

MINUTES
CITY COUNCIL MEETING
February 19, 2014

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Marshall called the meeting to order at 5:30 p.m. Councilmembers Stone, Standridge, 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 Bill Rushing.

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.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
 - a. Govt. Code 551.087 and 551.071—"Economic Development"—to deliberate the request of Mike Bowen for an economic development agreement and incentives for developments of his property abutting FM 2551, south of the Easy Acres Subdivision, and confidential legal advice regarding same.
 - b. Govt. Code 551.087 and 551.071—"Economic Development"—to deliberate the request of Haynes Development Company for an economic development agreement and incentives for development of property abutting Curtis and Lucas roads, in the extraterritorial jurisdiction of Parker; and confidential legal advice regarding same.
 - c. Govt. Code 551.071—Confidential legal advice regarding pending litigation. Wingfield vs. Parker

Mayor Marshall recessed the meeting into Executive Session at 5:30 p.m.

2. RECONVENE REGULAR MEETING.

Mayor Marshall reconvened the open meeting at 7:06 p.m.

Mayor Pro Tem Levine had to leave during the executive session, but returned later in the meeting.

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

No action was taken.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Mike Sheff led the pledge.

TEXAS PLEDGE: Phil Steiman 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.

Bob Heath, 4506 E. Parker Road - Bob Heath discussed a log cabin from the 1800s that has been moved from Kentucky to Wylie. He would like to have the cabin moved to his property. This will be placed on a future agenda.

INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR FEBRUARY 4, 2014. [SMITH]

MOTION: Councilmember Taylor moved to table the minutes to a future meeting. Councilmember Stone seconded with Councilmembers Stone, Standridge, Pettle and Taylor voting for. Motion carried 4-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 710 CALLING FOR AN ELECTION TO BE HELD ON MAY 10, 2014 TO ELECT A MAYOR AND TWO CITY COUNCILMEMBERS-AT-LARGE; PROVIDING FOR EARLY VOTING; APPOINTING AN EARLY VOTING CLERK AND DEPUTY EARLY VOTING CLERK, PROVIDING FOR ORDER AND NOTICE OF THE ELECTION. [MARSHALL]

Mayor Marshall noted Sharon Rowe will be appointed the Early Voting Clerk, Carrie Smith Deputy Early Voting Clerk, Chuck Molyneaux Election Day Judge and Cindy Meyer Alternate Election Day Judge.

Parker City Hall will be a “vote center” for Early Voting and on Election Day. Voters may vote at any of the additional Voting locations open under full contract services with the Collin County Elections Administration.

Voting Schedule is as follows:

| Polling Place* | | Address | | | City | | |
|-----------------------|--------------|----------------|--------------|--------------|--------------|--------------|---|
| Sunday | | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| April 27 | | April 28 | April 29 | April 30 | May 1 | May 2 | May 3 |
| 8am – 5pm | | 8am – 5pm | 8am – 5pm | 8am – 5pm | 8am - 5pm | 8am - 5pm | 8am - 5pm |
| May 4 | May 5 | May 6 | May 7 | May 8 | May 9 | May 10 | 7am – 7pm Election Day |
| | 7am – 7pm | 7am – 7pm | | | | | |

An amendment was noted in Ordinance 710, Section 6.a., last sentence: ...and Monday, May 5 and Tuesday Thursday, May 6, 2014 from the hours of 7:00 a.m. to 7:00 p.m.

MOTION: Councilmember Pettle moved to approve Ordinance 710 as amended. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Pettle and Taylor voting for. Motion carried 4-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION RESOLUTION 2014-436 APPROVING A CONTRACT WITH COLLIN COUNTY ELECTIONS DEPARTMENT FOR ELECTION SERVICES. [SMITH]

Mayor Marshall stated Resolution 2014-436 would approve a contract with Collin County Elections Department for election services without labor. City Staff will hire and process the payroll for early voting and Election Day workers. City Hall will be a central voting location for all Collin County voters allowing residents to vote in the City and Allen Independent School District election at one location. Plano Independent School District will not hold an election this year.

The City budgeted \$12,000 for Election costs and the contract with the County is estimated to be \$4000, plus an estimated \$2300 for Election Workers, a total of \$6300.

