



## **MINUTES**

### **CITY COUNCIL MEETING**

**March 3, 2009**

#### **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 Cordina called the meeting to order at 7:00 p.m. with Councilmember's Marshall, Sumrow, Threadgill, Evans and Levine present. A quorum was present.

Staff present: City Attorney Jim Shepherd, City Administrator Dena Daniel, Assistant City Administrator Jeff Flanigan, City Secretary Carrie Smith, and Police Chief Tony Fragoso.

#### **PLEDGE OF ALLEGIANCE**

Councilmember Sumrow led the Pledge.

**PUBLIC COMMENTS** The City Council invites any person with business before the Council not scheduled on the agenda to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

Harry Donaghy, 4613 Hackberry Ln. – Mr. Donaghy read a prepared statement for the Council regarding the Oncor Transmission Lines. (See Exhibit PC 1.) He requested the Council to provide Oncor and the PUC with the preferred route that benefits the City as a whole.

Jim Archer, 4209 Springhill Estates Dr. – In his absence, Mr. Archer provided a letter regarding Oncor Transmission Lines. City Administrator Daniel read the letter to the public. See Exhibit PC 2.

#### **INDIVIDUAL CONSIDERATION ITEMS**

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR FEBRUARY 17, 2009.

Correction to the spelling of Mr. Piziali's name and motion on item 10, vote was 3-2 with Councilmember's Marshall and Levine in opposition.

MOTION: Mayor Pro-tem Threadgill motioned to approve the minutes as amended. Councilmember Sumrow seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

2. PUBLIC HEARING, DELIBERATION, AND APPROPRIATE ACTION REGARDING ORDINANCE NUMBER 594, ENTITLED: AN ORDINANCE OF THE CITY OF PARKER, TEXAS ESTABLISHING A CURFEW FOR MINORS, TO PROHIBIT MINORS UNDER SEVENTEEN (17) YEARS OF AGE FROM BEING IN A PUBLIC PLACE BETWEEN THE HOURS OF 11:00 P.M. AND 6:00 A.M.; PROVIDING AFFIRMATIVE DEFENSES; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING A REPEALING CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE., TO RECEIVE PUBLIC INPUT AND DETERMINE THE NEED TO ABOLISH, CONTINUE, OR MODIFY THE JUVENILE CURFEW ORDINANCE.

City Attorney Shepherd noted State Law requires the Council to review the Curfew Ordinance every 3 years. The Council may amend, revoke or not amend the ordinance.

Chief Fragoso and Sergeant Price had to leave on an emergency call. City Administrator Daniel noted that Chief Fragoso did not propose any changes.

Mayor Cordina opened the public hearing at 7:23 p.m.

No comments were made.

Mayor Cordina recessed the public hearing at 7:25 p.m. to a later time in the meeting to allow Chief Fragoso to return from a call and answer any questions.

Mayor Cordina reopened the public hearing at 8:15 p.m.

No comments.

Mayor Cordina closed the public hearing at 8:17 p.m.

Chief Fragoso stated there has not been any problems with the current Ordinance and did not recommend any changes.

Councilmember Marshall asked Chief Fragoso if there were problems with juveniles attending events at Southfork Ranch. Chief Fragoso said the department is aware of events at Southfork and take them into consideration.

MOTION: Councilmember Marshall motioned not to amend or removed Ordinance 594. Councilmember Eleanor seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

**3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON FILLING A VACANCY ON THE PARKS AND RECREATION COMMISSION.**

The Parks and Recreation Commission has a vacancy due to the resignation of voting member Len Naldo. Councilmember Evans stated the Parks and Recreation Commission would like to recommend Council appoint Bart Blaydes to fill the voting seat and Dale Sims to fill an alternate seat.

Bart Blaydes is a professor at Richland Community College and has previously assisted with the Park Plan.

Council has not seen applications and would like for them to come before the Council before appointing someone to the board.

Councilmember Sumrow requested Staff broadcast, by email and website, for applications to boards and commissions at least two-time a year.

