. [Smith]

Mayor Marshall noted the time for executive session needed to be changed to 6:00 PM.

MOTION: Councilmember Leamy moved to approve the minutes as corrected. Councilmember Taylor seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5 – 0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION PERSONNEL RETIREMENT BENEFITS. [Marshall/Flanigan] (ORD 481)

TML Representative Linda Shoup reviewed TML's current retirement benefits. (See Exhibit 5A)

Council took no action on this item. The subcommittee will meet again and bring back to Council for further discussion.

**6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 687
ADOPTING A CITY FEE SCHEDULE. [Flanigan/Boyd]**

City Administrator Flanigan noted staff has reviewed the fee of 5% of total construction cost for Public Works Inspection/ Engineering Plans/Legal Review and feels it is sufficient to cover the City's expenses and did not recommend a change.

Councilmember Pettle noted under zoning - special use permits, the language for Swingin' D Ranch was unclear and requested it be changed. Language is to be changed to read "Swingin' D Ranch Annual Special Use Permit Renewal."

MOTION: Councilmember Leamy moved to approve Ordinance 687 as amended. Mayor Pro Tem Levine seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON USE OF THE CITY LOGO BY THIRD PARTIES. [Sumrow]

Councilmember Sumrow requested an approved version of the City logo be added to the website that can be accessed by individuals working with the City of Parker.

City Secretary Smith noted she researched what other cities do on their website and found the majority use a privacy policy or legal notice link. North Texas Municipal Water District requires a "request to use form" and, upon approval, a "user agreement" for the use of their Water IQ logo. The City has trademarked the Parker  in black and it will need to be amended to show the registered symbol ® as required.

It was noted all the pictures and logo on the City website have been locked down as Council requested. Now when a user right clicks any image or photo they receive a pop-up message that states all pictures are copyrighted and do not use without permission.

Councilmember Sumrow noted there is an easier process by adding the official logo to the City website. When clicked on a user agreement pops up and the user would click agree and then use the logo.

City Attorney Shepherd stated there is no harm in allowing third parties to use the logo as long as it is used properly with the registered trademark symbol and/or disclosure. To allow any user to use the logo without the registered mark could result in the City losing their registered mark. If any one person or a group were to use the City logo inappropriately they would be in violation of the trademark laws. The registration of the City logo is to protect the logo from being used to misrepresent the City.

Councilmember Sumrow would like the website to be set up for third-party access with the logo from the City website. Mayor Pro Tem Levine asked why we would like to allow third-party access to the City logo without signed agreement or permission.

City Secretary Smith sent a sample "Use Request" and "User Agreement" form to Councilmember Sumrow last week. Councilmember Sumrow asked if the forms needed to come back Council for approval. City Administrator Flanigan stated there was not a need to come to Council. He suggested the forms be sent to City Attorney Shepherd for final approval.

Council took no action.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AMENDING CODIFICATION CHAPTER 92, ANIMALS. [Pettle]

Code Section 92.03 is Parker's animal ordinance regarding Wild, Exotic, and Vicious animals; which, prohibits the keeping of certain animals. Section A defines those animals as being those who pose a physical or health threat to public safety, those who are protected by legal regulations, and those who are considered offensive. Subsections 1, 2, and 3 names particular classes of animals as being prohibited in Parker and Section B lists some exceptions. Some of these animals are currently being kept in Parker and some residents have indicated they would like to have as pets some of the animals that are currently prohibited, such as potbellied pigs. It has been asked why is a guinea pig acceptable but a potbellied pig is not; how is a rat which can carry many diseases be an exception and who determines if an animal is offensive.

Councilmember Pettle requested Code Section 92.03, animal control, be referred to Planning and Zoning for review and recommendation on 1) whether or not specific animals need to be named/included in the Ordinance, 2) do we need in this Ordinance a definition of "offensive" or is that covered elsewhere such as our nuisance Ordinance.

Councilmember Pettle also requested Code Section 92.07, Enforcement of the Animal Control Ordinance, is reviewed to determine how this Ordinance should be enforced. Should this be a function of the police as is now required, code enforcement or driven by citizen complaint.

