

**MINUTES**  
**CITY COUNCIL MEETING**

**September 2, 2014**

**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 6:00 p.m. Councilmembers Stone, Standridge, Levine, Pettie and Taylor were present.

Staff Present: City Attorney James Shepherd, City Administrator Jeff Flanigan, City Secretary Carrie Smith, Finance/H.R. Manager Johnna Boyd, Police Chief Bill Rushing and Fire Chief Mike Sheff

**EXECUTIVE SESSION – 6:00 TO 7:00**

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated the City Council may hold a closed meeting.

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

a. Govt. Code 551.071—confidential legal advice regarding contractual obligations and liabilities for water supplies to be purchased for use within the City of Parker area subject a Certificate of Need and Necessity (CCN).

Mayor Marshall recessed the meeting at 6:00 p.m.

2. RECONVENE REGULAR MEETING.

Mayor Marshall reconvened the meeting at 7:00 p.m.

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

No action was taken.

**PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: Eleanor Evans led the pledge.

TEXAS PLEDGE: Mike Masten 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.

Jim Threadgill, 7233 Moss Ridge - The Parker City Council has approved the installation of a city limit monument sign in the median on McCreary Road just south of McCreary Creek Estates. The monument will be a stone and lattice work structure very similar to the city limit monuments located on the west end of Parker Road and Betsy Lane. The Parker Road and Betsy Lane monuments were paid for by citizen donations.

The McCreary Road Monument Committee is asking that the citizens along McCreary Road and other parts of the City show their civic pride by making a tax deductible contribution for the express purpose of constructing the monument. Checks should be made payable to "City of Parker", with "McCreary Road Monument" added to the memo line of the check and given or mailed to one of the committee members or City Hall. Plans are to have the monument completed by September 20, 2014.

**CONSENT AGENDA** Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

4. APPROVAL OF MEETING MINUTES FOR AUGUST 19, 2014. [SMITH]
5. APPROVAL OF RESOLUTION 2014- 458 APPROVING AN AMENDMENT TO THE AGREEMENT WITH COLLIN COUNTY FOR ROAD AND BRIDGE IMPROVEMENTS. [FLANIGAN]
6. APPROVAL OF RESOLUTION 2014-462 DESIGNATING THE DALLAS MORNING NEWS AS THE OFFICIAL NEWSPAPER FOR THE CITY OF PARKER FOR FISCAL YEAR 2014-2015. [SMITH]
7. APPROVAL OF RESOLUTION 2014-463 APPROVING AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR CHILD ABUSE, INVESTIGATION SERVICES AND LAW ENFORCEMENT. [RUSHING]

MOTION: Councilmember Stone moved to approve the Consent Agenda as presented. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Levine, Pettie and Taylor voting for. Motion carried 5-0.

**INDIVIDUAL CONSIDERATION ITEMS**

8. PUBLIC HEARING ON 2014 PROPOSED TAX RATE. [MARSHALL]

This was the second of two required public hearings on the proposed 2014 tax rate.

The proposed 2014 tax rate is

Maintenance and Operations Rate	0.290294
<u>Interest and Sinking Fund Rate</u>	<u>0.060690</u>
Total Tax Rate	0.350984 per \$100

Mayor Marshall opened the public hearing at 7:10 p.m.

No Comments

Mayor Marshall closed the public hearing at 7:12 p.m.

Mayor Marshall announced Council will vote on the 2014 tax rate on September 16, 2014.

9. PUBLIC HEARING ON PROPOSED FY 2014-2015 BUDGET. [MARSHALL]

Mayor Marshall gave a brief review of the proposed budgets. See Exhibit 9A.

Mayor Marshall opened the public hearing at 7:20 p.m.

Martha Martin, 4907 Dublin Creek Ln. - Ms. Martin expressed her concern with the current water situation and the effect that new residents moving to Parker will have on the water supply. Mayor Marshall ~~assured~~ advised Ms. Martin the City is ~~currently~~ in discussion with North Texas Municipal Water District ~~on this issue~~ regarding the water supply.

Mayor Marshall closed the public hearing at 7:22 p.m.

Mayor Marshall announced Council will vote on the 2014-2015 budgets on September 16, 2014.