Councilmember Evans said she would contact the applicants and ask them to attend the next meeting for introductions and questions.

This item was tabled to the next regular Council meeting.

**4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESCINDING THE MOTION TO "GO OUT FOR BIDS" FOR SOLID WASTE SERVICES MADE ON OCTOBER 14, 2008.**

Mayor Cordina stated waste services are exempt from bid requirements and cities can pick vendor's they want to work with based on specific criteria. He asked the Council to rescind their motion made at the October 14, 2008 meeting "MOTION: Mayor Pro-tem Threadgill motioned to move forward immediately with "notice of termination" and advertise for bids. Councilmember Marshall added the new contract would begin January 2010. Councilmember Sumrow Seconded, with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0."

Council discussed continuing the bid process or selecting vendors by a committee. City Attorney Shepherd noted the Council could not interview and request presentations from each bidder. The bidders are provided specific questions and provide their answers. Negotiation prior to opening the sealed bids would be unlawful.

Mayor Cordina requested the Council to proceed with rescinding their motion to allow Allied Waste to provide Council with a report on their services and have an opportunity to meet with other vendors to better educate the Council on services and make the most prudent decision for the city.

Councilmember Levine felt changing the process could become confusing for vendors.



Councilmember Marshall felt the current bid process is a good process.

Councilmember Sumrow asked that the new contract require regular reports.

**MOTION:** Mayor Pro-tem Threadgill motioned to request information from Allied Waste in written form be published and continue on with the bid process. Councilmember Levine seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

#### 5. DISCUSSION AND REVIEW OF CITY ANIMAL CONTROL ORDINANCE.

Councilmember Sumrow took Murphy's Ordinance to Parker resident Dr. James Clay for his expert opinion. Dr. Clay felt the ordinance needed additional review and revisions for Parker. She requested the Council move forward quickly with the interlocal agreement and bring the ordinance back at a later time. City Administrator Daniel stated she included the Murphy Ordinance for council to look over and provide comments, she did not intend Council adopt it as written.

Item was tabled to a future agenda.

#### 6. DISCUSSION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A CITY POLICY AND PROCEDURE FOR ANIMAL CONTROL.

Item Tabled.

#### 7. DISCUSSION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT FOR ANIMAL CONTROL WITH THE CITY OF MURPHY.

Councilmember Sumrow requested Murphy try many options to locate pet's owners.

There was a lengthy discussion on how to charge for animal pick-ups. Council discussed waiving the first time pick up fees for pet owners and having a tiered fee schedule.

Councilmember Sumrow asked for the agreement to include injured wildlife in the agreement and have calls go through Murphy, not Parker staff. Assistant City Administrator Flanigan recommended all calls come through Parker staff and forwarded to Murphy. This process would allow a tracking means for the calls. In previous discussions Council wanted all calls to come through Parker to keep costs down. Councilmember Sumrow stated the animal control officers are trained and professionals that would not go out on frivolous calls.

City Attorney Shepherd reviewed the issues with the agreement: 1) reports, and 2) call procedure.

City Administrator Daniel and City Attorney Shepherd were to meet and negotiate with Murphy and revise the agreement and bring back to Council.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A TREE PURCHASE PROGRAM.

This item was tabled to a future Council meeting.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION AUTHORIZING STAFF TO PREPARE AND TAKE BIDS ON THE WATERLINE IMPROVEMENTS PROJECT.

MOTION: Councilmember Evans motioned to authorize staff to move forward with the bid process for the Waterline Improvements Project. Councilmember Sumrow seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ESTIMATED COSTS FOR A SIGN FOR CITY HALL.

Assistant City Administrator Flanigan presented an estimated proposal for a sign to be placed at City Hall. See Exhibit 10A.

After a brief discussion on the proposal, Mr. Flanigan is to bring back other renderings with lighting.