MOTION: Mayor Pro Tem Levine moved to send Parker Codification Section 92.03, Wild, Exotic, and Vicious Animals, to the Planning and Zoning Commission and Section 92.07, Enforcement, to legal counsel for review and recommendations. Councilmembers Leamy Sumrow, Levine, Pettle, and Patrick voting for. Motion carried 5 to 0.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEDIA BROADCASTING OF COUNCIL MEETINGS. [Pettle/Smith]

Councilmember Pettle stated she felt there is some citizen interest for some form of broadcast media for Council meetings. She asked Council to approve staff researching further the various options, including cost, and bring back to Council in the Spring.

Council discussion included cost-effectiveness and if is needed. Staff was directed to post a survey on the City website and to prepare a cost estimate.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2012-401 APPROVING AN AGREEMENT WITH THE CRIMINAL JUSTICE TRAINING CENTER. [Fragoso]

MOTION: Councilmember Leamy moved to approve Resolution 2012 – 401 as presented. Councilmember Taylor seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5 to 0.

11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON COUNCIL MEETING SCHEDULE FOR DECEMBER AND JANUARY. [Marshall]

Mayor Marshall noted the December 18 meeting is the week before Christmas. Council discussed canceling the December 18 and January 1 regularly scheduled meetings. Mayor Marshall recommended holding a meeting on December 11.

MOTION: Councilmember Leamy moved to cancel the December 18 and January 1 regular meetings and hold a special meeting December 11. Councilmember Pettle seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5 to 0

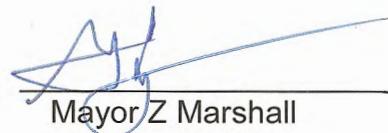
ROUTINE ITEMS

12. FUTURE AGENDA ITEMS

13. ADJOURN

Mayor Marshall adjourned the meeting at 9:01 PM.

APPROVED:



Mayor Z. Marshall

ATTESTED:



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

APPROVED on the 11th day of
December, 2012.

Carrie Smith

From: jrgoldb@airmail.net
Sent: Thursday, September 06, 2012 5:02 PM
To: Z Marshall; Allison Sumrow; Scott Levine; Lee Pettle; David Leamy; Patrick Taylor
Cc: Tony Fragoso
Subject: Bicycle traffic on Dublin Rd.

Dear Parker City Council,

The bicycle traffic on Dublin Rd. is becoming more of a concern. Last Thursday evening at dusk we turned north onto Dublin from Betsy Lane and at the bottom of the hill met a very large group headed south. The bikes occupied fully half of the road. This is a heavily shaded area. Farther along, upon entering the curves in the 3300 block, we met a second equally large group.

Dusk and a heavily shaded, curving, country lane. The bike groups travel fast (downhill speed close to 30 mph), and the number of riders is considerable. They are silent, not so visible at dusk, and extremely vulnerable. There is too little clearance between the bicycle group and a car.

Per conversation with Chief Fragoso, I understand that *so far* there have not been many problems. However, I occasionally bicycle on Dublin Road and am very conscious of the risk even from cautious auto traffic. The paths of narrow-tire road bikes on uneven asphalt roads are not entirely predictable.

Plano has signs on some divided thoroughfares stating that bicycles may occupy the full width of the outside lane. That is not the same as occupying a full lane on an undivided two-lane asphalt roadway. Plano used traffic cones to block-off an outside lane on Los Rios and Park boulevards for this week's Labor Day Ride.

Considering the wide variety of traffic on Dublin Road, some preventive measures are needed. Signs should alert drivers to the sudden appearance of large groups of bikes and should state basic rules for bicyclists, both individuals and clubs. ***The policy regarding large group rides should be reviewed thoroughly.*** Maybe such group rides should be re-directed to outside lanes on divided thoroughfares, and maybe bicycles on country lanes should be restricted to single file.

