

## MINUTES

### CITY COUNCIL MEETING

January 19, 2010

#### **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 6:00 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, City Secretary Carrie Smith, Assistant City Administrator Jeff Flanigan, Finance Manager Johnna Boyd, Police Sergeant Kenny Price and Fire Chief Mike Sheff.

#### **EXECUTIVE SESSION 6:00 – 7:00 P.M.**

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

Mayor Cordina recessed to closed session at 6:00 p.m.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE  
AUTHORITY CONTAINED IN: **TX Government Code, §551.071**

Confidential legal advice regarding the following:

- a. Settlement terms of agreements for SOAH litigation with City of Wylie regarding Parker's water CCN and sewer cut off agreements.
- b. Pending lawsuit, Owens vs. City of Parker (water drainage)
- c. Ann's Lane—legal issues pending between adjacent property owners to roadway and their legal effect on the City.
- d. Moss Ridge Drainage --legal issues for easements and city property.

2. RECONVENE REGULAR MEETING.

Mayor Cordina reconvened the regular meeting at 7:40 p.m.

3. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE  
EXECUTIVE SESSION SUBJECTS LISTED ABOVE, INCLUDING SUCH  
RESOLUTIONS, POLICIES, AND/OR ORDINANCES AS MAY BE REQUIRED.

MOTION: Councilmember Levine motioned to approve Resolution 2010-287 approving an Interlocal Agreement with the City of Wylie for the disconnection of Parker water service due to nonpayment of Wylie sewer charges. Councilmember Marshall seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

## **PLEDGE OF ALLEGIANCE**

Councilmember Levine 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.

City of Wylie Councilmember David Goss was present to give support for the Interlocal Agreement between Wylie and Parker.

## **INDIVIDUAL CONSIDERATION ITEMS**

4. CONSIDER, AND/OR ANY APPROPRIATE ACTION ON, RESOLUTION 2010-287 AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF WYLIE, TEXAS AND THE CITY OF PARKER, TEXAS REGARDING THE DISCONNECTION OF PARKER WATER SERVICE DUE TO NONPAYMENT OF WYLIE SEWER CHARGES.

City Attorney Shepherd explained the agreement will help the City of Wylie collect outstanding sewer charges. Certain Wylie residents are served by Parker water and Wylie sewer. The agreement states Parker would turn off water if affected residents did not pay their sewer bill to the City of Wylie. He feels this is the normal and effective way to collect outstanding debt.

Council took action under agenda item 3, approving the agreement.

5. CONSIDERATION AND ANY APPROPRIATE ACTION ON MEETING MINUTES FOR DECEMBER 1, 2009 AND DECEMBER 15, 2009.

MOTION: Mayor Pro-tem Threadgill motioned to approve the minutes for December 1, 2009 and December 15, 2009 as written. Councilmember Marshall seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

6. PRESENTATION ON GIRL SCOUT GOLD AWARD PROJECT BY ASHTON GEPFERT TITLED "DEFINING DIFFERENCES - DISABILITY AWARENESS CAMPAIGN".

Girl Scout Ashton Gepfert gave a presentation to Council on her Gold Award Project, Disability Awareness Campaign. She had done a great deal of research and prepared First Responder Tip Cards and 911 Information Forms to be used by the Fire Department and Police Department to identify residents with disabilities. Council fully supported her program and asked staff to implement the program in the City. Staff will post information on the website, newsletter, and provide residents with forms when they apply for water service.

7. PRESENTATION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE 2008 – 2009 AUDIT REPORT BY HOWARD AND PINGLETON.

Auditor Tom Pingleton reviewed the Audit report for the Council. See Exhibit 7A<sup>i</sup> for complete report.

Financial Highlights from Pingleton and Howard -

*The assets of the City of Parker exceeded its liabilities at the close of the most recent fiscal year by \$50,735,100 (net assets). Of this amount, \$4,265,184(unrestricted net assets) may be used to meet the government's ongoing obligations to citizens and creditors. The government's total net assets decreased by (\$431,889). This decrease is attributable to the business-type activities. As of the close of the current fiscal year, the City of Parker's governmental funds reported combined ending fund balances of \$7,393,527; an increase of \$179,870 in comparison with the prior year. Most of the increase is due to transfers from the water and sewer fund. Of the fund balance, \$2,632,029 is available for spending at the government's discretion (unreserved fund balance).*

- *At the end of the current fiscal year, unreserved fund balance for the general fund was \$2,632,029 or 111 percent of total general fund expenditures.*

- *The City of Parker's long-term debt decreased by \$537,154 during the current fiscal year. This was due to scheduled principal payments on outstanding debt.*

8. PRESENTATION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON BOND SALES AND CITY BOND RATING.

Councilmember Marshall reviewed the recent bond sale and city bond rating.

