

PLANO CITY COUNCIL
November 8, 2004

COUNCIL MEMBERS

Pat Evans, Mayor
Shep Stahel, Mayor Pro Tem
Ken Lambert, Deputy Mayor Pro Tem
Steve Stovall
Phil Dyer
Scott Johnson
Sally Magnuson
Jean Callison

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 convened the Preliminary Open Meeting directly into the Regular Meeting on Monday, November 8, 2004, at 7:03 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Carol Brooks, Pastoral Care Minister of Christ Episcopal Church.

The Pledge of Allegiance was led by Webelos Den 9, Pack 280 First United Methodist Church of Plano

Mayor Evans recognized students visiting from Hsinchu City, Taiwan, and presented a 35 Years of Service Award to Jimmie Davidson, Firefighter, and "Achievement in Excellence Award" to the Purchasing Department. Mayor Evans further presented proclamations recognizing National Adoption Month, Animal Shelter Appreciation Week and the City Council's Volunteer of the Month – Candice Ort.

Mayor Evans administered oaths of office to incoming members of the Senior Citizens Advisory Board and the Youth Advisory Commission and presented Certificates of Appreciation to outgoing board/commission members.

GENERAL DISCUSSION

Sonja Hammar, citizen of the City, spoke to providing information regarding the 2005 bond package, the level of funding appropriated for the Sci-Tech Discovery Center and the need for additional fundraising on the part of the Junior League.

Paul R. Wellborn, citizen of the City, stated there was no need to change the charter requirements for the number of petition signatures needed for an initiative, referendum or recall. He spoke regarding the history of petition initiatives over the last 26 years and to there being no outcry for a change.

Warner Richeson, citizen of the City, requested the Council schedule an agenda item to appoint a Charter Review Commission made up of ten members with two from each of the four districts, a chairman who is a former mayor and one member at large.

John Myers, citizen of the City, spoke regarding the changing demographics of the City and what they mean for the future. He spoke regarding the growth of the City and to true representative government including elections from individual districts. Mr. Myers stated that disagreements among Council Members who represent single-member districts may be personal in nature and urged the Council to consider single-member districts for seven positions with the Mayor at large or at least for Places 1-4.

Mayor Evans spoke to a Public Hearing regarding possible charter amendments to be held later during the meeting.

Jack Lagos, citizen of the City, spoke regarding the cities of Frisco and Allen not having cashed in bonds related to the Arts of Collin County and to determining their level of seriousness regarding the project. He spoke regarding a \$1 million donation being made without the spending of any capital monies, to future efforts to raise funding and stated concern regarding spending money if there are funds available.

CONSENT AGENDA

Citizen Sonja Hammer requested that Consent Agenda Items "G" and "H" be removed for individual consideration.

Mayor Pro Tem Stahel and Council Member Stovall requested that Consent Agenda Item "U" be removed for individual consideration due to possible conflicts of interest.

City Manager Muehlenbeck advised that Consent Agenda Item "I" will be passed over.

Upon a motion made by Deputy Mayor Pro Tem Lambert and seconded by Council Member Johnson, the Council voted 8-0 to approve and adopt all remaining items on the agenda as recommended and as follows:

Approval of Minutes [Consent Agenda Item (A)]

October 26, 2004
November 1, 2004

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. B177-04 for the Municipal Center Outside Air Intake/Plenum Addition in the amount of \$54,750. [Consent Agenda Item (B)] (See Exhibit “A”)

Bid No. B197-04 for Big Lake, Memorial and Liberty Parks Renovation in the amount of \$355,997 (Project #5439) [Consent Agenda Item (C)] (See Exhibit “B”)

Adoption of Resolutions

Resolution No. 2004-11-1(R): To approve the terms and conditions of an interlocal cooperation agreement for Library Services by and between the City of Plano and Denton County, Texas providing the terms and conditions for receipt of funding in the amount of \$10,578 from Denton County; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date. [Consent Agenda Item (D)]

Resolution No. 2004-11-2(R): To approve receipt of funds in the amount of \$66,105 from the Texas State Library and Archives Commission – Loan Star Libraries to fund the following for Plano Public Library System: purchase of children’s, adults’, and foreign language fiction and non-fiction books and audiovisual materials to enhance the library collections; and additional computer classes in English and Spanish; and authorizing the City Manager to execute all necessary documents for receipt of the funding. [Consent Agenda Item (E)]

Resolution No. 2004-11-3(R): To approve the terms and conditions of an agreement by and between the City of Plano and Plano Housing Authority to occupy and use a portion of the Douglass Community Center to provide public housing services to low-income families; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (F)]

To approve the terms and conditions of a modification to an agreement by and between the cities of Allen, Frisco and Plano for funding services related to the Arts of Collin County Commission, Inc., authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (I)] (Item was passed over.)

