

**PLANO CITY COUNCIL  
PRELIMINARY AND REGULAR MEETING  
January 2, 2001**

**COUNCIL MEMBERS**

Jeran Akers, Mayor  
Rick Neudorff, Mayor Pro tem  
Phil Dyer, Deputy Mayor Pro tem  
Shep Stahel  
Pat Evans  
Steve Stovall  
John R. Roach, Jr.  
Ken Lambert

**STAFF**

Thomas H. Muehlenbeck, City Manager  
Frank Turner, Executive Director  
Bruce Glasscock, Executive Director/Police Chief  
Rod Hogan, Executive Director  
Diane C. Wetherbee, City Attorney  
Elaine Bealke, City Secretary

Mayor Akers called the meeting to order at 5:02 p.m., Tuesday, January 2, 2001, in the Council Chambers of the Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Council Member Stovall who arrived at 5:26 p.m. and Council Member Roach who arrived at 5:27 p.m.

**PRELIMINARY OPEN MEETING**

**Dart Status Report**

DART Board of Directors representative Robert Pope spoke to the successful opening of City Place Station, and to the end of the DART fiscal year status report. He stated that while rider-ship has increased, numbers are still below target, and that efforts are being made to address complaints received. Mr. Pope stated that the Plano North Central line is making progress, and that the town of Addison has employed a consultant to study the Cottonbelt from Plano to the airport.

### **Discussion and Direction Regarding Plano Housing Corporation Request of Funding for \$60,000 for Affordable Homes**

Alan Johnson of the Plano Housing Corporation spoke to funding requests from HUD towards building houses in 2001 and spoke to partial funding received from HUD for this purpose. He spoke to the availability of eight lots located at Parker Road just east of Avenue P, and stated that an offer has been made to the owner of the lots but that a \$60,000 shortage currently exists. Mr. Johnson requested that the City fund this amount.

Mr. Johnson advised Mayor Pro tem Neudorff that it is recommended the lots be sold at the county appraised value and stated that comparable lots would go for considerably more, the \$60,000 requested would not be used for interim construction costs, and spoke to returning some funds back to the City. He advised Council Member Dyer regarding the need for provisions for a circular drive or a parking lane in front of the houses and stated that this does fit in with plans for the widening of Parker Road, and further that these houses must be priced below \$90,000 for first time home buyers to qualify for this program. Mr. Johnson advised Council Member Lambert that the planned square footage of the houses will fit the area well, corporate builders generally work on larger projects, Plano Housing Corporation takes the responsibility for advertising and finding and qualifying buyers, and that interim construction funds have been secured with two banks.

Council Member Stahel, Mayor Pro tem Neudorff and Deputy Mayor Pro tem Dyer spoke in support of moving forward with this request. Mr. Dyer spoke to a higher monetary return to the City. City Engineer Upchurch advised that right-of-way will not be required of the properties, that right-of-way for Parker Road has been acquired and that parking is within the right-of-way. City Manager Muehlenbeck advised Mr. Lambert that an appropriation out of unappropriated ending balance would be used to fund this request. Mr. Lambert advised that he supports the projet. Mayor Akers advised that it is the consensus of the Council to proceed with this request.

### **Discussion and Direction Regarding Issuance of \$14 Million of Certificates of Obligations**

City Manager Muehlenbeck spoke to anticipation of a February 5 bond sale, the issuance of certificates of obligation for Public Safety Technology to be a part of the bond sale, and spoke to the projects detailed in the packet reflecting expenditures totaling \$13,390,020. He stated that Finance Director McGrane has advised of another opportunity.

Mr. McGrane spoke to tax notes which do not require a publication process as do certificates of obligation, and stated that they do not require that additional revenue sources be pledged. He stated that tax notes are sold the same as general obligation bonds, and stated that on the negative side there is a seven year maximum time limit on notes unlike eight years for certificates of obligation. Mr. McGrane recommended that either the tax notes or the certificates of obligation be done along with the February 5 bond sale. City Manager Muehlenbeck advised that the need for shorter-term debt usually is not done with longer term bond referendum issues. Mr. McGrane stated his personal preference for the tax notes. Council Member Stahel spoke in support of a shorter-term note as recommended. Mr. McGrane advised the Council that a premium will be paid for early pay off. Mayor Akers requested that Staff proceed with this request.

## **Personnel**

### Tax Increment Financing Reinvestment Zone No. 1 Board Chair/Member Consideration

Council Member Evans advised that she is ready to make appointment recommendations for this committee but that she has been unable to contact Mark Haerr to ascertain his willingness to be reappointed, and that pending this qualification makes a motion to reappoint Michael Booth, Mark Haerr, and Stephen Liddell to the Tax Increment Financing Reinvestment Zone No. 1 Board for an additional two year term. Deputy Mayor Pro tem Dyer stated a second and the Council voted 8-0 in favor of the motion.

Upon a motion made by Deputy Mayor Pro tem Dyer and seconded by Council Member Stovall, the Council voted 8-0 to reappoint Council Member Evans to an additional two-year term and to be named Chair for a period of one year.

### Discussion and Direction Regarding the Appointment of a Council Committee to Make Recommendations on Projects for the 2001 Bond Referendum

Mayor Akers recommended that Mayor Pro tem Neudorff as Chair, Deputy Mayor Pro tem Dyer and Council Member Evans be appointed to the 2001 Bond Referendum sub committee in order to look at and bring back related recommendations to the Council. City Manager Muehlenbeck spoke to a January 22 Council meeting time frame with February 5 as the last possible date for recommendations to be brought forward. Director of Budget and Research Rhodes spoke to board and commission recommendations coming in and to discussions with the sub-committee prior to January 22.

