

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

**JUNE 28, 2016**

**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 Z Marshall called the meeting to order at 6:00 p.m. Council members Scott Levine, Lee Pettie, Ed Standridge, and Patrick Taylor were present. Council member Tom Stone was absent.

Staff Present: City Administrator Jeff Flanigan, Finance/H.R. Manager Johnna Boyd, City Secretary Patti Scott Grey, City Attorney Jim Shepherd, and Police Chief Richard Brooks

**EXECUTIVE SESSION 6:00 P.M. TO 7:00 P.M.** + Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting

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

- a. TX. Govt. Code Section 551.071--Confidential legal advice regarding public and employee health and safety provisions and liability issues in city buildings, including City Hall and the Police and Public Works buildings.

Mayor Marshall recessed the regular meeting at 6:02 p.m.

**2. RECONVENE REGULAR MEETING.**

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

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

Mayor Marshall asked that item #10, "CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE POLICE BUILDING. [BROOKS]", be moved up for consideration and then asked City Administrator Flanigan to give a brief update. Mr. Flanigan briefed City Council, City Staff, and audience on the water issues with the current Police Department building and what steps were being taken to remediate the mold from the building, as well as, information on the proposed use of funds from the current 2015-2016 budget to relocate our Police Department.

**MOTION:** Councilmember Pettie moved to approve use of funds in an amount not to exceed \$75,000, within the current 2015-2016 budget, to provide immediate temporary accommodations for the Parker Police Department, equipping those accommodations with necessary items, and remediating mold from the building, which formerly housed the Police Department. Further, approval was given for Mayor Z Marshall to execute contract documents for the leasing of a modular building and mold remediation. Councilmember Taylor seconded.

Mayor Pro Tem Levine asked Parker Police Chief Brooks, if this was what he needed, if this was sufficient for the time being. Police Chief Brooks said yes. City Attorney Shepherd clarified that this would be through this fiscal year, through September 30.

Councilmembers Levine, Pettie, Standridge, and Taylor voting for the motion. Motion carried 4-0.

Mayor Marshall noted again Councilmember Tom Stone was absent. This was a special meeting, which required a super quorum and the motion received the required votes for approval.

## **PLEDGE OF ALLEGIANCE**

**AMERICAN PLEDGE:** David Leamy led the pledge.

**TEXAS PLEDGE:** Mickel Russell 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.

Andy Redmond, 7275 Moss Ridge Road, spoke briefly about drainage issues and water quality, commenting water quality testing should be important and there was no excuse for testing not to be completed as required.

## **INDIVIDUAL CONSIDERATION ITEMS**

### **4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PRESENTATION BY SOUTHRIDGE REGARDING FM2551.**

After reviewing the Southridge Home Owners' Association (HOA) PowerPoint Presentation, Southridge HOA Representative Mike Russell petitioned City Council support for a traffic light at the new Curtis Road and FM 2551, and to block off Ravensthorpe Drive at FM 2551 [*Ravensthorpe Drive would no longer be a through street.*]. Mr. Russell said the traffic light and street closure would be for traffic and pedestrian safety and City Council's support was necessary in order to incorporate these changes into Texas Department of Transportation (TxDot) and Collin County future engineering plans. (See Exhibit 1 – Southridge Board and Parker City Council Meeting, June 28<sup>th</sup>, 2016.)

**MOTION:** Councilmember Standridge moved to table the request for support regarding FM 2551, subject to engineering and legal review. Councilmember Taylor

seconded with Councilmembers Levine, Pettie, Standridge, and Taylor voting for the motion. Motion carried 4-0.

Mayor Marshall asked that this item be placed on the next agenda.

**5. PUBLIC HEARING REGARDING SUBDIVISION REGULATIONS AMENDMENTS. [FLANIGAN]**

Mayor Marshall recognized City Administrator Flanigan for a brief overview of the item. Mr. Flanigan stated a public hearing was necessary to amend the Subdivision Regulations, per Texas State Code §212.002, and noted Parker's Subdivision Regulations Sub-committee, consisting of City Administrator Jeff Flanigan; City Engineer John Birkhoff; Councilmember Tom Stone, a retired engineer; and City Attorney Jim Shepherd; revised the subdivision regulations. On March 24, 2016, Planning and Zoning (P&Z) Commission had a public hearing, reviewed the changes, approved and recommended the revisions be forwarded to City Council for approval. The Mayor then asked if there were any questions or comments.

Mayor Marshall opened a public hearing to receive comments, regarding Subdivision Regulations Amendments.

