

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
March 24, 2003**

COUNCIL MEMBERS

Pat Evans, Mayor
Phil Dyer, Mayor Pro tem
Steve Stovall, Deputy Mayor Pro tem
Shep Stahel
Scott Johnson
Sally Magnuson
John R. Roach, Jr.
Ken Lambert

STAFF

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

Mayor Evans called the meeting to order at 5:05 p.m., Monday, March 24, 2003, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Council Member Roach. Mayor Evans then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071 and to discuss Real Estate, Section 551.072, for which a certified agenda is required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 6:29 p.m. in the Council Chambers for which the following matters were discussed:

Consideration and Action Resulting From Executive Session Discussion

Receive legal advice on Attorney General Opinion No. GA-0041 regarding certain municipal employees Civil Service classification.

Mayor Evans advised that "The City of Plano has continuously followed all applicable law in the hiring of civil service personnel. The issue raised to the Attorney General was as a result of a legislative change in 2001 that created an ambiguity in the definition of fire fighters."

“The City of Plano’s priority is to not disrupt the employment of any persons who have provided the excellent service that the citizens and this community have depended on and who are otherwise potentially affected by the Attorney General’s Opinion. It is the City’s position that the Attorney General Opinion provides opportunities that allow us to achieve our priority and we will initiate action to bring about that result.”

Discussion and Direction Regarding Sunset Review Committee Meeting Results and Recommendations

City Secretary Bealke advised that this is a compilation of information received as a result of the Sunset Committee meeting with Staff and member representatives from the Boards and Commissions as well as the recommendation to revise the name of the Sunset Advisory Committee.

Mayor Pro tem Dyer spoke to the review process of the boards and commissions and to validation of the existence of each entity. He stated that no significant changes were identified. Council Member Johnson reiterated that reviews were completed and that size and function are in line. Mr. Johnson spoke to the renaming of the Sunset Advisory Committee and stated that this is on the Consent Agenda for Council consideration.

Discussion and Direction Regarding Board and Commission Appointment Process.

City Secretary Bealke advised that the appointment process is outlined in the packet, and that it is the same as has been done in the past few years with reappointments in July and appointments in August and September. Mayor Evans stated that this process has worked well.

NTMWD Memorandum of Understanding

Solid Waste Manager Nevil stated that the City of Plano has been working with the North Texas Municipal Water District (NTMWD) along with other member cities for over one year towards the development of the Solid Waste Management Plan. She stated that the Memorandum of Understanding is the first step towards implementation of the plan.

North Texas Municipal Water District Director of Operations Joe Stankiewicz advised the Council that the NTMWD currently operates a solid waste program for five member cities which are the cities of Plano, Allen, Frisco, McKinney, and Richardson. He stated that within this system, three solid waste transfer stations are operated along with two land fills. Mr. Stankiewicz stated that the new 121/Regional Disposal Facility is located northeast of McKinney and is currently in the permitting process. He spoke to the NTMWD application of a North Central Texas Council of Government (NCTCOG) grant and the formation of a steering committee of member cities and to subsequent approval by NCTCOG and the Texas Commission on Environmental Quality (TCEQ.)

Mr. Stankiewicz spoke to plan recommendations, costs to the program being based on proportionate tonnage of the system, collection practices of each member city, and to looking for areas to increase efficiency. He reviewed the implementation of the current stations, spoke to loading capacities and distribution, and stated that along with the recommendation to provide more even distribution, it is also recommended to reroute waste from the Lookout Transfer Station to the Parkway Transfer Station with the two major users being the cities of Plano and Richardson. Mr. Stankiewicz spoke to restricting the City of Allen from use of the Lookout Transfer Station on Mondays and Tuesdays.

Mr. Stankiewicz spoke to additional recommendations to expand the Lookout Transfer Station in 2006, the cities of McKinney and Frisco as sources of available land to develop, and further spoke to the recommendation to purchase a site in the northern part of the system to accommodate the growth in these two cities with a projected date of 2010. He stated that planning for future growth of the system will be achieved by implementing the plan recommendations, and that preliminary costs indicated include permitting, design, and construction. Mr. Stankiewicz stated that in the Memorandum of Understanding, the cities of Plano and Richardson will have the responsibility of diverting waste from the Lookout Transfer Station to the Parkway Transfer Station, spoke to restriction of Allen's use of the Lookout Transfer Station, stated that the City of McKinney will limit their use of the Custer Transfer Station, and that Frisco will assist in placement of the northern transfer station inside the Frisco city limits. Mr. Stankiewicz spoke to diverting yard waste out of the system to a composting program resulting in environment benefits as well as to the transfer system. He spoke to the recommendation to construct an all weather facility for chipping at the Custer Station site and further stated that the City of Plano has proposed that they be designated as a regional composter.

Mr. Stankiewicz responded to the Council that Maxwell Creek is not open to take solid waste at this time, and stated that with regard to the impact on commercial franchise haulers, total tonnage will be looked at as it relates to the Plano and Richardson diversion from Lookout Transfer Station to the Parkway Transfer Station. He further advised the Council that diversion as a permanent solution is not being looked at with regard to the current loading situation, but is rather a tool to more evenly distribute everything throughout the system. Mr. Stankiewicz stated that based on growth, extra capacity will be needed even after shifting has occurred. He stated that while they are not actively pursuing other cities, they are evaluating cities who are close by and requesting service. Mr. Stankiewicz clarified that there is a chipping facility at the Custer Transfer Station site and that there is an "operation" on the 121/Regional Disposal Facility property. He stated that the chipping operation will remain at Custer Transfer Station and the composting operation will "simply go inside the footprint." Mr. Stankiewicz stated that cities will have the opportunity to discuss where to sell finished compost.

City Manager Muehlenbeck spoke to reflected costs by the NTMWD of \$2 Million in 2005 and \$5 Million in 2006, and to what percentage share would be allocated to the City of Plano. Mr. Stankiewicz stated that this would be based on their proportionate share in the system which is approximately 40%, and that debt would be issued.

Nothing further was discussed. Remaining Preliminary Items were discussed during the Regular Meeting. Mayor Evans recessed the meeting at 6:55 p.m.

Pat Evans, **MAYOR**

ATTEST:

Elaine Bealke, City Secretary