

**PLANO CITY COUNCIL  
SPECIAL CALLED MEETING**

**June 26, 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 5:00 p.m., Tuesday, June 26, 2001, in the Council Chambers of the Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Council Member Stovall.

**Public Hearing and consideration of** Annexation Case A2001-01 – 0.59± acre located on the south side of Parker Road at Rainier Road; in the J. Beverly survey, Abstract No. 78, Collin County. First Public Hearing Held 06-25-01. [Regular Agenda Item (1)]

Director of Planning Phyllis Jarrell stated that this is the second Public Hearing to consider annexation of this property and spoke regarding taking public testimony and if Council desires to proceed, to give Staff direction to prepare an ordinance finalizing the annexation. She stated that if this were initiated, the ordinance would be scheduled for the July 23 City Council meeting for action. Ms. Jarrell advised that this property has been the subject of a previous annexation agreement with the City and discussions regarding land use for the property.

Mayor Akers opened the Public Hearing. City Secretary Bealke read the following names of individuals opposed to the items but who did not wish to speak: Stephen Williams, 1444 Pioneer Lane; Carolyn J. Williams, 1444 Pioneer Lane; Fred Orr, 1428 Wind Cave Circle; Carol Breault; 1428 Wind Cave Circle; Scott Ray, 1405 Wind Cave; Stacy Carter, 1440 Wind Cave Circle; Howard Randall, Jr., 1440 Wind Cave Circle; Terry Stuhler, 1447 Wind Cave; Monte Stuhler, 1447 Wind Cave; Michael Frier, 1417 Wind Cave; Julie Frier, 1417 Wind Cave Circle; Aaron Williams, 1408 Wind Cave Circle; Amy Williams, 600 Legacy Drive; Walter Graham, 2008 USA Drive; Jane Graham, 2008 USA Drive; Rebecca Bailey, 1400 Wind Cave; Gilbert D. Bailey, 1400 Wind Cave; Cindy Williams, 1408 Wind Cave Circle; and Shannon Bagby, 6909 Custer #503. She further advised that David M. Smith, 1524 Idyllwild Drive, was in support of the request and that Jack Durham, 1436 West Parker Road had submitted a card to speak. No one spoke either for or against the request. The Public Hearing was closed.

Deputy Mayor Pro tem Dyer spoke regarding the agreement reached in the past and recent legislation. He spoke to efforts to extend the existing agreement unchanged by the signing of mutual restrictive covenants and the unwillingness of the owners to sign this document. Mr. Dyer spoke to wanting to maintain an agreement but consideration of citizens in the neighborhood and throughout the City and recommended moving forward with the annexation proceedings.

Mayor Akers stated in response to Council Member Lambert that if it is Council's consensus, Staff will be directed to prepare the necessary ordinance and bring it back for the July 23 meeting for consideration. City Attorney Wetherbee responded that it would not be finalized until the ordinance is adopted and requested direction from the Council regarding a revised version of the restrictive covenants that had been under negotiation. She spoke to continuing negotiation towards the format Mr. Dyer had described and that if Staff were able to reach a resolution to recommend to the Council, that it would be considered first on the July 23 meeting and that if not approved, the agenda would then move on to the annexation ordinance. Ms. Wetherbee stated that because the owners have come back with some terms different than what Council had given authorization for, she would not accept it, but rather bring it forward for Council's consideration on July 23 and responded to Council Member Lambert that this would still be within the 90-day time limit. Council Member Roach restated that at the July 23 meeting Council would either approve a mutual restrictive covenant or annex the property.

There being no further discussion, Mayor Akers adjourned the meeting at 5:09 p.m.

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Jeran Akers, **MAYOR**

ATTEST:

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Elaine Bealke, **City Secretary**