David Leamy, Parker Resident, 5801 Rathbone Drive, and P&Z Alternate Commissioner, commented he felt the revisions were an improvement and he favored City Council approval.

Steve Sallman, Developer, submitted a letter, suggesting three (3) changes he felt would assist developers and builders. They were as follows: removal of the cable and telephone utilities requirement to be operational prior to issuance of a building permit; the previously required four-inch (4") mailbox numbers be changed to a minimum of three-inch (3") height of the numbers; and finally, a three-inch (3") diameter conduit for street lights, rather than the six-inch (6") conduit. (See Exhibit 2 – Stephen L. Sallman Letter, dated June 28, 2016.)

Jim Shepherd, City Attorney, presented a letter from Councilmember Tom Stone and himself, noting some additional corrections to the current revisions. (See Exhibit 3 – James E. Shepherd, Attorney at Law, Letter, dated June 28, 2016.)

Mayor Marshall asked if there were any additional questions or comments, regarding the Subdivision Regulations Amendments. No one else came forward. The Mayor declared the public meeting closed.

**6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 737, AMENDING THE SUBDIVISION REGULATIONS. [FLANIGAN]**

City Administrator Flanigan addressed concerns from the public hearing.

**MOTION:** Councilmember Taylor moved to table Ordinance No. 737, amending the Subdivision Regulations, to allow staff time to review suggestions, make corrections, and complete final revisions. Councilmember Pettie seconded.

Mayor Pro Tem Levine stated review of the City Subdivision Regulations had been going on for some time. He asked that in the future, input, any concerns and/or suggestions, be submitted to staff and council earlier in the process.

Councilmembers Levine, Pettie, Standridge, and Taylor voting for the motion. Motion carried 4-0.

**7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON KINGS CROSSING PHASE 4. [FLANIGAN]**

Mayor Marshall recognized City Administrator Jeff Flanigan. Mr. Flanigan stated on June 9, 2016, P&Z Commission recommended approval of Kings Crossing Phase 4 Preliminary Plat, subject to meeting the requirements of City Engineer John Birkhoff's letter, dated May 27, 2016. The Mayor said he was a little confused about the order of Phases 3 and 4, and asked if that could be explained briefly. Developer Steve Sallman explained it can be confusing and noted Phase 4 was being developed before Phase 3, so the lift station upgrades were not required at this time. The lift station upgrades would occur with the construction Kings Crossing Phase 3 and those additional lots.

**MOTION:** Councilmember Standridge moved to approve the Preliminary Plat of Kings Crossing Phase 4, which is the third phase to be developed although it was called Phase 4. Councilmember Pettie seconded with Councilmembers Levine, Pettie, Standridge, and Taylor voting for the motion. Motion carried 4-0.

Mayor Pro Tem Levine asked that in the future, the City Engineer be present to respond to questions and concerns for engineering related agenda items. City Council and City Administrator Flanigan agreed.

**8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WATER DISTRIBUTION SYSTEM MASTER PLAN UPDATE. [FLANIGAN]**

Mayor Marshall recognized City Administrator Jeff Flanigan. Mr. Flanigan briefly reviewed the information in the City Council packet, stating we received an email from Andrew Mata Jr., P.E. of Birkhoff, Hendricks & Carter L.L.P., dated Tuesday, June 21, 2016.

As requested, the City of Parker's Water Distribution System Master Plan update was completed, February 2016. Since the buildout residential population and the future land use remained the same, there were no major changes resulting from the update. The total supply by NTMWD at buildout decreased.

Councilmember Pettie asked when the new pump station would be in the budget. City Administrator Flanigan it should be in next year's 2017-2018 budget.

**MOTION:** Councilmember Taylor moved to approve the Water Distribution System Master Plan Update. Councilmember Standridge seconded with Councilmembers Levine, Pettie, Standridge, and Taylor voting for the motion. Motion carried 4-0.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2016-511 APPOINTING 2016-2018 COURT OFFICIALS. [SHEPHERD]

Mayor Marshall recognized City Attorney Shepherd. Mr. Shepherd briefly reviewed the information in the City Council packet, stating the terms of office for municipal court officials, including municipal court judge, municipal court alternate judge, and city prosecutor, coincide with the two-year term of the mayor of Parker. For the current term, May 2016 through May 2018, we request and recommend the following:

**Municipal court judge:** Raymond D. Noah;

**Municipal court alternate judge:** William E. Guyer;

**City prosecuting attorney:** David Hill;

Alternate prosecuting attorney, James E. Shepherd; and

**Municipal Court Clerk:** Lori Newton

MOTION: Councilmember Standridge moved to approve Resolution No. 2016-511, as presented. Councilmember Taylor seconded with Councilmembers Levine, Pettie, Standridge, and Taylor voting for the motion. Motion carried 4-0.

