

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

**FEBRUARY 16, 2016**

**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 7:00 p.m. Council members Stone, Standridge, Pettie and Taylor were present. Councilmember Levine was absent.

Staff Present: City Administrator Jeff Flanigan, Finance/H.R. Manager Johnna Boyd, City Secretary Patti Scott Grey, City Attorney Jim Shepherd, Fire Chief Mike Sheff, Assistant Fire Mark Barnaby, and Police Sergeant John Paul.

**PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: Jim Threadgill led the pledge.

TEXAS PLEDGE: Assistant Fire Mark Barnaby led the pledge.

**PUBLIC COMMENTS** The City Council invites any person with business before the Council to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

Sabrina Butler, 6004 Southridge Parkway, spoke about concerns she had with FM 2551 being close to her home. If the plans for FM 2551 go as planned and the City Council approved Item 8, the Preliminary Plat for Reserve of Southridge, Ms. Butler requested some type of barrier or berm be put into place for noise reduction and safety.

**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.

1. APPROVAL OF MEETING MINUTES FOR NOVEMBER 10, 2015. [SCOTT GREY]
2. APPROVAL OF MEETING MINUTES FOR JANUARY 19, 2016. [SCOTT GREY]
3. DEPARTMENT REPORTS - BUILDING, COURT, FIRE, POLICE AND WEBSITE
4. ACCEPTING THE 2015 RACIAL PROFILING REPORT. [RUSHING]

MOTION: Councilmember Taylor moved to approve the consent agenda items, as presented. Councilmember Standridge seconded with Councilmembers Stone, Standridge, Pettie and Taylor voting for. Motion carried 4-0.

## INDIVIDUAL CONSIDERATION ITEMS

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 733 CALLING AN ELECTION TO BE HELD ON MAY 7, 2016 TO ELECT A MAYOR AND TWO CITY COUNCILMEMBERS-AT-LARGE; PROVIDING FOR EARLY VOTING; APPOINTING AN EARLY VOTING CLERK, AN ELECTION JUDGE, AN ALTERNATE JUDGE, AUTHORIZING THE MAYOR TO EXECUTE A GENERAL ELECTION CONTRACT FOR ELECTION SERVICES WITH COLLIN COUNTY; AND PROVIDING FOR THE ORDER AND NOTICE OF THE ELECTION. [SHEPHERD]

City Attorney Shepherd said the contract was similar as in past years with the City providing the labor for early voting and the county providing the machines and other services such as tabulating voting and other items. There were two issues before Council, calling the election and approving the contract for Collin County to provide certain election services. Mayor Marshall clarified this item was for the City's May 7, 2016 election and noted the following polling places and early voting dates:

<b>Polling Place*</b>	<b>Address</b>	<b>City</b>
Collin County Election Office (Main Early Voting Location)	2010 Redbud Blvd., #102	McKinney
Parker City Hall	5700 E. Parker Road	Parker

<b>Sunday</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
Apr 24	<b>Apr 25</b> Early Voting 8am to 5pm	<b>Apr 26</b> Early Voting 8am to 5pm	<b>Apr 27</b> Early Voting 8am to 5pm	<b>Apr 28</b> Early Voting 8am to 7pm	<b>Apr. 29</b> Early Voting 8am to 5pm	<b>Apr. 30</b> Early Voting 8am to 5pm
May 1	<b>May 2</b> Early Voting 7am to 7pm	<b>May 3</b> Early Voting 7am to 7pm	May 4	May 5	May 6	<b>May 7</b> Election Day 7am to 7pm

\* City voters may vote at any of the additional Early Voting locations open under full contract services with the Collin County Elections Administration.

The Mayor then reviewed some of the costs totaling approximately \$7,500, with \$15,000 being budgeted. Councilmember Standridge asked if costs were recovered if the election was canceled. The Mayor noted Section IV. General Provisions. C., which stated the Contracting Officer would be paid a contract preparation fee of \$75.00.

