

## MINUTES

### CITY COUNCIL MEETING

February 5, 2013

#### 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 6:30 p.m. Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor were present.

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

#### PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Resident Tom Stone led the pledge.

TEXAS PLEDGE: Resident Fran Lewis 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.

- Ed Standridge discussed the drainage and erosion at Church Lane and Parker Road.
- Trudy Jackson on behalf of the Corinth Presbyterian Church discussed the drainage and erosion issues at Church Lane and Parker Road. The flooding and erosion in front of the church continues to be a problem after construction of Parker Road. Ms. Jackson provided photos of the issues. (See Exhibit A)

#### INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR JANUARY 15, 2013. [SMITH]

Amendments page 3, Item 4 Motion. Insert:

*Motion was amended.*

*MOTION: Councilmember Leamy moved to put the three year staggered term on the May election ballot and include proposition one and two, subject to having contested candidates for Council. Councilmember Taylor seconded with Councilmembers Leamy, Levine, Pettle and Taylor voting for. Sumrow opposed. Motion carried 4 to 1.*

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

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCES FOR EXISTING SPECIAL USE PERMITS. [SHEPHERD]

The Special Use Permits for 3908 Sycamore, 4505 Springhill and 5109 Cimmaron were authorized by prior council action in the years indicated in the proposed ordinances which were presented to Council. Approval of the ordinances is requested to correct and update the City records.

MOTION: Councilmember Leamy moved to approve Ordinance 690, 691 and 692 as written. Councilmember Pettle seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

Councilmember Sumrow recused herself from the meeting before action was taken on Ordinance 689.

MOTION: Mayor Pro Tem Levine moved to approve Ordinance 689 as presented. Councilmember Pettle seconded with Councilmembers Leamy, Levine, Pettle and Taylor voting for. Motion carried 4-0.

Councilmember Sumrow returned to the meeting.

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PROPOSITION, OR PROPOSITIONS, FOR THE MAY 2013 MUNICIPAL ELECTION TO EXTEND CITY COUNCIL TERMS, AND TO ADJUST EXISTING TERMS IF THE PROPOSITION TO EXTEND TERMS IS APPROVED. [MARSHALL/SHEPHERD]

The Council deliberated the question of whether to place a proposition on the ballot that would change council terms from two year to three year.

City Attorney Shepherd reviewed the legal and practical issues Council had previously discussed which included, but was not limited to:

- a. The mayor and council terms, effective May of 2013, would change from two years to three if a proposition to make that change passes.
- b. The three council members whose terms end in 2013 would result in the candidates winning election for those positions in 2013 having three year terms, ending in 2016---provided each winning candidate receives more than half the votes. An approved system of runoff elections would be necessary.
- c. The Mayor and the two councilmember positions elected in 2012 for two year terms would end in 2014. Candidates for those positions in 2014 would be running for three year terms, and would have to win by receiving a majority of the votes.

d. The three year staggered terms would result in two elections in each three year period, subject to runoff elections, or other legal requirements. Those elected must receive a majority vote.

e. The ability of council to make an appointment to fill an empty council position is lost with three year terms. The Texas Constitution requires the following for councils with terms between two and four years:

“... any vacancy or vacancies occurring on such governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occur.”

f. Council terms between two and four years also require automatic resignations by the Texas Constitution as follows:

“(b) If any of the officers named herein shall announce their candidacy, or shall in fact become a candidate, in any General, Special or Primary Election, for any office of profit or trust under the laws of this State or the United States other than the office then held, at any time when the unexpired term of the office then held shall exceed one year and 30 days, such announcement or such candidacy shall constitute an automatic resignation of the office then held, and the vacancy thereby created shall be filled pursuant to law in the same manner as other vacancies for such office are filled.”

Upon further research it was determined that a three year term would require candidates to be elected by a majority of the vote instead of our current plurality, and this could require runoff elections to be held at an additional expense both to the candidates and the City. Further, it would require special elections to be held in the event of a vacant seat or seats occurring on Council, no appointment could be made.

MOTION: Councilmember Leamy moved to 1) add an agenda item to the February 19 agenda to consider adopting a place system; and 2) place a proposition changing Council terms to three years on the May 11, 2013 ballot. Councilmember Sumrow seconded.

Council discussion ensued. Based on the new legal information Council felt this was not in the best interest of Parker at this time.

Councilmember Leamy withdrew his motion and Councilmember Sumrow her second.

MOTION: Mayor Pro Tem Levine moved to repeal the motion made at the January 15, 2013 meeting: *“Councilmember Leamy moved to put the three-year staggered term on the May election ballot and include proposition one and two, subject to having contested candidates for Council. Councilmember Taylor seconded.”* Councilmember Pettle seconded with Councilmembers Leamy, Sumrow, Levine, Pettle and Taylor voting for. Motion carried 5-0.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AN ENFORCEMENT PLAN FOR BICYCLES ON DUBLIN ROAD. [FRAGOSO/PETTLE]

City Attorney Jim Shepherd gave a review of the bicycle laws in the State of Texas Transportation Code:

- a) if there is traffic hazard, or a nuisance, City Council may take action to abate and remove the problem
- b) disorderly conduct may be using a bicycle to annoy a person passing the bicycle
- c) local authorities can regulate their streets, which may include registration and licensing of bicycles
- d) bicycles may be used on improved shoulders of a road
- e) bicycles are to follow the same traffic laws as motor vehicles
- f) bicycles are to ride to the curb
- g) bicycles are not to be more than 2 abreast
- h) bicycles are not to impede traffic
- i) may get the road fixed to include shoulders, better shoulders or bike lanes under certain circumstances in which both the adjacent landowner and the city pays for such

Chief Fragoso had contacted Richardson Bike Mart- Coordinator Sam Montag and advised him of the citizen complaints in regards to cyclists riding more than two abreast and stop sign issues. Montag said he would contact other bike clubs which ride through Parker and advise them of complaints. Parker Police officers will be advised of ride schedules so, when available, can be more of a presence throughout the cyclists' route.

City Police Chief Fragoso presented an enforcement plan or enforcement action:

- a) enforce: no more than two riders abreast
- b) enforce: stopping at stop signs
- c) increase police presence especially during bike club rides
- d) joint education programs with the bicycle clubs that ride on Dublin and/or in Parker

Chief Fragoso noted that no citations have been issued in the last 12 months. He related that it is difficult to enforce laws on bikers as they are not licensed, the bike is not licensed, persons stopped on a bicycle may give erroneous information and reports of violations to police may come in but by the time the police arrive at the reported location of a violation, the biker is gone.