## **Council Items for Discussion/Action of Future Agendas**

Council Member Lambert requested that there be an update on the televising of the Planning and Zoning Meetings (worksessions) with regard to the status of a time line for implementation.

Mayor Pro tem Neudorff requested there be an opportunity to give public comment on cable service advising that he has received numerous complaints. Mayor Akers recommended there be a separate special hearing in February to accept public comments regarding this request. City Manager Muehlenbeck requested that complaints be forwarded to his office as they are received in order that they might be compiled for the record.

Council Member Evans requested there be discussion regarding door-to-door/neighborhood, handbill solicitation and recommended that companies be held responsible for violations. She recommended looking at the ordinance to address this, possibly in the licensing process, and stated that she has been informed that No Hand Bill signs posted on doors are ignored due to distributors being unable to read.

Council Member Stovall requested there be discussion with the Planning and Zoning Commission regarding conducting their worksessions in the Council Chambers and problems associated with this being a formal session and intimidation of first time speakers and to giving power to those speakers who are more comfortable with the process. Mayor Pro tem Neudorff spoke to this being a request to discuss ramifications of televising Commission worksessions. Council Member Evans recommended inviting Commission members to discuss this with the Council in order to help determine policy. Mayor Akers recommended deciding policy first and then speaking with the Commission Chair who will then relate comments received from the Commission back to the Council. Council Member Stahel stated he met with Commission Chair McGee along with Mr. Muehlenbeck and Ms. Jarrell regarding this request and stated that at the end of the meeting it was determined that the Council favors televising Commission pre-meetings and worksessions, and that the Commission has suggested that they could either start their meetings on the first Monday at 7:00 with a short pre-meeting, or move to the first Tuesday. Mr. Stahel stated that Commissioners indicated a problem with moving to Tuesday as this was not the day they had originally signed up for and recommended that if this is done that it be delayed for one year. Mr. Stahel further stated that it was recommended that when needed on rare occasions a very casual retreat, open to the public but not in the Council Chambers, could be scheduled inviting the public.

Council Member Roach requested there be an update or discussion regarding feasibility of neighborhood patrol officers to have the authority to write code violations while on patrol. He further requested an update on perpetual garage sales being held.

## **Consent and Regular Agenda**

None were discussed.

## **Council Committee Reports**

Council Member Stovall advised that the Transportation Advisory Committee will hold a Public Hearing on Thursday, January 11 regarding the Safe Streets Initiative in the Council Chambers and stated that while attendance is encouraged, speakers will be required to adhere to a specified time limit. He further stated that another worksession type meeting may be held earlier on the Tuesday or Wednesday, January 9 or 10, before the Public Hearing to work through these issues.

Council Member Stahel spoke regarding a time frame to receive input from the public regarding bond referendum items. City Manager Muehlenbeck advised that this was previously scheduled and held during a Council meeting but stated that the January 22 meeting could be utilized to receive input.

## **CONSENT AGENDA**

Upon a motion made by Mayor Pro tem Neudorff and seconded by Council Member Stahel the Council voted 8-0 to approve all items on the Consent Agenda as recommended and as follows:

### **Award, Rejection of Bids/Proposals, Conditional Acceptance of Lowest Responsible Bid/Proposal and Designation of Alternate Lowest Responsible Bid/Proposal when applicable on the following**

**Bid No. B008-01** for Replacement Light Fixtures at The Heritage Yards Complex in the amount of \$94,640. [Consent Agenda Item (A)] (See Exhibit "A")

### **Approval of Contracts**

To Henley-Johnston & Associates, Inc., for material testing and inspection for the Preston Elevated Storage Tank Repaint Project in the amount of \$23,923. [Consent Agenda Item (B)]

**END OF CONSENT**

**Ordinance No. 2001-1-1:** To amend Article IV of Chapter 11, “Licenses and Business Regulations” of the Code of Ordinances of the City of Plano to add an appeal process from the denial or revocation of permit to solicit within the City of Plano, amending Ordinance No. 93-10-1 by revising Section 11-145; providing penalty, severability, repealing and publication clauses, and an effective date. [Regular Agenda Item (1)]

City Attorney Wetherbee advised that this request represents one amendment to the Solicitation Ordinance and does not reflect the comprehensive changes previously discussed by the Council last month. She stated that this item will possibly come back to the Council January 22 with more substantive changes.

A motion was made by Council Member Lambert and seconded by Mayor Pro tem Neudorff to amend Article IV of Chapter 11, “Licenses and Business Regulations” of the Code of Ordinances of the City of Plano to add an appeal process from the denial or revocation of permit to solicit within the City of Plano, amending Ordinance No. 93-10-1 by revising Section 11-145; providing penalty, severability, repealing and publication clauses, and an effective date, and further to adopt Ordinance No. 2001-1-1.

Mayor Akers advised that the Council will recess and convene into Executive Session in the Council Conference Room after which time the meeting will finally adjourn. The Council convened into Executive Session in compliance with Chapter 551, Government Code, Vernon’s Texas Codes, Annotated, to discuss matters of Personnel, Section 551.074, for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required by law. Nothing further was discussed. Mayor Akers adjourned the meeting at 6:01 p.m. to the Council Conference Room.

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Jeran Akers, MAYOR

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Elaine Bealke, City Secretary