Sincerely,
Jim & Renee Goldblatt
3705 Saddle Trail



ROAD NOT INTENDED
FOR BIKES

KEEP FAR RIGHT

**SINGLE FILE
NEAR TRAFFIC**

MAX. 2 ABREAST

MAX. 9 IN GROUP

**5 MINUTE SPACE
BETWEEN GROUPS**



December 4, 2012
Parker Council Meeting



THINGS TO CONSIDER WHEN DRAFTING A RETIREE POLICY/ORDINANCE

1. Only two (2) Cities in 100+ in N. Central Texas offers post 65 dollar benefit to retiree(s).
2. All other Cities provide a \$ amount until age 65; depending on age and years of service.
3. What is the goal?
4. Be specific on the definition, contribution, what can be accessed (medical, dental, vision, etc.) for how long, etc.
5. What is the financial impact on the City's budget now and in the future? Example - 5 employees with 20 years of service at age 60 to age 83 = \$258,750.00.
6. Can retirees use the subsidy for other carriers plans?
7. Would employees with 20 or 25 years of service who leave the City have access to the 25/60/200 or 20/60/75 plan dollars at a later date; when they reach age 60? (Currently employees cannot return to pre 65 products per TML IEBP policy)
8. To age 65 is a defining and significant distinction v. open ended access: projections for future expense could only be calculated on actuarial life expectancy.

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Actuarial Equivalent Plan

Plan Design	Platinum Plan	Gold Plan	Silver Plan +5%	Bronze +5%
Cost (If the retiree wants to buy dependent coverage the composite rate is added to the retiree rate)	Retiree: \$783.72 Composite: \$840.86	Retiree: \$724.61 Composite: \$776.74	Retiree: \$ 701.59 Composite: \$ 751.53	Retiree: \$ 623.66 Composite: \$ 667.49
	If the retiree purchases the retiree benefits and family benefits the retiree and composite rate must be added together for total the cost.	If the retiree purchases the retiree benefits and family benefits the retiree and composite rate must be added together for the total cost.	If the retiree purchases the retiree benefits and family benefits the retiree and composite rate must be added together for total the cost.	If the retiree purchases the retiree benefits and family benefits the retiree and composite rate must be added together for the total cost.
Benefit Percentage	90%/50%	80%/50%	70%/50%	60%/40%
Deductible: Individual/Family	\$1,000.00/\$1,250.00	\$1,250.00/\$1,500.00	\$1,500.00/\$1,750.00	\$1,750.00/\$2,000.00
Out of Pocket Maximum: Individual/Family	\$5,000.00/\$10,000.00	\$5,000.00/\$10,000.00	\$5,000.00/\$10,000.00	\$5,000.00/\$10,000.00
Wellness Plan	Healthy Initiatives, Biometric Screening and Health Power Assessment paid 100% for Choice Plus network providers.	Healthy Initiatives, Biometric Screening and Health Power Assessment paid 100% for Choice Plus network providers.	Healthy Initiatives, Biometric Screening and Health Power Assessment paid 100% for Choice Plus network providers.	Healthy Initiatives, Biometric Screening and Health Power Assessment paid 100% for Choice Plus network providers.
Health Incentives	Completion of Biometric Screening and Health Power Assessment per Calendar Year \$150.00 Incentive payment.	Completion of Biometric Screening and Health Power Assessment per Calendar Year \$150.00 Incentive payment.	Completion of Biometric Screening and Health Power Assessment per Calendar Year \$150.00 Incentive payment.	Completion of Biometric Screening and Health Power Assessment per Calendar Year \$150.00 Incentive payment.



United Healthcare MedicareRx for Groups Plan Options



BENEFITS AND COVERAGE		
	Option 1	Option 2
Group Retiree Premium	\$185.39	\$70.10
Part D Gap Coverage	Full Gap Coverage	Tier 1 Gap Coverage
Formulary	Formulary A (All Generics in Tier 1)	Formulary G
Bonus Drug List	None	None
Rx Deductible	\$0	\$0
Rx Out-of-Pocket Maximum	None	None
Part D Retail (Member Cost Share Before Pharma Brand Discounts)		
Tier 1	\$5	\$5
Tier 2	\$25	\$25
Tier 3	\$60	\$60
Tier 4	33%	33%
Part D Mail Order (Member Cost Share Before Pharma Brand Discounts)		
Tier 1	\$10	\$10
Tier 2	\$50	\$50
Tier 3	\$120	\$120
Tier 4	33%	33%
Initial Coverage Limit	\$2,970	\$2,970
TROOP Threshold	\$4,750	\$4,750
Catastrophic Coverage over TROOP (greater amount of)		
Co-pay for generics	\$2.65	\$2.65
Co-pay for all other drugs	\$6.60	\$6.60
Or Conurance	5%	5%