Citizens spoke and submitted written statements regarding issues with bicyclist on Dublin Road:

- Jim Goldblatt, 3705 Saddle Trail - Jim Goldblatt stated that two abreast is too much for such a narrow road as Dublin. The asphalt is uneven and falls off and there is no shoulder to the road which makes it dangerous. The number of riders in a pack should be limited unless they pay a fee for the privilege. Mr. Goldblatt noted that Parker can place bicycle rule signage and he presented bicycle signs to Council for their consideration for posting on Dublin Road, see attachment.

- Stephanie Casson, 1807 Dublin Road - Stephanie Casson related that it is “packs” of bicyclers on Dublin Road, sometimes two to four abreast that cause problems. Dublin is not good for bicyclers, walkers with or without dogs and runners to mix safely as everyone is at risk.
- Andrea Dennis, 3307 Bluffs Lane - Andrea Dennis thanked Jim Shepherd for his research on bicycle laws. Ms. Dennis’ HOA has been raising this issue repeatedly and finds no citations being issued to be unacceptable. She has called the police department to report violations, and her calls have gone to voicemail, so by the time the officer may receive the report, the biker is long gone. Ms. Dennis suggests that maybe a permit which a rider must purchase from Parker be developed and the fees from such permits go towards enforcement.
- Sam Montag, 789 Pierre Lane, Bike Mart - Sam Montag is with the Richardson Bike Mart and a club ride master. He admits that Dublin is a problem and the bike clubs try to police themselves. Bikes can go 30 mph but usually ride single file. He notes there have been no bicycle accidents on Dublin Road. Mr. Montag indicated that his club offers voluntary rider education/training and does discipline riders as necessary during a ride as does Mr. Gurney. Dublin Road is a great road for bikers and one of the only North-South country roads available to them.
- Rick Gurney, 2609 Dublin Park Drive - Rick Gurney is a Parker resident who owns Plano Cycling and Fitness and is a ride master. He feels progress has been made with his club’s riders but adds some enforcement is needed.
- Russell Wright, 5207 Estate Lane - Russell Wright indicates that bike riders should be allowed on Dublin but not “packs” of bicyclists. He reminds us that we should not get in a hurry and to better share the road. He asks the bike clubs to help with the situation and for signage to be considered.
- Joan Schulman, 5004 Dublin Creek Lane - Joan Schulman reported that over the years she has seen no improvement regarding bicyclists on Dublin Road. They ride three and four abreast and it is disappointing that nothing has been done. She believes the “packs” are dangerous and out of control.
- Frank “Lash” Larue, 4409 Sycamore Lane - Lash LaRue indicated that Sycamore is a scenic street that before cars, bikes were there as were horses. Dublin is narrow and not all cars fit. Bicycling is good exercise.
- Lynn Kaneps, 4803 Ridgeview Drive - Lynn Kaneps suggests the bike clubs let the police know of activities and maybe have to get permission for several riders. The bicyclists do not stop at the stop sign.
- Tony Cassevechia, 5001 Reserve Court - Tony Cassavechia states that safety is the issue. Dublin is too narrow and packs of bicyclists are all over which makes for a dangerous situation. The road is choppy causing bikers to swerve into traffic so it would help if the pavement was cleaned up and dividers placed to determine the middle of the road. Signs could help also. Safety is paramount.
- John Chisholm, 2905 Dublin Road - John Chisolm asks if the City can limit bike club rides. He suggests we start with enforcement and have the clubs’ leadership take responsibility. Safety is the issue and fees are not needed.
- Susan Dendingo, 5008 Edgewater Court - Susan Dendinger reports that bikes are courteous to runners which she is but that it is hard for drivers to get around bikers. Residents should be given priority over guest riders. The S curve on South Dublin is and will be a problem until someone gets killed.

Mr. Montag and Mr. Gurney offered to work with the City to develop solutions to the bicycle issues on Dublin Road.

Mayor Pro Tem Levine and Councilmember Pettle will work with citizens and bike clubs to come up with recommendations for future consideration by Council.

**5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WATER METER INSTALLATION. [BOYD]**

Item was tabled.

## **ROUTINE ITEMS**

**6. FUTURE AGENDA ITEMS**

- 2/19 Water Meter Installation
- 2/19 Bicycles on Dublin Road
- March – Directional and Builder signs
- March – Police vehicle maintenance and replacement policy
- March – Broadcast Media
- TBD – Dublin Road Traffic Study

## **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.

Mayor Marshal recessed the regular meeting into Executive Session.

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

- a. Govt. Code 551.074 - Personnel –Review and evaluation of personnel reports and duties of the Police Department employees and City Administrator.

**8. RECONVENE REGULAR MEETING.**

Mayor Marshall reconvened the regular meeting at 10:35 pm.

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

No action was taken.

**4. ADJOURN**

Mayor Marshall adjourned the meeting at 10:36 p.m.

APPROVED:

/s/ Z Marshall

Mayor Z Marshall

ATTESTED:

APPROVED on the 19th day of  
March, 2013.

/s/ Carrie L. Smith

City Secretary Carrie L. Smith, TRMC, CMC

Exhibits  
Public Comment Photos  
Comment Cards and Letters regarding Bicycles



1  
Public  
Comments  
Trudy  
Jackson

**EROSION ON SOUTH SIDE OF  
CHURCH LN ENTRANCE**



**EROSION ON NORTH SIDE  
OF CHURCH ENTRANCE**



**EROSION EAST TO CHURCH LN  
FALL 2012**



**EROSION EAST TO CHURCH LN  
By FEB 2013**



**NORTH FROM PARKER RD  
AND CHURCH LN - FALL 2012**



**SOUTH TOWARD PARKER RD  
AND CHURCH LN - FEB 2013**



**CLEAN DRAIN AND EROSION  
OF CHURCH PROPERTY- FALL 2012**



**CLOSED DRAIN AND EROSION  
FEB 2013**

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PROPOSITION FOR MAY 2013 MUNICIPAL ELECTION TO EXTEND CITY COUNCIL TERMS. [MARSHALL/SHEPHERD]

Mayor Marshall reviewed the PowerPoint presented at the previous meeting. City Attorney Shepherd drafted proposition one to address a Council three-year staggered term and proposition two would address extending councilmembers term coming up for election in 2013. Proposition one has to pass for proposition two to be an issue. If proposition one does not pass nothing changes.