Mayor Marshall said City Council needed to go back to item #10. City Attorney Shepherd has some concerns that need to be addressed.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE POLICE BUILDING. [BROOKS]

Mayor Marshall recognized City Attorney Shepherd. Mr. Shepherd said City Council needed one additional resolution to complete the item, the procurement without competitive bidding. When the City has procurement that is necessary to preserve or protect the public health or safety of the municipality's residents then competitive bidding was not required and/or a procurement that was necessary because of unforeseen damage to public machinery, equipment, or other properties, such as a building. Mr. Shepherd said he felt this item met both requirements.

City Attorney Shepherd asked Police Chief Brooks to come forward to respond to questions. Mr. Shepherd asked Chief Brooks if Parker residents visited the Parker Police Department facility. Chief Brooks responded yes. Mr. Shepherd asked Chief Brooks if some visitors were there for minutes, while others may be there for hours. Chief Brooks agreed. Mr. Shepherd asked Chief Brooks if persons were detained for interrogation, could they possibly be in the interrogation room for hours. Chief Brooks answered yes. Mr. Shepherd asked if Police Officers and other police personnel were at the facility for hours. Chief Brooks again said yes. City Attorney Shepherd asked City Administrator Flanigan if prior to report on the condition of the Police Department building, there was any clear indication of a dangerous mold levels. City Administrator Flanigan said no. Mr. Shepherd asked Mr. Flanigan when he received the report. Mr. Flanigan said he received the report the previous Thursday or Friday. Mr. Shepherd asked whether the extent of the mold damage was unforeseen prior to receiving the report. Mr. Flanigan said that was correct.

City Attorney Shepherd said it would be appropriate for City Council to find that procurements approved earlier tonight were necessary to preserve and protect the public health and safety of the municipality's residents and prior to last week the extent of the unforeseen damage to the Police building, machinery, and equipment was unknown. If City Council was comfortable with making that finding, now would be the time to make a motion to that effect.

MOTION: Councilmember Pettie moved to find as fact that the procurement, item #10, was necessary to preserve and protect the public health and safety of the municipality's residents and the procurement was necessary due to unforeseen damages to public machinery, equipment, and/or other properties, specifically the Police building. Councilmember Taylor seconded with Councilmembers Levine, Pettie, Standridge, and Taylor voting for the motion. Motion carried 4-0.

## ROUTINE ITEMS

### 11. FUTURE AGENDA ITEMS

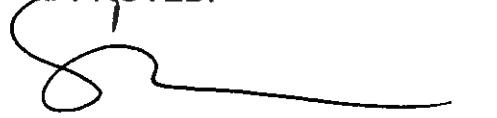
Mayor Marshall asked if there were any items to be added to the future agenda. He noted there would need to be an item for the Southridge Home Owners' Association (HOA) request for support, regarding FM 2551, and an item for Subdivision Regulations amendments. The next scheduled meeting would be a special meeting Thursday, July 7, 2016, for the 2016-2017 Annual Budget Work Session.

The Mayor also reminded City Council they should have received a meeting date change for the second meeting in July, from July 19 to July 20. He asked City Council to check their calendars and respond promptly to City Secretary.

### 12. ADJOURN

Mayor Marshall adjourned the meeting at 8:28 p.m.

APPROVED:

  
\_\_\_\_\_  
Mayor Pro Tem Scott Levine

ATTESTED:

  
\_\_\_\_\_  
Patti Scott Grey, City Secretary

Approved on the 20th day  
of July, 2016.



Southridge Board  
and  
Parker City Council Meeting  
June 28th, 2016



# FM2551 Extension – Overview

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The Southridge Estates Board of Directors has requested a meeting with the Parker City Council to invoke their support in requisitions made to TxDOT and Collin County to address:

- ☞ Traffic Safety
- ☞ Pedestrian Safety

TxDOT has stated that the requisitions made by the Southridge Ridge Estates Board must be supported by the Parker City Council in order to be incorporated by TxDOT and Collin County into the engineering plans.