## **ROUTINE ITEMS**

11. FUTURE AGENDA ITEM REQUESTS

- Authorization to proceed with bid process for water tower project
- Animal Control Agree with Murphy
- Animal Control Ordinance
- Sign proposals for city hall
- Interview PRC applicants
- Emergency Notification program
- Oncor update

12. STAFF UPDATES

- a. Gazebo

- Cost for the Gazebo came in \$1200 over the PWC budget. The City has fund in budget under city property improvements to cover the expense. Staff is to move forward and final location is to be reviewed with the Mayor.

b. Groundbreaking Ceremony

- Councilmember Marshall will not be in attendance due to prior commitments.
- Council is to wear their white Parker shirts.

c. Financial Reports

- Tabled to a future agenda

13. ADJOURN

Mayor Cordina adjourned the meeting at 10:15 p.m.

APPROVED:



*Joe Cordina*  
\_\_\_\_\_  
Joe Cordina  
Mayor

ATTESTED:

*Carrie L. Smith*  
\_\_\_\_\_  
Carrie L. Smith, TRMC  
City Secretary

APPROVED on the 17th day of  
March, 2009.

Insert Exhibits

PC 1 -  
PC 2  
10A

*never read from Mr Daughtry, MS*

3/3/2009

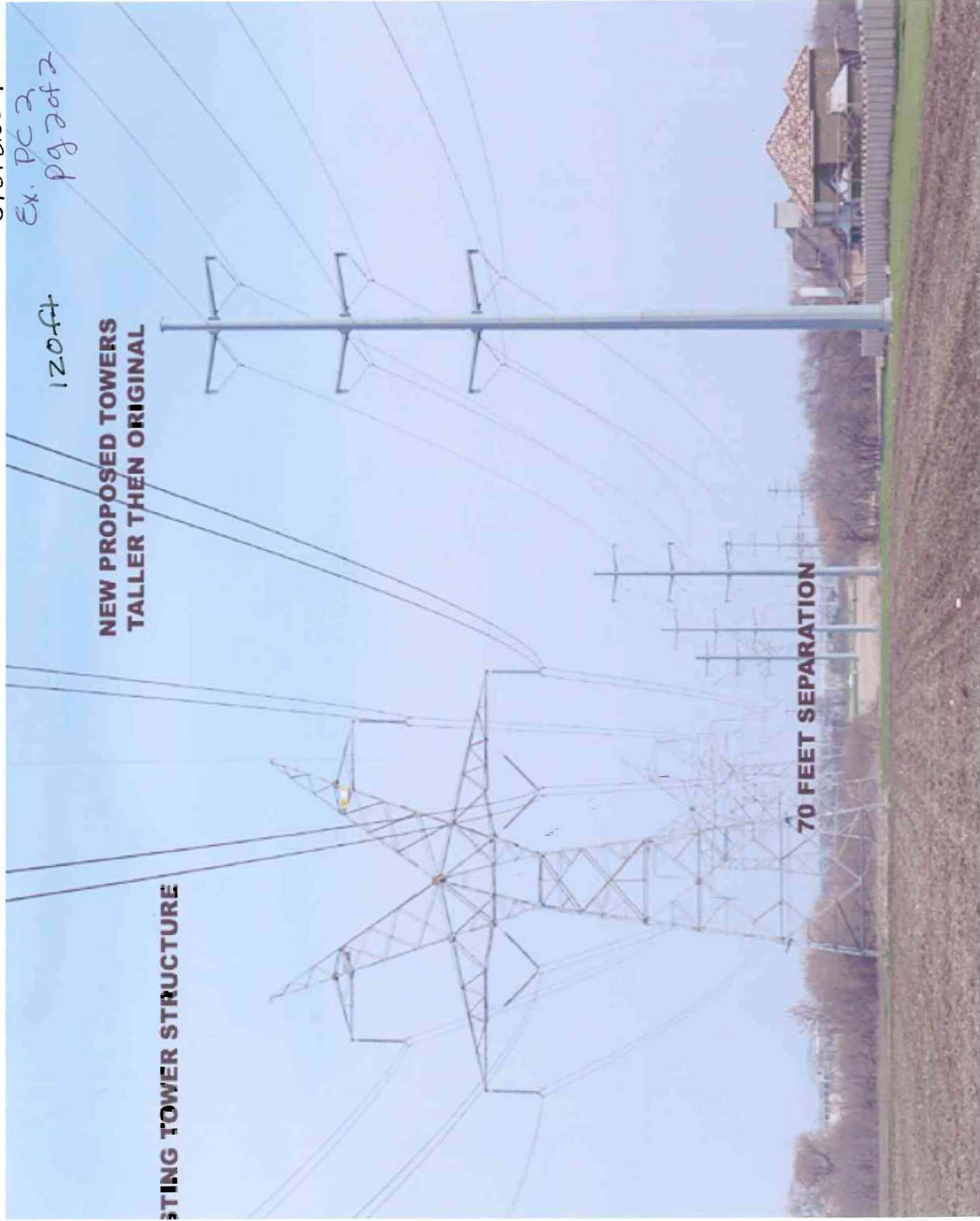
Ex. PC 2  
pg 2 of 2

120 ft

**NEW PROPOSED TOWERS  
TALLER THEN ORIGINAL**

**EXISTING TOWER STRUCTURE**

**70 FEET SEPARATION**





3/3/2009  
Ex. 10A

February 22, 2009

City of Parker  
5700 E. Parker Road  
Parker, Texas 75002

