

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
April 14, 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 5:03 p.m., Monday, April 14, 2003, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Council Member Johnson arrived at 5:04 p.m. 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 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.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 5:40 p.m. in the Council Chambers for which the following matters were discussed:

Consideration and Action Resulting From Executive Session Discussion: Personnel Appointment to North Texas Municipal Water District

Upon a motion made by Council Member Stahel and seconded by Council Member Lambert, the Council voted 8-0 to reappoint Jerry Yancey.

DART Status Report

Mayor Evans advised the Council that the DART report would not be presented tonight and that any questions may be e-mailed to Board Representative Pope.

Mobility Report

Transportation Engineering Manager Neal advised regarding meetings with school districts to improve walking safety for school age children to include the Frisco Independent School District and the opening of the new Riddle Elementary School, working with the City of Frisco to establish a Traffic Management Plan for the Frisco Roughriders baseball stadium, and preparation of a contract for an additional wireless signal controller system to operate in the northwestern portion of the City. He spoke to raising the speed limit to 40 mph on the portion of Hedgcoxe Road between Independence Parkway and Custer Road, DART studies regarding pedestrian safety needs on Archerwood Street between Park Boulevard and Parker Road, and to challenges on Caravan Drive associated with the Safe Streets Program resulting from children being driven to school. Mr. Neal clarified that information provided in the packet under the Capital Improvement Program should read "SH 121 from the Dallas North Tollway to Custer Road: Letting 10/23/03." He further spoke to working with TXDOT and the Council of Governments on creative financing project sources.

Mr. Neal responded to the Council regarding planning for the opening of the southern section of the newly completed portion of Spring Creek Parkway from the Dallas North Tollway over to Preston Road prior to completion of Spring Creek Parkway west of the Tollway.

Discussion and Direction Regarding Sick Leave/Vacation Policy/Tuition Reimbursement/Travel Policy

City Manager Muehlenbeck advised that this item has been placed on the agenda at the request of the Council and that existing policies have been placed in the packet as a source of information. Council Member Roach advised that he requested this item be placed on the agenda and spoke to finding creative ideas to cut back in certain areas of the budget.

Council Member Lambert spoke to three weeks paid leave after one year as being an excessive amount and to comparing this to the corporate world. City Manager Muehlenbeck advised that this number is identified under Civil Service Policy and is extended to all City employees. Council Member Roach spoke to familiarity with utilizing two weeks for three to five years of employment after which time three weeks is applicable. Director of Human Resources Ross stated that the practice currently used by the City to keep consistency between Civil Service and non-Civil Service is typical for municipalities. She advised Mayor Pro tem Dyer that she would obtain numbers currently budgeted for vacation buy-back for non-Civil Service employees.

City Manager Muehlenbeck advised the Council that buying back vacation is not a requirement for Civil Service and that the concept is to buy down at today's dollar as opposed to a higher amount in the future and that the combined Civil Service and non-Civil Service amount budgeted this year is approximately \$600,000. City Manager Muehlenbeck advised the Council that the \$1 million amount of accrued vacation identified in the budget is absorbed by vacancy lapses. City Manager Muehlenbeck and Ms. Ross responded to the Council that it is a Civil Service statutory requirement to buy back up to 720 hours of sick time and that this is extended to non Civil Service as well. Ms. Ross responded to the Council that there is no maximum amount for vacation accrual. The City Manager stated that vacation buy-back applies to non-Civil Service as well.

Council Member Johnson stated that in his experience, this practice exceeds private industry standards and that vacation accrual beyond a few weeks is not allowed. Council Member Lambert spoke to vacation providing an opportunity for relaxation and to defeating this purpose by allowing vacation time to accrue. Council Member Stahel stated that the competition is industry and that the concept of accrued time has changed. He further spoke to it being worthwhile this summer for the Human Resources Department to look at what the current state of the industry is and to not using just five or six comparative cities for this purpose. He spoke to his employer and stated that previously several weeks per year could be deferred and that this has changed, basically requiring usage or loss of vacation time. Mr. Stahel stated that his employer does not provide sick leave.

City Manager Muehlenbeck spoke to receiving direction with regard to being competitive, whether competitiveness is sought with the public or the private sector, jobs not paying in the public sector what they pay in the private sector, and to having looked at comparisons in the past. Deputy Mayor Pro tem Stovall spoke to complying with accounting standards and liabilities on corporation books, to which the City Manager responded that this is reflected but not negatively. Council Member Roach stated the idea is not to balance the budget on the backs of the employees but to gain information for budgetary purposes and further spoke to looking at things that will save money.