## FM2551 Update – Meetings Held to Date

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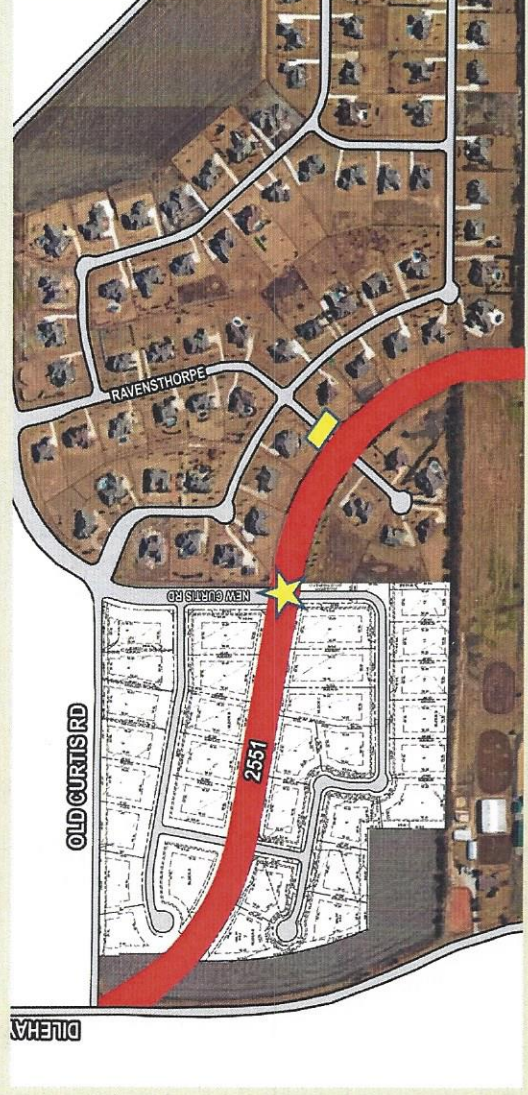
The requisitions made by the Southridge Estates Board and ACC were reviewed in two meetings held with TxDOT and Collin County on:

- ❧ February 8, 2016, Meeting held with TxDOT, Collin County Engineering, CP&Y Engineering Consultants and Southridge Estates HOA BOD and ACC.
- ❧ April 22nd, 2016, Meeting held with TxDOT, Collin County Engineering, CP&Y Engineering Consultants and Southridge Estates HOA BOD and ACC.



# Board Requisitions Requiring Parker City Council Support

- ✧ Installation of Traffic light at the New Curtis Rd and FM 2551 intersection
- ✧ Blocking of Ravensthorpe's north entry and exit of traffic off FM 2551 intersection





# Requisition 1

## Traffic Light at New Curtis and FM2551

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- ☞ Promotes safety of traffic entering and exiting Southridge Estates off of FM2551
- ☞ Provides a controlled access for pedestrians trying to cross FM2551 to and from the cul-de-sac
- ☞ Promotes safety for School buses entering and exiting the neighborhood
- ☞ Promotes safety of all residents and traffic traversing the east and west FM2551 corridor through the Southridge neighborhood by Slowing Traffic Down
- ☞ **Note: if a Traffic Light is installed, a crosswalk (with push button signal sensor) is possible per TxDOT**



## Requisition 1

### Traffic Light at New Curtis and FM2551 (cont'd)

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- ✧ TxDOT has stated that the current projected traffic volumes (12,700 by 2020 and 20,000 by 2040) do not warrant a Traffic Light at either the Ravensthorpe or New Curtis intersections.
- ✧ The Southridge Board and residents are requesting that the consideration for the Traffic light be focused on SAFETY of the Southridge residents and not based on strictly projected traffic volumes.



# Requisition 2

## Blocking of Ravensthorpe

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- ❧ Ravensthorpe will become a major thoroughfare for all traffic moving north to south. Present plans will encourage traffic flow to FM2551 from:
  - ❧ Parker Lakes additions
  - ❧ Kings Crossing
  - ❧ Haynes Addition (new addition along Curtis)
  - ❧ Any traffic wishing to take a short cut down Lewis from Bethany



# Requisition 2

## Blocking of Ravensthorpe (cont'd)

- ☞ New Curtis road is designed as a four (4) lane highway to carry all thru traffic to the FM2551 Extension outside of the Southridge Estates
- ☞ We currently have two entries and exits out of our neighborhood. We do not need a third
- ☞ Making Ravensthorpe a thorough fare will lower the overall enjoyment and quality of life for those living on Ravensthorpe north of FM2551 by promoting undo risk for:
  - ☞ Automobiles exiting and entering their residences
  - ☞ Walkers and joggers
  - ☞ Children playing
  - ☞ Adults and Children walking their pets
  - ☞ Children waiting for school bus pickup