MOTION: Councilmember Taylor moved to approve Resolution 2014-436 as written. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Pettle and Taylor voting for. Motion carried 4-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION REGARDING THE REQUEST OF THE HAMMEL FAMILY FOR THE NON-CONFORMING USE ACCESSORY DWELLING ON THEIR PROPERTY AT SYCAMORE AND PARKER ROAD TO BE ALLOWED FOR TEMPORARY USE BY A HOME HEALTH CARE WORKER. [SHEPHERD]

Former Mayor David Hammel and Mrs. Genie Hammel, 3901 Sycamore Lane have requested permission to use a non-conforming accessory dwelling for the limited purpose of housing a home health care professional to assist Mrs. Hammel and family with the care of Mr. Hammel.

City Attorney Shepherd noted the following:

- The accessory dwelling was built in 1960 in accordance with Collin County tax records. (Property ID: 2121154)
- The City annexed the property in 1969 in the original incorporation.
- The first Zoning Regulations were adopted in 1971, regulating accessory dwellings. (Ordinance 119) The result is the building had a legal, non-conforming use status since it and its use pre dated annexation, and zoning.
- Accessory dwellings may be lawfully used if they meet the criteria for either a non-conforming use, or have obtained a special use permit.
- The accessory dwelling has been vacant for a few years and has not received a special use permit
- The applicant is requesting permission from the Council for this dwelling to be used for the limited purpose of a home health care professional to live there. The occupant would be there to assist Mrs. Hammel care for her husband David, who has a serious illness, and is recovering from major surgery.
- The health care professional is scheduled to move in by Mid-March.

If the Council desires they may allow the temporary, non-conforming use for an allotted time period or have the Hammel's go to the Planning and Zoning Commission (P&Z) to apply for a special use permit as provided for in the Zoning Code of Ordinance. Going before the P&Z would be extremely difficult for the Hammel's and would require more waivers than only the non-conforming use because the property as it sits and as it was constructed does not match today's building setbacks, side yard requirements and possibly a few other issues.

MOTION: Councilmember Stone moved to approve a temporary non-conforming use of an accessory dwelling located at 3901 Sycamore Ln, for a period of not more than 10 years. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Pettle and Taylor voting for. Motion carries 4-0.

City Attorney Shepherd will prepare a resolution and bring back for Council to approve the final form.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AMENDING THE CITY NEWSLETTER PROCESSES AND PROCEDURES. [PETTLE]

The Newsletter Committee has reviewed the current newsletter processes and policies that were adopted by Resolution 2012-377. At that time the newsletter was outsourced and put in place to have controls over content and format. The newsletter is now prepared and printed in house by staff and recommends the following.

COMMITTEES PROPOSED POLICY

1.0 Purpose and Scope

The City Council of the City of Parker has formed a Newsletter Committee to provide the citizens with a municipal newsletter providing current information regarding City activities and events.

2.0 Committee

There shall be a Committee consisting of the Mayor, 1 (one) Councilmember, the City Administrator, and the City Secretary. Councilmember appointments shall be reviewed every 2 (two) years in June.

3.0 Content

The content is to consist of City business including, but not limited to: Council actions, city finance, police and fire services, community development, elections, city events. If space allows City organizations/clubs, whose membership consists of 75% Parker residents and which makes donations to the City of Parker in their yearly budget, and human interest stories on Parker residents.

4.0 Schedule

The City newsletter shall be prepared and published in a timely, efficient and professional manner. The newsletter is to be published quarterly: winter, spring, summer and fall.

The Committee requests Council repeal Resolution 2012-377 and approve the proposed policy.