Adoption of Ordinances

Ordinance No. 2004-11-4: To repeal Ordinance No. 97-2-20, which established the previous emergency management plan, and adding a new Article VI. Emergency Management Plan; adopting a new Comprehensive Emergency Management Plan; specifically, recognizing the City's Emergency Management Plan and the Emergency Management Director, authorizing appointment of an Emergency Management Coordinator, requiring the Emergency Management Director to carry out the responsibilities associated with the Comprehensive Emergency Management Plan, granting the necessary powers to cope with all phases of emergency management, and prohibiting unauthorized warning and all-clear signals; and providing a repealer clause, a severability clause, a penalty clause, and an effective date. [Consent Agenda Item (J)]

Ordinance No. 2004-11-5: To amend Section 12-104 of the Code of Ordinances of the City to limit the duration of parking for Municipal Avenue between 14th Street and 15th Street, to four (4) hours maximum at any time; providing a repealer clause, severability clause, a savings clause, a penalty clause, and an effective date. [Consent Agenda Item (K)]

Award of Contract

To approve and authorize a contract with Graham Associates, Inc., to provide Engineering Services to prepare a master plan for the 15th Street/U.S. 75 bicycle and pedestrian connection in an amount not to exceed \$38,430, and authorizing the City Manager to execute any and all documents necessary to effectuate the contract. [Consent Agenda Item (L)]

To approve and authorize for the selection of HNTB Corporation to provide Professional Engineering Services for an amount not to exceed \$118,282 in connection with the design and construction management of the Alma Road Whitetopping Street Resurfacing from Plano Parkway to 15th Street and authorizing the City Manager to execute all necessary documents to effectuate this contract. [Consent Agenda Item (M)]

To approve and authorize for the selection of Hayden Consultants, Inc. to provide Professional Engineering Services for an amount not to exceed \$53,682 in connection with the design of Screening Wall Replacement Town West and authorizing the City Manager to execute all necessary documents to effectuate this contract. [Consent Agenda Item (N)]

To approve and authorize for the selection of ARS Engineers, Inc. to provide Professional Engineering Services for an amount not to exceed \$155,025 in connection with the design of Whiffletree Water Rehabilitation & Fire Hydrants and authorizing the City Manager to execute all necessary documents to effectuate this contract. [Consent Agenda Item (O)]

Purchase off Existing Contract

To authorize the purchase of one (1) trailer-mounted 4,000 PSI sewer cleaner, Model #747-SP, in the amount of \$35,781 from Kinlock Equipment and Supply, Inc., through the Texas Association of School Boards Cooperative Purchasing Program (Buyboard), Contract No. 207-04 and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase. [Consent Agenda Item (P)]

To authorize the purchase of sports field lighting equipment for Phase I Lighting Improvements at Schell Park, Fields 3-5, including installation, poles, fixtures, wiring, switch gear, and controls in the amount of \$384,200 from Techline Sports Lighting, L.P., through the Texas Association of School Board Purchasing Cooperative Program, Contract #204-04, and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase. [Consent Agenda Item (Q)]

To approve the purchase of playground equipment in the amount of \$89,481 for Big Lake Park (Project No. 5439) (Bid No. 1032-03) [Consent Agenda Item (R)]

To approve the purchase of playground equipment in the amount of \$92,329 for Memorial Park (Project No. 5439) (Bid No. 1032-03) [Consent Agenda Item (S)]

Approval of Change Order

To Jim Bowman Construction Co., L.P. increasing the contract by \$94,220 for the 2003-2004 Residential Slab Replacement Project, Zones L2, J2 and I3, Change Order No. 2. (Bid No. P023-04). [Consent Agenda Item (T)]

Amendment to Contract

To amend a contract with Huitt-Zollars, Inc., for Professional Architectural Services in the amount of \$45,946 in connection with design of the City of Plano Expansions to Operations and Equipment Services Buildings; and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (V)]

END OF CONSENT:

Resolution No. 2004-11-6(R): To approve the terms and conditions of agreements between the City of Plano and various community organizations, providing for the expenditure of Community Services Funds in the amount of \$249,786 for the provision of various community services; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (G)]

City Manager Muehlenbeck responded to Sonja Hammer, citizen of the City, that the item represents the \$1.00 per capita that is budgeted by the City in the General Fund.