Council Member Roach spoke to the leave policy, care of family members, Family Medical Leave Act (FML), applicable time off and to examining where money can be saved while still being competitive. Ms. Ross stated that not every situation will be covered under FML and to determining when this is the case, and that while the City has the right to terminate after a 12 week absence this has not been the practice. She stated that during designated FML the employee is paid if they have available sick leave, and responded to Mr. Roach that they will review any confusing language contained in the policy. Mr. Roach stated that an employee being terminated should not be eligible for payment of unused leave time. Ms. Ross stated that the verbiage "termination" identifies all employees who leave the city.

Council Member Magnuson spoke to tracking information through employee exit interviews to which Ms. Ross stated that the exit interview is optional.

Council Member Magnuson spoke to inclement weather and to concerns with employee safety regarding the requirement to use vacation time for this type of absence. City Attorney Wetherbee spoke to worker's comp injury claims providing problems with employees falling in City parking lots. City Manager Muehlenbeck spoke to the need for employees to be at work, evaluating the condition of the streets, and to determining necessary Staff. The City Manager advised Council Member Lambert that he would look into the verbiage relating to supervisor notification of military leave and stated that City employees on military leave receive salaries and benefits for up to one year.

Council Member Johnson spoke to determining the benchmark comparison. Ms. Ross stated that benchmarking was used in 1998 with a third party, both cities and the private sector would be looked at to include a very large number of entities, and further that the system in place works. She stated that City benefits are on the upper end with other municipalities, and that benefits will be more than what is found in the private sector with salaries being less. Council Member Lambert stated there does need to be a balance, a value can be placed on benefits, and spoke to the need to be competitive and to the qualified employees of the City. Ms. Ross stated that the City is on a two-year comparison schedule, and that it was not done this past year but may be budgeted for next year. Deputy Mayor Pro tem Stovall spoke to determining a value number to the benefits paid an employee. Council Member Stahel spoke to determining a sense of direction, benefits and buy back being added to a salary package, and stated this may mean a City package is competitive but not overly generous. He stated it would be useful to receive a briefing of the last benchmark done as a refresher because the personnel situation is fluid these days and that things have changed.

Council Member Roach spoke to part-time tuition availability and looking at how much money is being spent. City Manager Muehlenbeck stated that part-time tuition is about \$13,000 and that some employees are working a 35 hour week and are still being classified as part-time. He spoke to possibly making a distinction on the number of hours classified as part-time. Training Specialist Greg Carpenter stated that school accreditation is verified.

Council Member Roach spoke to looking at travel policy, maximum allowance amounts, utilizing in-state conferences, and choosing less expensive options for required training. City Manager Muehlenbeck spoke to certification requirements, continuing to review this policy, and stated that he feels that the current food allowance is adequate and not insufficient.

Personnel Appointments

Plano Transition and Revitalization Commission Member and Chair

Upon a motion made by Mayor Pro tem Dyer and seconded by Council Member Roach, the Council voted 8-0 to appoint Loretta Ellerbe to fill an interim term as member with Planning and Zoning experience.

A further motion was made by Council Member Magnuson and seconded by Mayor Pro tem Dyer to name Larry May as Chair and as member with Economic Development Board experience. The Council voted 8-0.

Council Items for Discussion/Action on Future Agendas

No items were brought forward.

Consent Agenda

City Manager Muehlenbeck advised that Consent Item "O", ordinance to adopt a cross connection control program regarding water and utilities, is pulled and held at this time.

Council Member Lambert requested that Consent Item "L", ordinance regarding facsimile firearms, be removed for individual consideration.

Deputy Mayor Pro tem Stovall and Council Member Stahel requested that Consent Item "R", approval of an expenditure for an executive training program and Consent Item "S", approval of an annual enterprise agreement, be removed for individual consideration due to possible conflicts of interest.

Council Reports

Mayor Evans spoke to welcoming the Brampton Rangers for "under 17 hockey greats" and receipt of a plate honoring the City of Brampton, Ontario, Canada's 150 year celebration.

City Manager Muehlenbeck advised regarding PTN camera difficulties.

Mayor Pro tem Dyer spoke regarding his appreciation of the list of future Council agenda items being placed on the web site.

Council Member Stahel spoke regarding his appreciation of mention in the media of Council appointments by Public Information Director Beckley.

Nothing further was discussed. Mayor Evans recessed the meeting at 6:40 p.m.

Pat Evans, **MAYOR**

ATTEST:

Elaine Bealke, City Secretary