10. PUBLIC HEARING ON AN ANNEXATION REQUEST FOR APPROXIMATELY 50.104 ACRES OF LAND IN THE GEORGE W. EASTES SURVEY, ABSTRACT NO. 300, AND THE SURRY E. DONALDSON SURVEY, ABSTRACT NO. 278, COLLIN COUNTY, TEXAS. GENERALLY LOCATED AT CURTIS ROAD AND LEWIS LANE. [SHEPHERD]

Mayor Marshall opened the public hearing at 7:25 p.m.

No Comments

Mayor Marshall closed the public hearing at 7:26 p.m.

Mayor Marshall announced a second public hearing will be held on September 16, 2014 and Council will vote on the annexation request October 21, 2014.

11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2014-459 APPROVING AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR LANDSCAPING ALONG F.M. 2551/HOGGE ROAD. [FLANIGAN]

City Administrator Flanigan and Resident Eleanor Evans met with the Texas Department of Transportation (TXDoT) on behalf of the City and requested

additional trees and landscaping in the right of way of FM2551/Hogge Road, as a part of the TXDoT road widening project. TXDoT has consented to the additional landscaping, so long as Parker does all maintenance at the City's expense. TXDoT will pay for the trees, installation and irrigation system.

City Attorney Shepherd requested Council table this item to allow additional time to discuss the termination clause of the contract with TXDoT. Council requested City Attorney Shepherd to discuss the issue of asphalt being placed in the medians and the width of the medians where the trees are to be planted as well.

MOTION: Councilmember Pettie moved to table this item to a future date. Councilmember Taylor seconded with Councilmembers Stone, Standridge, Levine, Pettie and Taylor voting for. Motion carried 5-0.

12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2014-460 APPROVING A CONTRACT ENTITLED CONTRACT FOR PARAMEDIC AMBULANCE SERVICE WITH THE EAST TEXAS MEDICAL CENTER D/B/A EAST TEXAS MEDICAL CENTER EMERGENCY MEDICAL SERVICE [SHEFF]

Per Chief Sheff the key highlights of the amended ETMC EMS contract are as follows:

1. The contract represents an exclusive contract for emergency and non-emergency ambulance service in Parker (unchanged)
2. The contract has a maturity of September 30, 2019 (presently September 2014).
3. There will be an initial annual cost to the City of \$14,760 (presently \$10,770).
  - ETMC EMS is increasing its total subsidy by 8.6%, from \$187,373 to \$203,373. Our ratable share of the new subsidy is based upon Parker's higher 7% (previously 5.6%) share of the Coalition's total population due in part by the exit from the Coalition of Lucas which is now operating its own ambulance service through Lucas Fire Dept.
  - Annual stipend increases shall be limited to no greater than the change in the Consumer Price Index measured over the trailing 12 months.
4. There is a maximum average user fee of \$895, subject to annual increase based on the CPI.
5. There is a maximum average response time of 8 minutes 59 seconds no less than 90% of the time for life-threatening emergency calls, and 12 minutes 59 seconds no less than 90% of the time for non-life threatening emergency calls (substantially unchanged). The average is measured over all Coalition calls and is not Parker-specific.
6. ETMC EMS agrees to provide medical supplies to Coalition first responders (through on-scene replacement). This excludes drugs and medications administered by Parker paramedics.
7. ETMC EMS agrees to provide necessary continuing education including two on-site (in Wylie) live programs to Parker at the EMT and paramedic level covering trauma, advanced cardiac and pediatric programs.

8. There is a provision for minimum insurance coverage as follows (unchanged): Commercial General Insurance (\$1,000,000); Automobile liability; Worker's Compensation; Malpractice (\$1,000,000 per claim); Excess liability umbrella policy (\$2,000,000 per occurrence, \$4,000,000 total annual).
9. There is an indemnity by ETMC EMS in favor of Coalition members.

MOTION: Mayor Pro Tem Levine moved to approve Resolution 2014-460 as presented. Councilmember Pettie seconded with Councilmembers Stone, Standridge, Levine, Pettie and Taylor voting for. Motion carried 5-0.

13. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2014 -- 461 APPROVING A CONTRACT ENTITLED INTERLOCAL COOPERATION AGREEMENT FOR EMERGENCY MEDICAL SERVICES COALITION---AN AGREEMENT AMONG THE CITY OF PARKER AND THE LOCAL GOVERNMENTAL ENTITIES CONSTITUTING THE SOUTHEAST COLLIN COUNTY EMS COALITION.