Upon a motion made by Deputy Mayor Pro Tem Lambert and seconded by Council Member Johnson, the Council voted 8-0 to approve the terms and conditions of agreements between the City of Plano and various community organizations, providing for the expenditure of Community Services Funds in the amount of \$249,786 for the provision of various community services; authorizing its execution by the City Manager; and providing an effective date; and further to adopt Resolution No. 2004-11-6(R).

Resolution No. 2004-11-7(R): To approve the terms and conditions of agreements between the City of Plano, Texas, and various heritage preservation and arts organizations which render services that are beneficial to the public and serve a valid public purpose in the total amount of \$459,416; authorizing the City Manager to execute such agreements with these organizations for the provision of support of heritage preservation; and providing an effective date. [Consent Agenda Item (H)]

Sonja Hammer, citizen of the City, inquired regarding the percentage and dollar amount of funds coming from hotel/motel taxes and from the General Fund. City Manager Muehlenbeck advised that \$459,416 comes from hotel/motel taxes and \$9,245 from the General Fund. He further stated that an increase in hotel/motel taxes would result in eliminating the subsidy from the General Fund. Ms. Hammer spoke to conducting a review of the uses for these funds. Council Member Stovall spoke to the possibility that all funds will be financed from hotel/motel taxes due to increasing business.

Upon a motion made by Council Member Magnuson and seconded by Council Member Stovall, the Council voted 8-0 to approve the terms and conditions of agreements between the City of Plano, Texas, and various heritage preservation and arts organizations which render services that are beneficial to the public and serve a valid public purpose in the total amount of \$459,416; authorizing the City Manager to execute such agreements with these organizations for the provision of support of heritage preservation; and providing an effective date; and further to adopt Resolution No. 2004-11-7(R).

Due to possible conflicts of interest, Council Member Stovall and Mayor Pro Tem Stahel stepped down from the bench on the following item.

Approval of State Contract - To approve entering into a renewal Service Agreement with the Department of Information Resources (DIR) for Hewlett-Packard servers and printers in an amount of \$58,766; and authorizing the City Manager to execute all necessary documents to effectuate the purchase (DIR-BUSOP-178). [Consent Agenda Item (U)]

Upon a motion made by Council Member Magnuson and seconded by Council Member Dyer, the Council voted 6-0 to approve entering into a renewal Service Agreement with the Department of Information Resources (DIR) for Hewlett-Packard servers and printers in an amount of \$58,766; and authorizing the City Manager to execute all necessary documents to effectuate the purchase.

Mayor Pro Tem Stahel and Council Member Stovall resumed their places at the bench.

Public Hearing and adoption of Ordinance No. 2004-11-8 as requested in Zoning Case 2004-35 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone 22.6± acres located on the north side of Ridgeview Drive, 2,000± feet east of Coit Road in the City of Plano, Collin County, Texas, from Regional Employment to Planned Development-152-Patio Home; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #2. Applicant: Hagggar-Jezzeen Partnership & Ryland Homes Tabled from 10/11/04 Council Meeting [Regular Agenda Item (1)]

Upon a motion made by Deputy Mayor Pro Tem Lambert and seconded by Council Member Dyer, the Council voted 8-0 to remove the item from the table.