Discussion was held regarding possible runoff elections to change to three-year staggered terms. A runoff election is held 5 to 6 weeks after the general uniform election and is an additional cost. With three-year terms a vacancy must be filled by majority vote within 120 days of vacancy, which would require a special election.

Mayor Marshall took public comments.

- Resident Eleanor Evans stated that spending too much time campaigning takes the focus off of the job.
- Resident Ed Standridge agrees that three-year staggered terms allows more time to learn the job.
- Resident Jim Threadgill leans toward the three-year term but understands it is a difficult decision.

MOTION: Councilmember Leamy moved to put the three-year staggered term on the May election ballot and include proposition one and two even if there are no candidates running. Councilmember Taylor seconded.

Motion was amended.

MOTION: Councilmember Leamy moved to put the three-year staggered term on the May election ballot and include proposition one and two, subject to having contested candidates for Council. Councilmember Taylor seconded -with Councilmembers Leamy, Levine, Pettle, and Taylor voting for. Sumrow opposed. Motion carried 4 to 1.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2013-402 APPROVING A MUTUAL AID INTERLOCAL AGREEMENT WITH THE COLLIN COUNTY ARSON TASK FORCE. [SHEFF]

The fire department presently has two fire investigators certified to investigate the cause and origin of fires. From time to time, mutual aid is required from the County Fire Marshal's office when our investigators are unavailable or we determine Parker lacks the resources or equipment to properly investigate a fire incident. The Collin County Fire Marshal's office is willing to provide investigators and other resources, but has requested we enter into a mutual aid agreement with the arson task force. The arson task force is organized by and under the control of the Fire Marshal's office.

**ORDINANCE NO. 690**  
*(Special Use Permit – Accessory Dwelling – 3908 Sycamore Lane)*

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A CHANGE IN ZONING TO GRANT A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING, IN THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AND BEING LOCATED AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, COMMONLY KNOWN AS 3908 SYCAMORE LANE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, In the year 2000, the City Planning Commission of the City of Parker and the governing body of the City of Parker, in compliance with the laws of the State of Texas and the ordinances of the City of Parker, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Map should be amended;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:**

**SECTION 1. PROPERTY**

The zoning procedures for this accessory dwelling originally took place in 2000, resulting in approval of the accessory dwelling as proposed by the original applicant, Ilene Simerka. The facts and circumstances regarding the accessory dwelling since 2000 have been evaluated by the city council. It is the council's determination that the best interest of the city is to issue this Ordinance establishing conditions for this special use permit. effective the date of this Ordinance.

**SECTION 2. SPECIAL USE PROVISIONS**

- A. No rent, equivalent of rent, or other thing of value may be received by the owner of the accessory dwelling.
- B. The occupant of the accessory dwelling may either be a guest or the occupant must be related to the owner within the first degree of consanguinity or affinity.

**SECTION 3. ZONING** The Comprehensive Zoning Ordinance of the City of Parker, Texas, as heretofore amended, be, and the same is hereby amended to grant a change in zoning to grant a Special Use Permit for an accessory building, located at 3908 Sycamore Lane, City of Parker, Collin County, Texas, and being located as shown on Exhibit "A", attached hereto and made a part hereof, for an unattached accessory building (guest house). The land is zoned Single Family Residential (SF).

**SECTION 4. REPEALING CLAUSE** With respect to the property described in Section 3, above, all provisions of the ordinances of the City of Parker, Collin County, Texas in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5. SEVERABILITY** Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudicated or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 6. PENALTY CLAUSE** Any offense committed before the effective date of this Ordinance is governed by the prior law and provisions of the Code of Ordinances as amended, in effect when the offense was committed and the former laws continued in effect for this purpose. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed and constitute a separate offense.

**SECTION 7. EFFECTIVE DATE** This Ordinance shall take effect immediately from and after its passage and the publication of caption, as the law provides.

**DULY PASSED** by the City Council of the City of Parker, Texas, on the 14<sup>th</sup> day of March 2000, and having been reviewed, issued by Ordinance on this 5th day of February, 2013.

**APPROVED:**

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Z Marshall, Mayor

**ATTESTED:**

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Carrie Smith, City Secretary

**APPROVED AS TO FORM:**

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James E. Shepherd, City Attorney

## **ORDINANCE NO. 691**

*(Special Use Permit – Accessory Dwelling – 4505 Springhill Estates Drive)*

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A CHANGE IN ZONING TO GRANT A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING, IN THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AND BEING LOCATED AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, COMMONLY KNOWN AS 4505 SPRINGHILL ESTATES DRIVE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in the year 2002, the City Planning Commission of the City of Parker and the governing body of the City of Parker, in compliance with the laws of the State of Texas and the ordinances of the City of Parker, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Map should be amended;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:**

### **SECTION 1. PROPERTY**

The zoning procedures for this accessory dwelling originally took place in 2002, resulting in approval of the accessory dwelling as proposed by the original applicants, Mr. and Mrs. Jeff Rainey. The facts and circumstances regarding the accessory dwelling since 2002 have been evaluated by the city council. It is the council's determination that the best interest of the city is to issue this Ordinance establishing conditions for this special use permit effective the date of this Ordinance.

### **SECTION 2. SPECIAL USE PROVISIONS**

Conditions applying to this special use permit for accessory dwellings are as follows:

- A. No rent, equivalent of rent, or other thing of value may be received by the owner of the accessory dwelling.
- B. The occupant of the accessory dwelling may either be a guest, or the occupant must be related to the owner within the first or second degree of consanguinity or affinity.
- C. The accessory dwelling shall be located at least 50 feet from the property line along Willow Ridge Drive
- D. There shall be a vegetative sight barrier placed between the accessory dwelling and the adjacent lot to the east.

**SECTION 3. ZONING** The Comprehensive Zoning Ordinance of the City of Parker, Texas, as heretofore amended, be, and the same is hereby amended to grant a change in zoning to grant a Special Use Permit for an accessory building, located at 4505 Springhill Estates Drive, City of Parker, Collin County, Texas, and being located as shown on Exhibit "A", attached hereto and made a part hereof, for an unattached accessory building (guest house). Said tract of land is zoned Single Family Residential (SF).