MOTION: Councilmember Stone moved to approve Ordinance No. 733, calling an election to be held on May 7, 2016 to elect a mayor and two city councilmembers-at-large; providing for early voting; appointing an early voting clerk, an election judge, an alternate judge, authorizing the mayor to execute a general election contract for election services with Collin county; and providing for the order and notice of the election. Councilmember Taylor seconded with Councilmembers Pettie, Standridge, Stone and Taylor voting for. Motion carried 4-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2016-503 TRASH CONTRACT. [SHEPHERD]

City Attorney Shepherd asked if the applicant, Rick Bernas, Municipal Marketing Manager, with Republic Services, would like to speak. Mr. Bernas said they worked extensively to complete contract. He said after much deliberation Republic was comfortable with the contract and ready to move forward. He said he would be happy to respond to any questions. Mr. Shepherd said this was an extension of the contract that went back about fifteen (15) years. Republic provided a response to the City's Request for Proposal (RFP), it was determined their response was the best of the group of applicants. Contract negotiations went well. There was one change on page 3, which should read ninety-five (95) gallons, not sixty-five. A replacement page was provided.

A. Recycling Container: A plastic receptacle, designed for the purpose of curbside collection of recycling commodities, with a capacity of ~~sixty-five~~ ninety-five (95) gallons provided by Contractor. The Contractor shall be entitled to charge the Customer a \$5.00 replacement cost for each Recycling Container that is lost, stolen, destroyed or requested after a residential Customer is initially provided a Recycling Container. Residential Customers may purchase one additional container for an additional fee of \$5.00.

Otherwise, the contract had the same types of provisions that have worked the last fifteen (15) years. Insurance requirements for the provider were still significant. Indemnity was still there. Provisions for increases would be requested with Council approval. Mayor Marshall asked Mr. Bernas to explain the one additional household waste service. Mr. Bernas explained the Hazardous Household Waste Green Event (See excerpt Z. from the contract below.), stating there would be an event which involved household hazardous waste removal such as paint. He said they would provide a list of those items.

Z. Hazardous Household Waste Green Event - Contractor will donate services once per year for a household hazardous waste (HHW) /green event. The event will last 4 hours at the location and date chosen by the City. Contractor will provide information on what type of household hazardous waste is acceptable for disposal at such event.

City Attorney Shepherd asked Mr. Bernas to explain the change in brush and bulky item removal as well. Mr. Bernas said the items would still be picked up monthly, but there was a 10 cubic yard limit and he described 10 cubic yards as a pickup load.

Councilmember Stone asked about refrigerators. Mr. Bernas said refrigerators may be picked up, but the Freon needed to be removed.

MOTION: Councilmember Stone moved to approve Resolution No. 2016-503 Trash Contract. Councilmember Taylor seconded with Councilmembers Pettie, Standridge, Stone and Taylor voting for. Motion carried 4-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PRELIMINARY PLAT FOR KINGS CROSSING 3. [FLANIGAN] [Tabled – 02022016]

City Administrator Flanigan said Kings Crossing Phase 3 went through P & Z and the engineering review process. The item was tabled at the February 2, 2016 City Council meeting, because the large plat map provided in Council's packet on lot twenty (20) did not show a 10' waterline easement. That was corrected; however, the plans needed to reflect preliminary plat, not a final plat.

MOTION: Councilmember Standridge moved to approve the Preliminary Plat for Kings Crossing Phase 3, with the comment that "Preliminary" was placed on the plat. Councilmember Taylor seconded with Councilmembers Pettie, Standridge, Stone and Taylor voting for. Motion carried 4-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PRELIMINARY PLAT FOR RESERVE OF SOUTHRIDGE. [FLANIGAN]

City Administrator Flanigan said this had been a long process for Reserve of Southridge. The subdivision was between the existing Southridge Subdivision and FM 2551 just south of Curtis Road. He noted the latest engineering review letter commented there was only one means of access and City ordinance required two points of access. They were bringing a four-lane divided road from Curtis south to the development, which was something Council considered in the past. When the future FM 2551 road is constructed this subdivision would have four (4) means of access. The other item on the engineer's letter was an agreement that the detention pond was not part of this plat. It was right outside the limits of the plat and would be maintained by the HOA and the City had no maintenance of that pond. It was reviewed by our City Attorney. He asked the City Attorney to make any further comments about the drainage pond.

Dean Cardwell, P.E., Kimley-Horn and Associates, Inc., 5750 Genesis CT 200 455K, Frisco, Texas, the engineer of record, stated essentially P&Z asked that they provide plantings for three (3) lots and there be a retaining wall.