Director of Planning Jarrell advised the Council that the Planning and Zoning Commission recommended approval of the request subject to the following stipulations: 1) minimum lot area shall be 3,500 square feet, and 2) minimum lot width shall be 35 feet; for corner lots, the minimum lot width shall be 40 feet. She spoke regarding the project's general consistency with the Comprehensive Plan and conformance to the neighborhood concept for new residential requests. Ms. Jarrell stated that the proposed density would generate more lots to support the 10% open space requirements and that the decrease in lot size would accommodate an alley-served product rather than front entry. She responded to Council Member Johnson that work has been done with the property owner to enlarge the capacity of water/sanitary sewer to accommodate residential development, that there were design errors that created a capacity issue and spoke regarding the cost factor. City Engineer Upchurch stated that the CIP budget includes \$450,000 for extension of the sanitary sewer to this area and that additional capacity would be needed even if the property were to develop as currently zoned. Council Member Johnson stated concern regarding the City paying the additional cost when the owner is requesting a change in the use of the property. Deputy Mayor Pro Tem Lambert spoke regarding the collection of impact fees, stated that they will be higher for residential development than for corridor commercial, and spoke regarding their application to future projects. Mr. Upchurch advised that while the impact fees would not be allocated for this particular project, it could be viewed as paying for the upsizing of the line. Mayor Pro Tem Stahel spoke regarding the inclusion of park impact fees as well.

Mayor Evans opened the Public Hearing. Cheryl Williams, representing the applicant, spoke to the growing demand for this type of housing, the reduction in lot sizes facilitating rear-entry homes and improving the streetscape. She spoke to the project being consistent with surrounding uses and meetings held with area homeowners. Ms. Williams responded to Mayor Pro Tem Stahel that only one lot would be gained by designing the project as front entry and that she would have no objection to including alley access as an additional stipulation. No one else spoke either for or against the request. The Public Hearing was closed.

Ordinance No. 2004-11-8 (cont'd)

Upon a motion made by Council Member Stovall and seconded by Council Member Johnson, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone 22.6± acres located on the north side of Ridgeview Drive, 2,000± feet east of Coit Road in the City of Plano, Collin County, Texas, from Regional Employment to Planned Development-152-Patio Home as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2004-35 with an additional stipulation requiring that *all lots must be served by alleys*; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2004-11-8 as amended.

Public Hearing and an ordinance as requested in Zoning Case 2004-40 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 553 so as to allow the additional use of Automobile Storage and to rezone 6.7± acres of land located on the south side of Village Creek Drive, 700± feet south of Plano Parkway in the City of Plano, Collin County, Texas, from Planned Development-203-Office-2 to Light Commercial with Specific Use Permit No. 553 for Automobile Storage; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #54. Applicant: Ironwood Partners Limited [Regular Agenda Item (2)]

Director of Planning Jarrell advised the Council that the Planning and Zoning Commission recommended approval of the request subject to the provision of a minimum ten-foot landscape edge on the west property line. She stated that the request is consistent with uses established in the area and that letters in opposition were received prior to the applicant agreeing not to rezone two acres along Village Creek Drive. She responded to Deputy Mayor Pro Tem Lambert that the “panhandle” would provide the required frontage for this lot onto a public street. Mr. Lambert stated concern regarding possible use of the “panhandle” and Ms. Jarrell advised that the landscape edge and fire lane would not leave room for parking.

Mayor Evans opened the Public Hearing. Bill Dahlstrom, representing the applicant, stated that after receiving comments from property owners in the area, a two-acre buffer was provided at the front of the property along with ten feet of landscape to the west. He spoke to the request providing an alternative to parking automobiles at a location on Preston Road and to the “panhandle” being intended as a fire lane and access to Village Creek Drive. Mr. Dahlstrom spoke regarding the landscaping planned for the site and stated that the location would allow for the parking of 416 vehicles. Willy Sullivan, the applicant, advised that all cars currently parked off Preston Road would be at this location. No one else spoke either for or against the request. The Public Hearing was closed.

Zoning Case 2004-40 (cont'd)

Deputy Mayor Pro Tem Lambert stated concern that Light Commercial zoning would allow uses that are prohibited under Office zoning including new/used car sales and spoke to revising the current planned development to allow for automobile storage. Mayor Pro Tem Stahel spoke in support of the recommendation. Ms. Jarrell stated that the Council could attach a zoning exhibit designating the area to be used for storage and Mr. Lambert spoke to clarifying inclusion of the "make ready facility."