**SECTION 4. REPEALING CLAUSE** With respect to the property described in Section 3, above, all provisions of the ordinances of the City of Parker, Collin County, Texas in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5. SEVERABILITY** Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudicated or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 6. PENALTY CLAUSE** Any offense committed before the effective date of this Ordinance is governed by the prior law and provisions of the Code of Ordinances as amended, in effect when the offense was committed and the former laws continued in effect for this purpose. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed and constitute a separate offense.

**SECTION 7. EFFECTIVE DATE** This Ordinance shall take effect immediately from and after its passage and the publication of caption, as the law provides.

**DULY PASSED** by the City Council of the City of Parker, Texas, on the 11<sup>th</sup> day of July 2002, and having been reviewed, issued by Ordinance on this 5th day of February, 2013.

**APPROVED:**

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Z Marshall, Mayor

**ATTESTED:**

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Carrie Smith, City Secretary

Ordinance No. 691 - Rainey  
(Special Use Permit – Accessory Building – 4505 Springhill Estates Drive)

**APPROVED AS TO FORM:**

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James E. Shepherd, City Attorney

Attachment

Exhibit A: Application for Special Use Permit and legal description

**ORDINANCE NO. 692**  
*(Special Use Permit – Accessory Dwelling – 5109 Cimmaron)*

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A CHANGE IN ZONING TO GRANT A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING, IN THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AND BEING LOCATED AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, COMMONLY KNOWN AS 5109 CIMMARON; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in the year 2000, the City Planning Commission of the City of Parker and the governing body of the City of Parker, in compliance with the laws of the State of Texas and the ordinances of the City of Parker, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Map should be amended;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:**

**SECTION 1. PROPERTY**

The zoning procedures for this accessory dwelling originally took place in 2000, resulting in approval of the accessory dwelling as proposed by the original applicant, Malinda Halloran. It is the council's determination that the best interest of the city is to issue this Ordinance confirming conditions for this special use permit effective the date of this Ordinance.

**SECTION 2. SPECIAL USE PROVISIONS**

The occupant, if any, of the accessory dwelling must be related to the owner within the first or second degree of consanguinity or affinity.

**SECTION 3. ZONING** The Comprehensive Zoning Ordinance of the City of Parker, Texas, as heretofore amended, be, and the same is hereby amended to grant a change in zoning to grant a Special Use Permit for an accessory building, located at 5109 Cimmaron, City of Parker, Collin County, Texas, and being located as shown on Exhibit "A", attached hereto and made a part hereof, for an unattached accessory building (guest house). The tract of land is zoned Single Family Residential (SF).

**SECTION 4. REPEALING CLAUSE** With regard to the property described in Section 3, above, all provisions of the ordinances of the City of Parker, Collin County, Texas in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other

provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5. SEVERABILITY** Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudicated or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 6. PENALTY CLAUSE** Any offense committed before the effective date of this Ordinance is governed by the prior law and provisions of the Code of Ordinances as amended, in effect when the offense was committed and the former laws continued in effect for this purpose. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed and constitute a separate offense.

**SECTION 7. EFFECTIVE DATE** This Ordinance shall take effect immediately from and after its passage and the publication of caption, as the law provides.

**DULY PASSED** by the City Council of the City of Parker, Texas, on the 7<sup>th</sup> day of March 2000, and having been reviewed, issued by Ordinance on this 5th day of February, 2013.

**APPROVED:**

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Z Marshall, Mayor

**ATTESTED:**

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Carrie Smith, City Secretary

**APPROVED AS TO FORM:**

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James E. Shepherd, City Attorney

**ORDINANCE NO.**

(Special Use Permit – Accessory Dwelling – 4007 Windream Lane)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A CHANGE IN ZONING TO GRANT A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING, IN THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AND BEING LOCATED AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, COMMONLY KNOWN AS 4007 WINDREAM LANE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1984, the City Planning Commission of the City of Parker and the governing body of the City of Parker, in compliance with the laws of the State of Texas and the ordinances of the City of Parker, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of its legislative discretion, concluded that the Comprehensive Zoning Ordinance and Map should be amended; and

**WHEREAS**, an ordinance was not prepared to document the decision of the governing body in 1984; and

**WHEREAS**, the conditions of the 1984 decision of the governing body, and additional conditions enacted by agreement and consent of the current property owner are set forth in this ordinance; and

**WHEREAS**, failure to follow the provisions of this Special Use Permit ("SUP"), may result in the termination of this SUP:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF PARKER, COLLIN COUNTY, TEXAS:

## SECTION 1. PROPERTY

The zoning procedures for this accessory dwelling originally took place in 1984, resulting in approval of the accessory dwelling as proposed by the original applicants, Mr. and Mrs. E. A. Winnette. The facts and circumstances regarding the accessory dwelling since 1984 have been evaluated by the city council. It is the council's determination that it is in the best interest of the city is to issue this Ordinance establishing conditions for this SUP effective the date of this Ordinance. The property and accessory dwelling subject to this SUP are described in the attachments to this ordinance, and are commonly known as 4007 Windream Lane, Parker, Texas.

## SECTION 2. SPECIAL USE PERMIT CONDITIONS

Ordinance No. 689

(Special Use Permit – Accessory Dwelling – 4007 Windream Lane) (Jan 15, 2013 – v1)

P 1  
LJW

Special conditions applying to this specific accessory dwelling are as follows:

- A. No rent, equivalent of rent, or other thing of value may be received by the owner of the accessory dwelling in exchange for the occupancy of the dwelling, as required by all SUPs related to assessor dwellings in the City.
- B. The SUP terminates on transfer of ownership of the property.
- C. The occupants of the accessory dwelling must either be caretakers of the property, or domestic employees, for whom housing is a part of their compensation, or the occupant(s) must be related to the owner within the first or second degree of consanguinity or affinity.
- D. The square footage of the structure must be a minimum of 800 square feet, and a maximum of 1,040 square feet.
- E. The location of the Accessory Dwelling remains as is, and must remain consistent with the location on the plat submitted in 1984.
- F. The septic system must be inspected by the Building Inspector and a determination made as to the effect of placing an additional structure on the septic system. If the Building Inspector determines that there is inadequate capacity on the present system, an adequate system is required to be added, within 30 days of the ruling by the Building Inspector.

**SECTION 4. ZONING** The Comprehensive Zoning Ordinance of the City of Parker, Texas, as heretofore amended, be, and the same is hereby amended to grant a change in zoning to grant an SUP for an accessory building, located at 4007 Windream Lane, City of Parker, Collin County, Texas, and being located as shown on Exhibit "A", attached hereto and made a part hereof, for an unattached accessory building. The property is zoned Single Family Residential (SF). The land was owned by Mr. and Mrs. E. A. Winnette at the time the zoning permit was granted in 1984, and is owned by Randall P. Meyer at the effective date of this ordinance.