City Attorney Shepherd said everyone worked together on the off-site detention pond. A road was planned through that area, so the off-site parcel that had the pond on it had an outline of the extension of future 2551 connecting to old 2551. Those plans are not finalized. The owners of the off-site parcel with the pond and the subdivision proposed an easement, allowing their drainage pass along through to the detention pond and required the owner of the subdivision and the future to be developed, HOA to maintain parcel seven (7); all mowing, siltation, pumps, whatever it would need to maintain in a way not to violate the City nuisance ordinance or other ordinances that

might apply to the property. Mr. Anderson agreed. Mr. Shepherd urged Council to review the easement document and he commented that this was a preliminary plat and he and Mr. Anderson agreed further negotiations may be necessary. Mr. Shepherd asked Mr. Anderson when the annexation would be.

Art Anderson, 2728 North Parkway, Dallas, Texas, said he was not sure at this time, but he thought they usually did that at the time they filed the final plat.

Mayor Marshall said P&Z Commission approved the preliminary plat December 10, 2015, and there were nine (9) areas of concern. City Engineers stated in their last letter everything was satisfied except the two (2) items: 1) two points of access, which was being handled by the 2551 extension, and 2) the detention pond, which would be maintained by HOA, not the City. City Administrator Flanigan stated everything had been completed or would be completed. Mr. Flanigan explained the Letter of Map Revision (LOMR), item six (6) of P&Z's December 10, 2015 recommendation, would be addressed after construction was completed during the final plat process. Mayor Marshall asked Parker Resident Sabrina Butler, 6004 Southridge Parkway, if the planned landscaping of fruit trees addressed her concerns. They explained the spacing of the trees and the proposed retaining wall and asked Ms. Butler to take a look at the plans.

**MOTION:** Councilmember Taylor moved to approve Preliminary Plat for Reserve of Southridge, subject to the two points of access and the detention pond maintenance agreement to be in place between the developer and the City whereas the City is not responsible for the maintenance of the pond. Councilmember Standridge seconded.

Councilmember Standridge voiced a concern that 2551 was proposed. City Attorney Shepherd said that was the reason for the two points of access, based the median as opposed to the west end new 2551. The alignment of current Curtis Road and future Curtis along with the median were both important. He used Moss Ridge as an example. It technically satisfied the requirement.

Councilmember Taylor amended his motion to include all conditions noted in P&Z's recommendation. Mayor Marshall asked Councilmember Taylor to restate his motion for clarification. Councilmember Taylor moved to approve Preliminary Plat for Reserve of Southridge, subject to the two points of access, handled via the median, and the detention pond maintenance agreement to be in place between the developer and the City whereas the City is not responsible for the maintenance of the pond and included the nine (9) items recommended at P&Z's December 10, 2015 meeting. Councilmember Standridge seconded the revised motion with Councilmembers Pettie, Standridge, Stone and Taylor voting for. Motion carried 4-0.

Mayor Marshall asked the developer to meet with Ms. Butler.

**9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CHANGING THE MARCH 1, 2016 CITY COUNCIL MEETING, DUE TO MARCH 1, 2016 PRIMARY ELECTIONS DAY. [MARSHALL]**

Mayor Marshall said due to the March 1, 2016 Primary Elections Day being held in Council Chambers, our March 1st meeting was canceled. Staff will reschedule that meeting and notify everyone accordingly, as well as post the necessary notices.

## **ROUTINE ITEMS**

### **10. UPDATE ON UTILITY BILLING [BOYD]**

Finance/H.R. Manager Boyd provided information to the Mayor and Councilmembers, regarding utility billing, and showed them a new blue button on the bottom left hand side of City of Parker home page, [www.parkertexas.us](http://www.parkertexas.us), "View/Pay eBills". If you click on that button you would be directed to register for eBill services. Parker residents may now pay their utility bill online, including VISA with a small convenience fee, and even opt out of receiving a paper bill. The paper bill was also revised and was now a full page with an area for important messages.

### **11. FUTURE AGENDA ITEMS**

Mayor Marshall asked if there were any items to be added to the future agenda. There were no items to be added at that time.

**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

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

- a. Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, compensation, and/or duties, of the supervisory officials of the Police Department

Mayor Marshall recessed the regular meeting to Executive Session at 7:51 p.m.

### **13. RECONVENE REGULAR MEETING.**

Mayor Marshall reconvened the meeting at 8:20 p.m.

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

No action was taken.

### **15. ADJOURN**

Mayor Marshall adjourned the meeting at 8:20 p.m.

**APPROVED:**



ATTESTED:

*Patti Scott Grey*

Patti Scott Grey, City Secretary

*[Signature]*  
Mayor Marshall

Approved on the 29th day  
of February, 2016.