Upon a motion made by Deputy Mayor Pro Tem Lambert and seconded by Mayor Pro Tem Stahel, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to amend Planned Development-203-Office-2 to allow the additional use of Automobile Storage and Automobile Make-Ready on 6.7± acres of land located on the south side of Village Creek Drive, 700± feet south of Plano Parkway in the City of Plano, Collin County, Texas, as requested in Zoning Case 2004-40 with the following stipulations;

Approved as Planned Development-203-Office-2 subject to:

1. Maximum Height: Three story (current PD stipulation)
2. Maximum Floor Area Ratio: 0.4:1 (current PD stipulation)
3. Per the attached zoning exhibit, automobile storage and automobile make-ready are additional allowed uses on the 6.7± acre tract located on the south side of Village Creek Drive, 700± feet south of Plano Parkway.
4. A 10-foot landscape edge shall be provided along the west side of the 6.7± acre tract.

The Council further requested the ordinance be prepared as above and be brought back for their consideration at a future meeting.

Public Hearing and consideration of Zoning Case 2004-45 – A request to rezone 13.9± acres located on the northeast corner of Park Boulevard and Parkwood Boulevard from Patio Home (PH) and Planned Development-423-Patio Home with Specific Use Permit #46 for Private School (PD-423-PH w/SUP #46) to Planned Development-Single Family-Attached (PD-SF-A) and Neighborhood Office with a Specific Use Permit for a Bank, Savings and Loan, or Credit Union (O-1 w/SUP). Neighborhood #41. Applicant: Dean Learning Center [Regular Agenda Item (3)]

Director of Planning Jarrell advised the Council that the Planning and Zoning Commission recommended approval of the request with the following stipulations:

Zoning Case 2004-45 (cont'd)

Approval of Tract 1 as O-1 zoning with an SUP for Bank, Savings and Loan or Credit Union.

Approval of Tract 2 as PD-SF-A subject to:

1. For SF-A residential lots, the minimum front yard setback may be reduced to ten feet provided that:
 - a. The garage shall maintain a minimum setback of 20 feet from the front property line.
 - b. The open yard area of either the rear yard or non-zero side yard is increased by an amount equal to or greater than that of the increased buildable area created by the reduction in the front yard setback.
2. The minimum rear yard setback along Parkwood Boulevard is 15 feet.

Ms. Jarrell spoke to a letter received being in opposition to anything zoning other than patio home development.

Mayor Evans opened the Public Hearing. Cheryl Williams, representing the applicant, spoke regarding the proposed development and stated that it would exceed the minimum lot size and open space requirements. She spoke to the creation of interior courtyards for the homes and to the corner of Park Boulevard and Parkwood Boulevard being one that needs a transition between residential and non-residential high-intensity uses. Ms. Williams spoke to meetings held with area homeowners and stated that the homes will become part of the Willow Bend Polo Estates Homeowners Association. She responded to Deputy Mayor Pro Tem Lambert that the bank is deed restricted to a single story and Mr. Lambert spoke to the possibility of using a planned development to restrict the bank's height. Ms. Jarrell spoke to the Comprehensive Zoning Ordinance requiring planned development be at least five acres in size and her reluctance to attach a zoning exhibit since there may be changes as the residential area is defined.

Developer Curt Wellwood spoke to the deed restrictions including a one-story limitation for the office building and to the residential area being a part of the homeowners association. He responded to Mayor Pro Tem Stahel that almost all the homes would have a two-story effect. Council Member Dyer spoke to the lack of parking for a two-story structure. Tom Morris, representing the Willow Bend Polo Estates South Homeowners Association, spoke in support of the project. He stated that a vote was taken at the association's annual meeting and that letters were received from members. No one else spoke either for or against the request. The Public Hearing was closed.

Zoning Case 2004-45 (cont'd)

Upon a motion made by Deputy Mayor Pro Tem Lambert and seconded by Council Member Stovall, the Council voted 8-0 to approve a request to rezone 13.9± acres located on the northeast corner of Park Boulevard and Parkwood Boulevard from Patio Home (PH) and Planned Development-423-Patio Home with Specific Use Permit #46 for Private School (PD-423-PH w/SUP #46) to Planned Development-Single Family-Attached (PD-SF-A) and Neighborhood Office with a Specific Use Permit for a Bank, Savings and Loan, or Credit Union (O-1 w/SUP) as requested in Zoning Case 2004-45.

Public Hearing and consideration of Disannexation Case D2004-01 – Request to disannex 13.0± acres located on the west side of Cottonwood Creek, at the end of Chaparral Road, 1,400± feet east of Cloverhaven Drive, in the R. C. Whisenant Survey, Abstract No. 1012, Collin County. Applicant: City of Plano. Public Hearing and Consideration continued from 10/26/04 Council Meeting. [Regular Agenda Item (4)]

Director of Planning Jarrell spoke to a scheduled meeting with property owners and requested the Public Hearing be continued and the item left on the table.