**SECTION 5. REPEALING CLAUSE** All provisions of the ordinances of the City of Parker, Collin County, Texas in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 6. SEVERABILITY** Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudicated or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 7. PENALTY CLAUSE** Any offense committed before the effective date of this Ordinance is governed by the prior law and provisions of the Code of Ordinances as amended, in effect when the offense was committed and the former laws continued in effect for this purpose. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and upon conviction shall be punished and every day such violation shall continue shall be deemed and constitute a separate offense.

Ordinance No. 689

(Special Use Permit – Accessory Dwelling – 4007 Windream Lane) (Jan 15, 2013 – vi)

(PZ  
PZM)

**SECTION 8. EFFECTIVE DATE** This Ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law provides.

**ORIGINALLY PASSED** by the City Council of the City of Parker, Texas, on the 25<sup>th</sup> day of September 1984, and having been reconsidered, issued by this Ordinance on this 29th day of January, 2013.

**APPROVED:**

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Z Marshall, Mayor

**CORRECTLY ENROLLED:**

---

Carrie Smith, City Secretary

**APPROVED AS TO FORM:**

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James E. Shepherd, City Attorney

Attachments

Exhibit A: Application for Special Use Permit  
Exhibit B: Legal description of Property



Ordinance No. 689  
(*Special Use Permit – Accessory Dwelling – 4007 Windream Lane*) (Jan 15, 2013 – v1)

(23)

Item 4 Exhibits

Bicycles on Dublin Road

### COMMENT CARD

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: JIM GOLDBLATT Date: FEB 5, 2013 -Thank you

Street Address: 3705 SADDLE TRAIL

Subject/Agenda Item: DUBLIN RD-BIKES (ITEM #4)

I WISH TO SPEAK OT THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **STAY INFORMED: WWW.PARKERTEXAS.US**

### COMMENT CARD

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: Stephanie Passon Date: 2/5/13 -Thank you

Street Address: 1807 Dublin Rd.

Subject/Agenda Item: Bicycles on Dublin Rd.

I WISH TO SPEAK OT THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments: I would like to make a  
comment on the amount of  
bikes on Dublin Rd.

### **STAY INFORMED: WWW.PARKERTEXAS.US**

### COMMENT CARD

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: Andrea Dennis Date: 2-5 -Thank you

Street Address: 3307 Bluffs Lane Parker

Subject/Agenda Item: Bicycles

I WISH TO SPEAK OT THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **STAY INFORMED: WWW.PARKERTEXAS.US**

### COMMENT CARD

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: Sam Montag Date: 2/5/12 -Thank you

Street Address: 289 Pierre Lane

Subject/Agenda Item: Bikes on Dublin

I WISH TO SPEAK OT THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments: End of Name of Agenda  
\_\_\_\_\_  
\_\_\_\_\_

### **STAY INFORMED: WWW.PARKERTEXAS.US**

**COMMENT CARD**

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: Rick Gurney Date: 2/5 -*thank you*

Street Address: 2609 Dublin Park Dr.

Subject/Agenda Item: Bicycles

I WISH TO SPEAK OT THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments: \_\_\_\_\_

**STAY INFORMED: WWW.PARKERTEXAS.US**

**COMMENT CARD**

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: Leslie Wright Date: 2/5/11 -*thank you*

Street Address: 5007 Estate Ln

Subject/Agenda Item: Bicycles

I WISH TO SPEAK OT THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments: \_\_\_\_\_

**STAY INFORMED: WWW.PARKERTEXAS.US**

**COMMENT CARD**

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: Joan Schu/Mar Date: 2 -*thank you*

Street Address: 3004 Dublin Cr LN

Subject/Agenda Item: Bicycles

I WISH TO SPEAK OT THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments: DR \_\_\_\_\_

**STAY INFORMED: WWW.PARKERTEXAS.US**

**COMMENT CARD**

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: Ed LaRue Date: 5 Feb -*thank you*

Street Address: 4488 Sykesdale

Subject/Agenda Item: Bikes

I WISH TO SPEAK OT THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments: \_\_\_\_\_

**STAY INFORMED: WWW.PARKERTEXAS.US**

**COMMENT CARD**

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: Lyhk Kareps Date: 2/5/13 -Thank you

Street Address: 4803 Ridgover Drive

Subject/Agenda Item: Bikes on Dublin Road

I WISH TO SPEAK OF THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments:

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**STAY INFORMED: [WWW.PARKERTEXAS.US](http://WWW.PARKERTEXAS.US)**

**COMMENT CARD**

Please complete and give to the City Secretary prior to the start of the meeting. All comments will be limited to 3 minutes. If you are with a group, please select one spokes person to speak on the groups behalf.

Name: Susan Dendinger Date: 2/5/13 -Thank you

Street Address: 5008 Edgewater Ct.

Subject/Agenda Item: Dublin Road Safety (5 curve)

I WISH TO SPEAK OF THE MAYOR AND CITY COUNCIL.

I DO NOT WISH TO SPEAK, BUT WOULD LIKE TO REGISTER MY OPINION.

Comments: Any construction to straighten curve  
will directly effect my property.  
We should limit thru traffic. Is that  
possible?

**STAY INFORMED: [WWW.PARKERTEXAS.US](http://WWW.PARKERTEXAS.US)**

Jim Goldblatt, 3705 Saddle Trail, Parker, TX

**Bike riders on Parker's two lane roads need to keep single file whenever traffic is near. Many do ride single file, but quite a few don't, and that includes some of the club group rides.**

**Our country lanes were not intended for bikes. The old asphalt edge is raveled. Newer asphalt has a drop-off at the edge. There's no safety shoulder. There is a big drainage ditch.**

**Two bikes riding side-by-side take up half the road, and auto traffic on Dublin Road already crowds the centerline. So a car or truck passing side-by-side bikes does not have enough safe clearance.**

**Plano has signs that say bikes may occupy a whole lane. Except for Parker Road we don't have extra lanes available for bikes, but the riders will use Plano's rules unless we provide signs with Parker's rules. So let's put up a few signs.**

**There will be more bike club rides starting up in the spring. In addition to Dublin Road, the routes include Springhill, Pecan Orchard, Donahoo, Donna, ... Sycamore. The number of riders is often very large, and the maximum number in a group needs to be limited unless the police are actively assisting.**

**Thank you.**

Goldblatt

Subj: **Re: Bicycle Issues on Dublin Road - Meeting 2-5-13 at 6:30**  
Date: 2/3/2013 6:05:53 P.M. Central Standard Time  
From:  
To: [LPettle@aol.com](mailto:LPettle@aol.com)

Hi Lee,

OK, flyers were posted (via bicycle) on Saddle Trail and Ridgeview this afternoon, 27 total. Could do a few more tomorrow if you were to recommend a specific area.