Comments written by City Financial Advisor George Williford:

*"On January 7, 2010, the refunding bond issue was priced and marketed to refund the City's Series 1997 Certificates and Series 1999 Bonds. This was in accordance to delegated pricing authority approved by the Council.*

*The refunding issue achieved total present value savings equal to 6.568% of the \$1,980,000 refunded amount. Average annual savings will be \$16,800 from 2011 through 2019. Total debt service savings through the life of the refunding issue are \$151,198. A summarized schedule of the refunding savings is attached.*

*First Southwest congratulates the City on being assigned a rating of "AA" by Standard & Poor's and being able to take advantage of market conditions to achieve the refunding savings. As always, First Southwest appreciates the opportunity to be of continuing service to City of Parker."*

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE PISD FEEDER SCHOOL ALIGNMENT.

Resident Jerry Tartaglino reviewed the PISD approved alignment map with Council. A 2-year no-transfer policy has been implemented by PISD. Councilmember Levine was asked to give an update for the City Newsletter.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ASSESSING ADMINISTRATIVE FEES FOR SANITATION SERVICES.

Upon approval of the new contract with Allied Waste Services the rates for services were changed. Staff asked Council for a 50-cent increase in the administrative fees, which have not changed in 10-years.

MOTION: Mayor Pro-tem Threadgill motioned to approve an administrative fee of \$1.00 for sanitation services. Councilmember Evans seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans and Levine voting for. Motion carried 5-0.

11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2010 – 288 APPROVING A MASTER SUBSCRIPTION AGREEMENT WITH GOVOLUTION ALLOWING THE CITY TO ACCEPT CREDIT CARDS IN PAYMENT OF CITY SERVICES.

Finance Manager Boyd explained the services provided by Govolution. Govolution is a merchant account set up which allows the City to accept Mastercard, Discover and American Express for water payments, fines, permits and other fees. Convenience fees applied to credit card charges will be paid by the consumer, resulting in zero cost to the City. Govolution was recommended by American National Bank of Texas and Finance Manager Boyd feels confident in their recommendation.

MOTION: Councilmember Marshall motioned to approve Resolution 2010-288 approving an agreement with Govolution allowing the City to accept credit cards in payment of City services. Councilmember Levine seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ACCEPTING BIDS FOR THE POLICE DEPARTMENT REMODEL.

Assistant City Administrator Flanigan advised the Council that the City had advertised and received sealed bids on December 17, 2009 (See Exhibit 12A<sup>ii</sup> -letter from City Engineer), as required by law on the remodel of the police station. The low bid was \$132,556.03, with staff recommendation to add 10% for change orders and incidentals \$ 13,255.00, for a total of \$145,811.03.

The flood in the building during the fall of 2009 increased the costs as the damaged walls and floors must be replaced.

The budget line item of \$120,000.00, the additional \$25,881.03 could be taken out of City Council Contingency Fund.

MOTION: Councilmember Evans motioned to accept the low bid of \$132,556.03 by Brown Custom Building and Remodeling and the addition of a 10% contingency for incidents. The cost over the \$120,000 budgeted is to be taken from the City Council Contingency Fund. Councilmember Sumrow seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

13. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WEBSITE DESIGN, CONTENT AND LOGO COLORS.

Council was presented with the proposed website designs. There was a great debate on the use of colors for the City Logo. Councilmember Sumrow feels there should be some flexibility with the colors of the City Logo. The website design is brown and green and the blue and red logo does not match the site. Council was given the option to approve a logo that matched.

MOTION: Councilmember Levine motioned to approve the all white logo. Motioned died due to the lack of a second.

MOTION: Councilmember Levine motioned to use the blue and red logo as set in the identity design standards. Councilmember Evans seconded. Councilmember's Marshall, Threadgill, Evans, and Levine voted for. Councilmember Sumrow opposed. Motion carried 4-1.

## **ROUTINE ITEMS**

14. FUTURE AGENDA ITEM REQUESTS.

Audit report for approval.  
Zoning Code revisions  
P&Z's recommendation on the Wind Turbine regulations.  
Identity Standards Manual  
Fire Department Open House

15. UPDATES

- a. DEPARTMENT UPDATES – FINANCE, BUILDING, CODE ENFORCEMENT, POLICE, FIRE
  - i. Sgt. Price reported citations were down due to the colder weather.
  - ii. Chief Sheff reported the volunteers are spending more time at the new station and it has cut the response time down tremendously.
  - iii. Finance Manager Boyd reviewed the financial reports.
- b. PROJECT UPDATES – WATER TOWER, PUBLIC SAFETY BUILDING AND MCCREARY ROAD

The projects are moving along as scheduled.

## **ADJOURN**

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

APPROVED:

---

Joe Cordina  
Mayor

ATTESTED:

---

Carrie L. Smith, TRMC  
City Secretary

APPROVED on the 2nd day of  
February, 2010.

## INSERT EXHIBITS

---

i 7A – Audit Report

ii 12 A – Letter from City Engineer of PD Bids