Upon a motion made by Mayor Pro Tem Stahel and seconded by Council Member Stovall, the Council voted 8-0 to table consideration of Disannexation Case D2004-01 – Request to disannex 13.0± acres located on the west side of Cottonwood Creek, at the end of Chaparral Road, 1,400± feet east of Cloverhaven Drive, in the R. C. Whisenant Survey, Abstract No. 1012, Collin County until the November 22, 2004 Council meeting.

The Council took a recess at 9:21 p.m. and resumed at 9:33 p.m.

Public Hearing and Input on possible Charter Amendments; Council discussion and direction [Regular Agenda Item (5)]

City Attorney Wetherbee spoke regarding Council discussion of possible charter amendments and advised that no final decisions have been made regarding the items to include on a ballot. She stated that items under consideration include revising the statute of limitations for claims against the City; publication of a franchise caption in lieu of the entire ordinance; deleting the requirement that officials be owners of taxable property as case law has determined that this requirement is unlawful and further consideration of whether this requirement for appointees should be removed for consistent application; extending Council terms to three years; and revising the number of signatures required for a petition calling for a recall, initiative or referendum.

Mayor Evans opened the Public Hearing. Richard Simmons, citizen of the City, spoke to providing for careful study of major modifications including the length of terms and petition signature requirements and to the need for adequate time for the public to review the issues. He spoke in support of the creation of a Charter Review Commission to include a randomly selected panel of citizens.

Mr. Simmons responded to Mayor Pro Tem Stahel that other issues to consider would include the creation of single-member districts. He spoke to those who may win an election, yet not receive a majority of votes from constituents in their district and to single-member districts bringing representation down to the lowest level. Mr. Simmons spoke to having seven single seats and a mayor and stated concern that only two Public Hearings are being held regarding charter amendments. Deputy Mayor Pro Tem Lambert and Council Member Stovall spoke to the Council taking on the task of reviewing the charter and receiving input directly rather than through a commission.

City Attorney Wetherbee advised that propositions would need to be drafted in time to receive approval for early voting and spoke regarding the amount of study required for consideration of single member districts including identification of the number of districts and the philosophy behind them. She spoke to studying demographics and to having a sense of proportionality in the districts. Mr. Simmons spoke to two weeks of input being inadequate and Council Member Stovall spoke to citizens contacting the Council via e-mail or by letter.

Sonja Hammer, citizen of the City, spoke to the importance of the charter and the inadequacy of two Public Hearings. She spoke in support review by a Charter Review Commission rather than the City Council.

Warner Richeson, citizen of the City, proposed a stipulation stating that no sitting Council Member or Mayor may run for another office without resigning his current seat. Deputy Mayor Pro Tem Lambert stated that this requirement would be in effect if three-year terms were adopted. Mr. Richeson spoke to providing for a limit of two, three-year terms and to the number of races where candidates run unopposed. He stated that if three-year terms were implemented there should be a staggering of terms and spoke to implementation of any change in 2006 and the importance of holding annual City elections. Mr. Richeson and the Council discussed the level of stipends and Mr. Richeson spoke to creating four single-member districts in Places 1-4 and having the other four seats be at-large.

Jack Lagos, citizen of the City, spoke in support of the creation of a Charter Review Commission, stated support for single-member districts and spoke regarding a limit of two, three-year terms. He requested removal of petition signature requirements from consideration for revision. City Attorney Wetherbee advised Mr. Lagos that case law does not apply to a requirement for appointed officials to be owners of taxable property but that a prior Charter Review Commission recommended the provision be removed for consistency. Mr. Lagos spoke to following charter requirements and requested that the November 22 Public Hearing be conducted earlier in the meeting.

Walter Unglaub, citizen of the City, requested that more time be devoted to receiving public input, spoke in support of single-member districts and in opposition to term extensions. Mayor Evans spoke to other cities with longer terms having more influence on state, regional and national organizations. She spoke to the costs of running for office and stated that longer terms may make it more accessible for citizens.