Chief Sheff stated, "Pursuant to the ETMC EMS contract, the City of Wylie is tasked with providing backup ambulance service for Coalition members when ETMC EMS ambulances are unavailable, memorialized under an Interlocal Cooperation Agreement between Wylie and Parker. The Agreement runs concurrent with the ETMC EMS contract and matures September 30, 2014."

City Attorney Shepherd requested this item be tabled to a future meeting to allow additional time to resolve issues in the contract. Chief Sheff had no opposition.

MOTION: Mayor Pro Tem Levine moved to table this item to a future meeting. Councilmember Pettie seconded with Councilmembers Stone, Standridge, Levine, Pettie and Taylor voting for. Motion carried 5-0.

14. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ORDINANCE 713, AMENDING AND RESTATING ITS REGULATIONS REGARDING EMERGENCY WATER MANAGEMENT PLANS INTO CHAPTER 51 OF THE PARKER MUNICIPAL CODE OF ORDINANCES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$500.00 FOR EACH OFFENSE.  
[FLANIGAN]

The purpose of Ordinance 713 is to modify the existing watering regulations for the City to better monitor days customers may water and enforcement.

Council tabled this item at the August 5, 2014 meeting. Mayor Pro Tem Levine requested additional language clarifying the week in which each address can water.

Below is the revised section A:

A. § 51.77 entitled *Plan Stages: Restrictions* is repealed, and replaced with the following:

**“§51.77 LANDSCAPE AND OUTDOOR WATERING**

(A) Landscape and outdoor watering as defined below in this Chapter are limited to the following addresses on the following days. Watering may take place once every week under the Stage 3 Restrictions.

<b><i>Last Digit of Address</i></b>	<b><i>Allowed Landscape Water Days</i></b>
0 or 9	Monday
1 or 8	Tuesday
2 or 7	Wednesday
3 or 6	Thursday
4 or 5	Friday
No outdoor watering on Saturday or Sunday	

(B) In the event NTMWD determines landscape watering should be modified and reduced to once per every two weeks, notice of that requirement and a calendar showing watering weeks will be posted on the City website. Additional notice may be mailed to Parker water customers. The calendar will start each calendar year the first week in May, example shown below. A property owner with an address ending in 0 or 9 would comply with the once every two weeks schedule in the example calendar below by watering on Monday the 5<sup>th</sup>, and/or Monday the 19<sup>th</sup>. There would be no outdoor watering at that address on any other day in May in the example given below.

<b>May 2014</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Amendment: City Administrator Flanigan requested the last sentence: “*The criteria for the modified schedule from once a week to once per every two weeks is shown below in Section 3, Stage 3.*” be deleted from page 2.

MOTION: Councilmember Standridge moved to approve Ordinance 713, subject to deleting the last sentence on page 2 as noted above. Councilmember Stone seconded with Councilmembers Stone, Standridge, Levine, Pettie and Taylor voting for. Motion carried 5-0.

Mayor Pro Tem Levine stated he supports Ordinance 713, but it is imperative everyone needs to understand there are additional issues with North Texas Municipal Water District that must be addressed.

## **ROUTINE ITEMS**

### **15. FUTURE AGENDA ITEMS**

- a. Council Terms - Mayor Marshall

### **16. UPDATES**

- a. Code Enforcement - Councilmember Taylor noted the committee appointed to review the code enforcement process for the City has looked at complaints on record for the last 3 years. They did not find a large number of complaints, but high weeds and grass were the highest number. They did find a few repeated complaints between neighbors.

A link on the homepage of the website is available for citizens to report code violations. An article will be in a future City newsletter as well.

- a. Water - The City has not done a water rate study since 2008, so staff is currently working on a new rate study.
- b. Cancel November 4, 2014 Council Meeting for Election Day - A special meeting may be called in November if needed.
- c. ParkerFest 2014

### **17. ADJOURN**

Marshall adjourned the meeting at 8:01 pm.

APPROVED:

\_\_\_\_\_  
Mayor Z Marshall

ATTESTED:

\_\_\_\_\_  
City Secretary Carrie L. Smith

APPROVED on the \_\_\_\_ day  
of \_\_\_\_\_, 2014.

Exhibit 9A - Mayor Marshall's Budget Presentation