United Healthcare Senior Supplement Plan Options



Covered Benefits	Medicare 2012	Medicare Supplement Plan F	Medicare Supplement Plan K
Premium		\$200.00 (2013)	\$114.81 (2013)
Deductible	Part A Hospital: \$1,100 Part B: Medical Services: \$155	Part A: Plan pays 100% Part B: Plan pays 100%	Part A: Retiree pays \$0 Part B: Retiree pays \$155 (2011)
Annual Out-of-Pocket Limit	None	None	\$4,820
Lifetime Maximum	Unlimited	Unlimited	Unlimited
Inpatient Hospital	Medicare Part A: Inpatient Hospital: • Hospital: All but \$1,100 • Skilled Nursing Facility: All but \$275 a day • Home Health: All but \$500 a day up to 100 lifetime max days • Skilled Nursing: 200	Inpatient Hospital: • Plan pays 100% of Medicare approved amounts. • Retiree Pays: Generally 50 of Medicare approved amounts.	Inpatient Hospital: • Plan pays 100% • Retiree Pays up to \$250 (2011 Part B Deductible)
Skilled Nursing Facility	Medicare Part A: Skilled Nursing Facility: • Hospital: All but \$1,100 • Skilled Nursing Facility: All but \$275 a day • Home Health: All but \$500 a day up to 100 lifetime max days • Skilled Nursing: 200	Skilled Nursing Facility: • Plan pays 100% of Medicare approved amounts. • Retiree Pays: Generally 50 of Medicare approved amounts.	Skilled Nursing Facility: • Plan pays 100% • Retiree Pays up to \$66.75 per day (Days 2-100) (2011)
Physician Services (PCP/GP)	Medicare Part B: Pay 80% after \$155 deductible for Medicare-approved services	All Medicare Covered Part B Services: • Plan pays 100% of co-insurance (up to \$1,000) • Retiree Pays: Generally 50 of Medicare approved amounts.	All Medicare Covered Part B Services: • Plan pays 50% of co-insurance (up to \$1,000) • Retiree Pays: Part B deductible and 100% of remaining Medicare-approved amounts.
Emergency Room			
Outpatient Surgery			
X-ray & Lab			

Post 65 Supplemental 2013 Rates

- Best Medical + Best Rx = \$386.32
- Best Medical + Rx 2 = \$271.03

- Medical 2 + Best Rx = \$300.20
- Medical 2 + Rx 2 = \$184.91

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Summary of PEBA TML Plan Options 

Medicare Advantage with a Choice of Prescription Drug Coverage

MAPD-HMO for TX service areas	RX
Austin	Full coverage in the gap-\$254.94
Houston	Tier 1 Coverage in the Gap-\$148.98
Corpus Christi	
San Antonio	
Dallas/Ft. Worth	

Senior Supplement Medical

- Plan F
- Plan K

UnitedHealth RX for Groups

- Full Gap Coverage
- Tier 1 Generic Gap Coverage

Sample Policy For Retiree Coverage – City of Parker

1. Definition of a Retiree – Defines retirees as (definition of City's retirement program with any additional requirements to years of service, age & service or existing retirement program) Many City use: As defined by TMRS.

2. Benefits Available to Retirees:

- The same medical plan(s) offered to active employees (currently 195% of the employee rated)
- Retiree pre 65 Pool for retirees and their dependents offered on a yearly basis by TML IEBP.
- Applicable post 65 retiree products offered on a yearly basis by TML IEBP.
- Applicable ancillary products offered on a yearly basis by TML IEBP.

3. The Contribution Level For Retiree Coverage

The City provides retiree medical coverage at the same contribution as:

- Same as charged to active employees
- % of contribution charged to active employees
- The % of contribution as established annually by TML IEBP
- Defined dollar amount of retiree contribution \$_____

Final Option – Possible Solution 

- HRA that rolls over into an RRA at retirement.
- Employees decide when to use the \$ for eligible expenses, it's equitable, limits City liability.
- If an employee leaves Parker employment, they can take HRA as part of COBRA: Admin. cost. Money left in acct. is returned to the City.
- As an RRA it can be used to pay premiums, unreimbursed expenses; no admin cost to the retiree. Can be spent down.



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