Mr. Unglaub spoke to combining single-member districts with an at-large system to provide for more diversity and in opposition to revising petition signature requirements. He responded to Mayor Pro Tem Stahel that Places 1-4 should be elected by their districts. Council Member Stovall spoke to the possible effect single-member districts would have on the conducting of meetings and regarding the current arrangement allowing Council Members to help citizens of the entire City and not those limited to a geographic area. Mr. Unglaub spoke to considering how single-member districts might improve voter and citizen participation in the politics of Plano.

Bob Willich, citizen of the City, spoke to two-year terms working for other elected officials, to Council Members who are re-elected being appointed to regional boards and commissions and in opposition to going from two to three years. He spoke in opposition to revision of petition signature requirements, pointing to the low voter turnout and stated no opinion with regard to single-member districts. Mr. Willich responded to Council Member Johnson that possibly people do not vote because they are satisfied with the way the City is run.

Asif Effendi, citizen of the City, stated that the City should reflect the diversity of the people who live there and should make it easier to be represented by those who live in one's area. He stated support for single-member districts to be more representative of the people.

Z. Jack Sun, representing the Asian American Democratic Network, agreed that accurate representation should be the focus, spoke to minorities making up 25% of the population and stated that Hispanics reside in District 1 and most Asians in Districts 2 and 3. He stated support for single-member districts.

Jack Myers, citizen of the City, spoke regarding Deputy Mayor Pro Tem Lambert's comments that the City Council needs another seat; stated that the Council Members in Places 1-4 won their particular districts, but that formalization would be consistent and in line with what most citizens believe is in place; and spoke in support of making Places 1-4 single-member districts. He spoke to the reasons for single-member districts being that they provide for government closest to the people, money does not play as large a role, and the fact that people may know their immediate area and be interested in representing their neighbors. Council Member Stovall spoke to the "give and take" in place in cities with single-member districts and regarding the Plano City Council looking at the City as a whole. He spoke to those in single-member districts only being accountable to their district rather than the entire city. Mr. Myers spoke regarding those cities where single-member districts are effective and recommended making Places 1-4 single-member and the others at-large. Council Member Magnuson spoke to the importance of considering what benefits all citizens of the community. Mr. Myers spoke to single-member districts possibly generating more interest in elections.

Paul Hood, citizen of the City, spoke in support of a Charter Review Commission and some form of single-member districts and to it possibly providing for more accurate representation. Council Member Stovall spoke to diversity throughout the City. Mr. Hood offered to help if any minority individual were interested in running for office.

Keith Bartlett, citizen of the City, stated opposition to single-member districts, stating that it would divide the City. He stated support for a two year limit if three-year terms were adopted in order to provide the opportunity for others to run for the Council because incumbents typically win their races.

Paul Wellborn, citizen of the City, spoke to the last election being an anomaly and to getting information out to younger families. He stated opposition to revising petition signature requirements and in support of capping terms at six years with either two- or three-year terms.

Cheryl Williams, spoke regarding her experience as the first Council Member elected to represent District 1. She stated that she could not have been an effective representative without the full cooperation of the rest of the Council and further that by having the support of her district she was able to receive that cooperation. Ms. Williams spoke to the tremendous number of initiatives including the Research/Technology District and the East Plano Task Force and spoke to the divisiveness and ineffectiveness of single-member districts. She stated unless one has a relationship with their Council Member, citizens are unable to participate in City government and that if there are problems with a Council Member the only one to appeal to would be the Mayor. Ms. Williams spoke to campaigning throughout the City as being responsible to other people in the community and the only way to achieve a holistic approach. Mayor Evans spoke regarding cities where Council Members are “on their own.”

Mr. Sun agreed with City Attorney Wetherbee that research needs to be done regarding single-member districts and spoke regarding the concentration of Asians in Districts 2 and 3 and Hispanics in District 1 and to it being easier to connect with people in one’s area. Council Member Stovall spoke to the disbursement of minorities throughout the City and Council Member Johnson spoke to all Council Members representing the City’s citizens and to residency requirements achieving dispersion.

Mr. Richeson spoke to the Council providing a “straw poll” on where they stand regarding the items discussed. Mayor Evans spoke to the Public Hearing providing for information gathering and thanked everyone for their participation. No one else spoke regarding the item. The Public Hearing was closed.

There being no further discussion, Mayor Evans adjourned the meeting at 11:11 p.m.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, City Secretary