Two things concern me:

a) It's possible that residents attending the meeting could be vastly outnumbered by bike club members, and if the bike clubs come early and in large numbers that residents might be turned away. I think residents should be given preference in case there is a shortage of seating.

b) The agenda mentioned that Chief Fragoso had contacted the Richardson Bike Mart club coordinator and advised him of "citizen complaints in regards to cyclists riding more than 2 abreast". However, per the minutes of the meeting of last April 3rd, Chief Fragoso was quoted as saying "in accordance with state law, bicyclists have the same rights and responsibilities as a vehicle. Bicyclist should move to the right in a single file when moving slower than traffic". My firm belief is that bikes need to be in single file when in the vicinity of traffic and that it is not safe for a car to try to overtake bikes riding two abreast. From a practical standpoint the bikes might be able to go as fast as the 30 mph speed limit, but for cars and trucks on Dublin that is usually the minimum speed driven.

Jim

Subj: Re: Bicycle Issues on Dublin Road - Meeting 2-5-13 at 6:30  
Date: 2/2/2013 7:20:32 P.M. Central Standard Time  
From:  
To:  
CC:

Ray Hemming

We all are entitled to our own opinions on this matter, but our subdivision and a few others are directly impacted by this cycling traffic, as there is no way in or out of our area except to drive on Dublin Rd.

The cyclists must like it because it has low traffic and it is mostly downhill from the north.

I for one am tired of the hassle.

But to my earlier point, how do 25 bicycles differ from 25 cars traveling in a slow parade or the equivalent length of a line of people walking on the edge of a narrow road....? All are equal hazards on the narrow confines of Dublin Road.

I suspect the latter two examples would require a permit or an traffic escort.

Good luck with single file riding HOPE...it will be followed as well as the through car traffic speed limit at rush hour!

Sent from my iPhone

On Feb 2, 2013, at 6:26 PM, "Schulman, Michael R." > wrote:

Thanks Ray. With my schedule I don't encounter large packs but am aware they exist. I was not aware they actually race as distinguished from a fast group. Perhaps the only difference i have with your position is I would be in favor of letting larger groups ride Dublin if and only if they comply with rules such as single file when traffic approaches from the rear. While I haven't checked I suspect state law gives cyclists rights to use public roads with certain constraints.

Sent from my iPhone

On Feb 2, 2013, at 5:15 PM, "[LPettle@aol.com](mailto:LPettle@aol.com)" <[LPettle@aol.com](mailto:LPettle@aol.com)> wrote:

Thanks Ray! I appreciate your input. I will ask our City Secretary to make your comments a part of the record.

Again, thanks for taking the time to write this.

Lee

In a message dated 2/2/2013 3:08:59 P.M. Central Standard Time, writes:

Lee

Thanks for the note and invitation to address the cyclist issues on Dublin Road with the Parker City Council.

Unfortunately, I am lecturing at the business school at UTD Tuesday night during your open hearing time on the 5th...so I cannot attend in person, but my comments are listed below if you care to relay or read them to the rest of

the council.

The majority of the occasions, when I encounter individual cyclists on Dublin Road, they are not really all that troublesome.

However cyclists usually travel at much lower speed than the 30 MPH limit...so each cyclist causes some traffic condition versus normal vehicular traffic. But it is not the problem. Noting that I am referring to single and/or a pair of riders. In fact, I had 3 single riders on Dublin Road just a few minutes ago as I was heading south from Parker towards our neighborhood this afternoon...none of them were any cause of traffic problems.

The real issues are the Racing or Large Cycling Club groups that appear in packs of 10-40 bike groups on the double lane narrow road - Dublin Road.

These large groups are the whole problem in my opinion.

The pack riding is usually found coming off of Parker Road and heading southbound on Dublin Rd. I have observed these packs of cyclists too many times for my frequent (multiple-daily) use of Dublin Road...these packs are usually found in the early evening or on the weekends. They are a real pain and they are hazardous.

These packs, when they first come off of a much busier and wider road (Parker) seem to take a natural relaxation to their road manners and riding spacing. This is where I have had most of the troublesome issues that I encounter. These packs seem to use the (north end) Dublin Road portion to drink fluids, or eat snacks, or relax and slow down to chat with their fellow riders...causing a much more dense riding pack of 3 to 4 wide regularly, to often more than 5 to 6 across, and up to 20 bikes in length, which then blocks all traffic in either direction on Dublin Road. This is the problem I would ask the city council to address.

Also when the cyclists are actually racing in these packs, which happens frequently...I have observed very poor cyclist consideration for the actual automobile traffic on Dublin Road, and almost a total cyclist focus on "drafting" and race positioning for passing other riders...once this condition caused me to have to totally stop my car to allow the oncoming racing pack

of more than 25 riders to pass my northbound position before I was able to safely proceed north to the stop sign at Parker.

Occasionally, I also get behind these groups coming out of our neighborhood (Dublin Creek Estates) headed southbound and I find myself unable to pass the string of riders due to the road's natural limitations and the size of the riding group.

Lastly, I have often had to wait behind a large group at the stop sign at Park/Betsy, where I find the pack again relaxing and lingering to chat and drink, or to allow slower riders to catch up to the bigger group, prior to proceeding further south on Dublin Road or turning west on Park Blvd.

Of course I frequently see the "relatively regular " cyclist activity of completely running the stop sign at this same intersection...also note that I rarely see them fully stop, put a foot down or "unclip" at this stop sign, which I am told is the current law for cyclists.

Sorry for the long diatribe...but you asked for input!

Let me finish with my suggestions for the council to consider as a solution:

1) Center lane demark/stripe/or/button Dublin Road so each of the north and south sides has a better definition than it has today.

This is sorely needed for both automobile and/or bicycle traffic. and safety.  
Stop studying this and do it!