The following proposal is for the installation of your monument sign:

**LIMESTONE BLOCK ENTRY SIGN**

Sculpted limestone block sign set on concrete foundation	5,438.00
Engraved double sided cast stone sign panel 3'x5'x4"	1,950.00
Plant 12 5 gallon Maiden Grass as sign landscaping	309.00
Above is not designed with or including any lighting or irrigation work	
<b>TOTAL FOR ABOVE LIMESTONE BLOCK ENTRY SIGN</b>	<b>7,697.00</b>
Estimated budget for optional removable message board \$ 2,800.00 (Aluminum box sign 2'x8'x4" from Reynolds signs? Not included above)	

**ALTERNATE OPTION**

**STONE MONUMENT SIGN TO MATCH PARKER ROAD.**

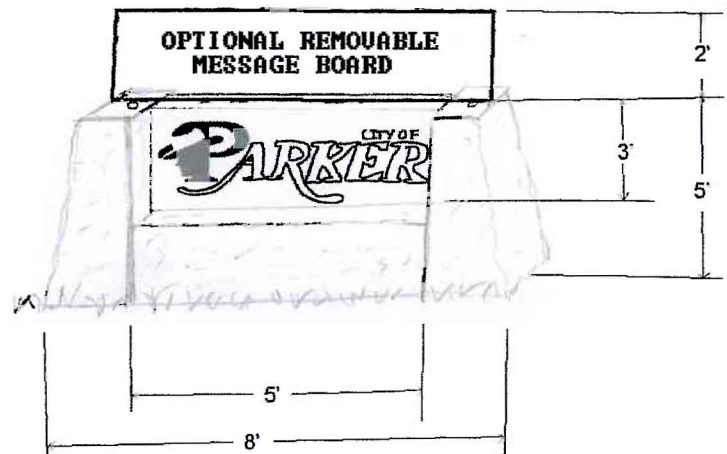
This option has 2 - 18"x18" x 6' stone columns in either end of a 9'x6' stone masonry wall and a 3x5' double sided cast stone sign installed in the center of the wall.  
Overall dimensions are 12' long x 6' tall x 1.5' deep

Poured concrete foundation	850.00
Natural stone columns, stone base wall and sign panel installation	6,392.00
Cast stone double sided sign panel 3'x5'	1,950.00
Developed landscape to match scope of Parker Road sign	4,900.00
<b>TOTAL FOR ABOVE ALTERNATE OPTION SIGN</b>	<b>14,092.00</b>

Respectfully submitted,



**DONAL MCKINNEY**  
P.O. BOX 940125  
PLANO, TEXAS 75094  
972.422.7262  
don@greensculptor.com



Limestone block with cast stone sign.