# Requisition 2

## Blocking of Ravensthorpe (cont'd)

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- ❧ Potential decrease in security and increase in theft because of the three entrances and exits
- ❧ Traffic flow increase from accidents and those seeking alternate routes when traffic is high on FM2551



# Southridge HOA Support of Requisitions

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Both requisitions have been reviewed with the Southridge HOA residents via three (3) venues:

- Annual HOA Meeting in April 2016
- Letter highlighting the requisitions in May 2016
- A meeting with the Cul-de-sac residents in June 2016

The Board has secured approval of these requisitions from the Southridge HOA.



## Next Steps

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1. TxDOT and the County have agreed to a meeting to discuss engineering considerations for both requisitions with assumption of support by the Parker City Council.
2. The meeting date and agenda will be finalized between the Southridge Board and TxDOT.
3. A response date from the Parker City Council on the requisitions.
4. A formal written response from the Parker City Council on their position for each requisition.



# Warner Group, Inc.

4925 Greenville Avenue, Suite 1020  
Dallas, Texas 75206

Telephone (214) 368-0238  
Fax (214) 368-0812

Exhibit 2

June 28, 2016

Mr. Jeff Flanigan  
City of Parker  
5700 East Parker Road  
Parker, Texas 75002

Ref: Comments to Subdivision Ordinance

Dear Jeff:

The following comments are provided:

**Section 155.48, Para(A)** – Suggest deletion of “cable and telephone” from the utilities required to be operational prior to issuance of a building permit. It’s been many years since cable and communication companies have provided the infrastructure and operational service to subdivisions during the public improvement construction phase. Today these companies only provide service once the first house is completed and service is requested. It is usually the Builder’s Model Home that triggers this event.

**Section 155.49, Para. E(1)** – Suggest the height of the numbers to be placed on mailboxes be minimum of 3 inches. The ordinance previously required 4 inch numbers to be placed on the building (which is set back from the roadway). With the numbers on mailboxes at the street, 3 inches should be sufficient for visibility since they are adjacent to the road. Four inch numbers on mailboxes starts to create a design issue with the size of the number panel on the mailbox.

**Section 155.52, Para. (C) (19)** – Suggest 3 inch diameter conduit for street lights rather than 6 inch conduit, which may be appropriate for traffic signals. Street light conduit is typically no larger than the service conduit to a home. Electrical providers do not currently require 6 inch conduit for streetlights which are operated and maintained by the electricity provider and paid for by the Home Owners Associations. Not sure why City is specifying size of conduit for street lights.

Thank you for your consideration of these suggestions.

Sincerely,



Stephen L. Sallman

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June 28, 2016

Jeff Flannigan  
City of Parker  
5700 E. Parker Road  
Parker, TX 75002

Dear Jeff:

Shown below are additional edits and/or questions to be made to your the last draft of the proposed sub-division ordinance.

It would be a good idea to do a search on the word document you have prepared for the word "preliminary". While it is possible that word appears appropriately in the document, such as "preliminary construction", it is more likely in need of being removed as being left over from "preliminary plat".

The comments below are from me, and Tom Stone; who called this morning with several comments and questions.

Page 5 (B) remove the word preliminary from the fourth line.

Page 9 add a definition for "Development Plat-- Special requirements for development of one lot pursuant to State law, and as described in Section 155.80 et.seq. of this municipal code.

Page 24 (D) (1) remove "preliminary".

Page 32 (F) second paragraph second line "the RPLS shall *prepare* and provide ...".

Page 33 first paragraph regarding "pier shall extend into rock" --limestone 2 feet..., what if the limestone is 10 feet or more under the soil? Alternatives? *Eng. Approval*

Page 38 (16)(c) the cul-de-sac radius was changed from 40 feet to "allow City Emergency Vehicles". We either need to revise the 40 foot measurement for clarity and simplicity, or we need to do more to describe what City Vehicles to make which kind of maneuver. I would suggest revising the 40 foot radius to a number that is reasonable and use that.

Page 44 (e) same comment as page 33. Monuments extended 2 feet in the limestone.

Page 46 (B) (5) change "all flows *which* cannot be conveyed ...".

Page 50 bottom of page A (1) remove the word "preliminary".

Page 54 (B) (2) remove the word "be".