2) The city needs to limit the size (or totally prohibit) large packs of riders to utilize any "double lane" road in Parker...why do we even allow it??

3) Further to consider a total ban (unless licensed/registered and city permit issued) racing or large groups from our city's jurisdiction.

I ask the council...Why do we allow this imposition on our citizens? We should not put up with an unsafe and hazardous cyclist pack or racing route on Dublin Road or other double lane road in Parker. If a large walking group or car parade would want to use a Parker Road...wouldn't the city require a permit...why do bicyclist's get a pass for the same type of activity?

If large cyclist packs and cyclist racing were prohibited or require permitting In Parker, then I believe that the cyclists would quickly adapt to the better/wider streets and where no permitting is required - in nearby East Plano for their southbound routes. Los Rios Blvd is a concrete road construction, and it is 4 lanes wide...which is perfect for the traffic obstacles that these large bike groups create. I finally note, that if you observe these bicycle packs and their racing patterns...they come off of Los Rios at Park Blvd to come and go anyway...I say..."Let them stay in Plano"!

Thanks,

Ray Hemmig

3405 Bluffs Ln

Parker, TX 75002

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**From:** [LPettle@aol.com](mailto:LPettle@aol.com) [mailto:[LPettle@aol.com](mailto:LPettle@aol.com)]  
**Sent:** Saturday, February 02, 2013 12:46 PM  
**To:** [LPettle@aol.com](mailto:LPettle@aol.com)  
**Subject:** Bicycle Issues on Dublin Road - Meeting 2-5-13 at 6:30

Hi Everyone,

Please attend the City Council Meeting on Tuesday, February 5 at **6:30 p.m.** at City Hall to discuss bicycle issues that affect Dublin Road. We cannot resolve these issues without your input on what you see as the problems as well as any suggestions you may have for solving the issues. I have heard lots of comments and complaints on this and we need to hear from you. So please attend this meeting and bring any other Parker residents who are concerned on this issue.

Thank You,

Lee

Subj: **Re: Bicycle Issues on Dublin Road - Meeting 2-5-13 at 6:30**  
Date: 2/3/2013 8:44:04 A.M. Central Standard Time  
From:  
To:  
Lee,

*Tony Casserella*

I am not sure I can be there Tuesday, but I trust you can represent us very well.

The overriding issue is safety on Dublin Road. The road is narrow, with large curves and there are stretches where the road really needs repaving (like from Parker Road to Dublin Creek Estate). Perhaps a divider line will make a difference as well and some added signage. Not sure if the road study is done and what it recommended.

As for the bicyclists, being on this road given the above is an issue in and of itself. Added to this is very large groups that seem to take up the entire road at times. Some cars may try to pass them which adds to the hazard. I am not sure what the rules of the road for bicyclists are, but there is a danger here. Seems to me we have the make the road safer for bicyclists and again, there may need to be signage for both cars and bicyclists to abide by.

Hope this helps.

Thanks  
Tony

Sent from my iPhone

On Feb 2, 2013, at 12:45 PM, [LPettle@aol.com](mailto:LPettle@aol.com) wrote:

Hi Everyone,

Please attend the City Council Meeting on Tuesday, February 5 at **6:30 p.m.** at City Hall to discuss bicycle issues that affect Dublin Road. We cannot resolve these issues without your input on what you see as the problems as well as any suggestions you may have for solving the issues. I have heard lots of comments and complaints on this and we need to hear from you. So please attend this meeting and bring any other Parker residents who are concerned on this issue.

Thank You,

Lee

=

Subj: **Re: Bicycle Issues on Dublin Road - Meeting 2-5-13 at 6:30**  
Date: 2/2/2013 6:42:47 P.M. Central Standard Time  
From:  
To: [lpettle@aol.com](mailto:lpettle@aol.com)

Hey Lee, its John and Debbie. We really don't have any issues nor concerns regarding the bicycles on Dublin Road. The downside with traffic is a small price to pay for the novelty of being on the bike run path. Thanks for letting us know about the meetin.

Sent via the LG Nitro™ HD, an AT&T 4G LTE smartphone

----- Original Message -----

From: <lpettle@aol.com>  
Date: 2/2/2013 1:45 PM  
To: LPettle@aol.com;  
Subject: Bicycle Issues on Dublin Road - Meeting 2-5-13 at 6:30

Hi Everyone,

Please attend the City Council Meeting on Tuesday, February 5 at **6:30 p.m.** at City Hall to discuss bicycle issues that affect Dublin Road. We cannot resolve these issues without your input on what you see as the problems as well as any suggestions you may have for solving the issues. I have heard lots of comments and complaints on this and we need to hear from you. So please attend this meeting and bring any other Parker residents who are concerned on this issue.

Thank You,

Lee

Subj: **Bicycles**  
Date: 2/5/2013 7:52:57 A.M. Central Standard Time  
From:  
To:  
CC:

Good morning!

I am not sure if I can come tonight, Tuesdays are busy evenings for us. In case I don't make it, I want to share my thoughts.

We see the issue as less about danger from cyclists as danger from the dramatic increase in road traffic from Murphy, Wylie, Plano, etc.

David and I would be very supportive of a plan to provide a safe bicycle route through Parker down Dublin Rd. Many of the cities and small towns in the area have made great strides to encourage safe cycling by providing marked pathways that keep the roads safe for both cyclists and cars. There is plenty of right of way along Dublin to widen the road enough to create a bike lane.

Dublin is a marquee road that the cyclists have discovered and embraced for its beautiful scenery. Why not open our arms instead of shut the door, and we all benefit...those that live in Parker as well as those that visit?

My family would use the bicycles sitting in our garage a lot more if Dublin was safe for cycling. My oldest would like to ride his bike to school, but we're not comfortable with that because it's just not safe. I see folks jogging and walking along Dublin every day. I'm sure they would love a safer path.

Parker is all about country living. Instead of trying to ban a healthy outdoor activity, why not embrace it, and at the same time open the road for our own families?

Thank you so much for your service to our city!

Erica Johnson  
David Johnson  
5216 Edgewater Ct

Subj: **FW: Bicycles**  
Date: 2/5/2013 8:26:32 A.M. Central Standard Time  
From:  
To:  
CC:

City Council,

I am not sure I fully understand the issue being debated tonight, but it sounds like there is a consideration to ban bicycles on Dublin Rd. I know my neighbor Erica Johnson sent the email below. I agree with her comments. I would much rather see some bike lanes that improve overall safety than ban bikes.