MOTION: Councilmember Pettle moved to approve the proposed policy as written and have City Attorney Shepherd prepare a Resolution for Council's approval of the form at a future meeting. Councilmember Taylor seconded with Councilmembers Stone, Standridge, Pettle and Taylor voting for. Motion carried 4-0.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 711 ADOPTING A CITY FEE SCHEDULE. [FLANIGAN]

Changes proposed to the Fee Schedule include:

- Added the language “30-day grace period for late alarm registration”.
- Added a fee of \$250 for a new/addition construction permit based on square footage from 001 to 500.
- Amended square footage for 501 to 1000 for new/addition construction permit at a fee of \$500.

| New/Addition Construction Permit | |
|---|----------|
| <i>Based on Square Footage</i> | |
| 001 to 500 | \$250.00 |
| 501 to 1000 | \$500.00 |

- Decrease the price of a Zoning Variance Request from \$600 to \$300
The statute requires “public notice” of the hearing, and “due notice” to the parties in interest. Public notice, as opposed to the required “published” notice for zoning hearings, means the agenda posting for the meeting more than 72 hours in advance.

The City would continue to mail letters (constituting “due notice”) to the parties in interest by mail. “Parties in interest” has been defined consistently with those property owners within 200 feet of the property under review that would receive a notice for a zoning hearing.

After Council discussion they agreed to eliminate the \$20 annual renewal fee for accessory dwelling special use permits.

MOTION: Councilmember Taylor moved to approve Ordinance 711, subject to removing \$20 fee for accessory dwelling special use permits and changing the name of Swingin’ D Ranch to new name Cross Creek Ranch for the annual special use permit. Councilmember Pettle seconded with Councilmembers Stone, Standridge, Pettle and Taylor voted for. Motion carried 4-0.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON DISPOSAL OF SURPLUS VEHICLES. [FLANIGAN]

Staff is requesting the Council authorize the auctioning of the following surplus items through Renee Bates Auctioneers, Inc.

Renee Bates Auctioneers, Inc. specializes in online auctions for governmental entities, and is a licensed, full service auction company that has been in operation since 1966.

| <u>Surplus Vehicle/Item</u> | <u>Mileage</u> |
|------------------------------|----------------|
| 1) 2005 Ford F150, PW | 110,348 |
| 2) 2005 Ford F250, PW | 145,732 |
| 3) 2004 Ford F150, PW | 120,129 |
| 4) 2009 Charger, PD Unit 200 | 100,253 |
| 5) 2009 Charger, PD Unit 400 | 103,424 |
| 6) 2004 SCAG Mower | 373 Hours |
| 7) 2000 Toro Mower | 361 Hours |

MOTION: Councilmember Taylor moved to authorize City staff to auction the above surplus items with Renee Bates Auctioneers, Inc. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Pettle and Taylor voting for. Motion carried 4-0.

ROUTINE ITEMS

11. FUTURE AGENDA ITEMS

Mayor Marshall noted the Allen ISD will be holding spring break the week of March 17 -March 21 and Mayor Pro Tem Levine will not be available to meet on March 18. He asked Council to check their schedules and let staff know if they would be available for a special meeting on March 11.

Discuss Bob Heath's log cabin.

12. UPDATES:

Mayor Pro Tem Levine returned to the meeting at 7:55 p.m.

- REVIEW OF THE CITY COMPREHENSIVE PLAN. [LEVINE]

Review Committee, Scott Levine, Tom Stone, Jeff Flanigan and Russell Wright have met and propose a letter be mailed to all residents for input on the Comprehensive Plan. At a future Council meeting the committee will present Council with a proposed letter to receive input from citizens for Council's approval.

- CITY CREDIT RATING [MARSHALL]

Standard & Poor's Ratings Services raised its rating on Parker's general obligation (GO) bonds two notches to 'AAA' from 'AA' based on its local GO criteria released September 12, 2013. The outlook is stable. The full report can be found on the City website.

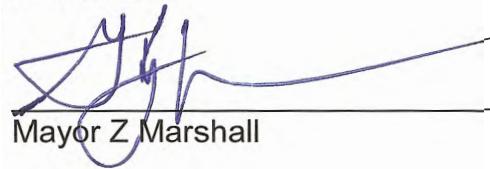
13. DEPARTMENT REPORTS - ANIMAL CONTROL, POLICE, COURT, BUILDING DEPARTMENT, WEBSITE

14. ADJOURN

Mayor Marshall adjourned the meeting at 8:12 pm.



APPROVED:



Mayor Z Marshall

ATTESTED:



Carrie L. Smith

City Secretary Carrie L. Smith

APPROVED on the 11th day
of March, 2014.