What the Council ought to be focused on, however, is the condition of Dublin Road for all vehicles, not just bikes. I am considering not taking my kids to Six Flags anymore because they can get more of a thrill simply riding from the middle of Dublin Road to the edge. I am not an expert on what causes a road to be so disfigured, but I wager its semi trucks riding on the road when 100 degree temps turn it to jello. If you want to ban something on Dublin Road, ban trucks over a certain weight. But the road needs to be fixed. Its dangerous. The degraded nature of the road causes cars to drive towards the center of the road, particularly on the hairpin turn, and that creates a higher risk of accidents.

Because the road needs to be fixed, it makes sense to install bike lanes at the same time and to consider using a better road surface less amenable to deformation.

David Wille

---

**From:** Erica Johnson  
**Sent:** Tuesday, February 05, 2013 8:09 AM  
**To:** [Erica.Johnson@KristiBoards.net](mailto:Erica.Johnson@KristiBoards.net)

.net;

**Subject:** Fw: Bicycles

Hey Parker friends,

I just sent this to the city council. I don't know if you guys agree...if you do, add your 2 cents! 😊 Even better, go tonight! I'm going to do my best to be there.

Subj: **RE: FW: Bicycles**  
 Date: 2/5/2013 2:26:23 P M. Central Standard Time  
 From:  
 To: [LPettle@aol.com](mailto:LPettle@aol.com)  
 CC:

Ok, now that I understand what is going on, I am not sure what you do. If the bicyclists know the law, its unclear what stops this problem. It may be one of those things that you can't do much about. I suppose you could put up a warning sign that bicyclists riding more than 2 abreast or failing to obey traffic laws will be ticketed. But it is tough to address this otherwise I think. The road does need fixing but that won't solve the problems that you mention.

With respect to Packs of bikes impeding traffic, that cannot be solved without banning bikes. Tractors sometimes impede traffic too. But they have a right to be on the road as well. With respect to cars following bikes too closely, I am not sure exactly what that means. Common sense suggests you need a little gap. I am always afraid that someone will fall in one of these big groups and that I won't have time to stop. That makes me doubly nervous when I try to pass a group. But I can't see a solution to this problem being legislated. People sometimes do the wrong thing no matter whether there is a law or not.

Even if you went to a single file rule, I don't think that solves the problem. As long as there is traffic coming the other way, you still can't pass safely.

Doing nothing can be the right solution sometimes.

**From:** LPettle@aol.com [mailto:[LPettle@aol.com](mailto:LPettle@aol.com)]  
**Sent:** Tuesday, February 05, 2013 2:16 PM  
**To:** Wille, David  
**Cc:**  
**Subject:** Re: FW: Bicycles

Hi David,

The issues that have been brought to my attention are: the condition of Dublin Road, bicyclers who do not follow traffic laws by failing to stop for the stop sign at Dublin and Betsy(Park); "packs" of riders who impede traffic, ride more than two abreast and fail to obey traffic laws; and cars that follow bicyclers too closely. Banning bicycles is not an issue to my knowledge, just figuring out a way to have safety for all so we all may enjoy the beauty of Dublin Road. Bike lanes would be difficult due to the narrowness of Dublin Road and the city would have to acquire the rights of way from the landowners to widen the road. I am open to ideas and suggestions!

Lee

In a message dated 2/5/2013 8:26:32 A.M. Central Standard Time, [david.wille@parcmail.com](mailto:david.wille@parcmail.com) writes:

City Council,  
 I am not sure I fully understand the issue being debated tonight, but it sounds like there is a consideration to ban bicycles on Dublin Rd. I know my neighbor Erica Johnson sent the email below. I agree with her comments. I would much rather see some bike lanes that improve overall safety than ban bikes.

What the Council ought to be focused on, however, is the condition of Dublin Road for all vehicles, not just bikes. I am considering not taking my kids to Six Flags anymore because they can get more of a thrill simply riding from the middle of Dublin Road to the edge. I am not an expert on what causes a road to be so disfigured, but I wager its semi trucks riding on the road when 100 degree temps turn it to jello. If you want to ban something on Dublin Road, ban trucks over a certain weight. But the road needs to be fixed. Its dangerous. The degraded nature of the road causes cars to drive towards the center of the road, particularly on the hairpin turn, and that creates a higher risk of accidents.

Because the road needs to be fixed, it makes sense to install bike lanes at the same time and to consider using a better road surface less amenable to deformation.

David Wille

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**From:** Erica Johnson [mailto:[erica.johnson@parker.org](mailto:erica.johnson@parker.org)]

**Sent:** Tuesday, February 05, 2013 8:09 AM

**To:** [erica.johnson@parker.org](mailto:erica.johnson@parker.org)

**Subject:** Fw: Bicycles

Hey Parker friends,

I just sent this to the city council. I don't know if you guys agree...if you do, add your 2 cents! 😊  
Even better, go tonight! I'm going to do my best to be there.

Erica Johnson

**From:** [Erica Johnson](mailto:erica.johnson@parker.org)

**Sent:** Tuesday, February 05, 2013 7:52 AM

**To:** [erica.johnson@parker.org](mailto:erica.johnson@parker.org)

**CC:** [erica.johnson@parker.org](mailto:erica.johnson@parker.org)

**Subject:** Bicycles

Good morning!

I am not sure if I can come tonight, Tuesdays are busy evenings for us. In case I don't make it, I want to share my thoughts.

We see the issue as less about danger from cyclists as danger from the dramatic increase in road traffic from Murphy, Wylie, Plano, etc.

David and I would be very supportive of a plan to provide a safe bicycle route through Parker down Dublin Rd. Many of the cities and small towns in the area have made great strides to encourage safe cycling by providing marked pathways that keep the roads safe for both cyclists and cars. There is plenty of right of way along Dublin to widen the road enough to create a bike lane.

Dublin is a marquee road that the cyclists have discovered and embraced for its beautiful scenery. Why not open our arms instead of shut the door, and we all benefit...those that live in Parker as well as those that visit?

My family would use the bicycles sitting in our garage a lot more if Dublin was safe for cycling. My oldest would like to ride his bike to school, but we're not comfortable with that because it's just not safe. I see folks jogging and walking along Dublin every day. I'm sure they would love a safer path.

Parker is all about country living. Instead of trying to ban a healthy outdoor activity, why not embrace it, and at the same time open the road for our own families?

Thank you so much for your service to our city!

Erica Johnson  
David Johnson