

MINUTES
CITY COUNCIL MEETING
JUNE 6, 2017

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council met in a regular meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

Mayor Z Marshall called the meeting to order at 6:00 p.m. Council members Scott Levine, Cindy Meyer, Lee Pettle, Cleburne Raney, and Ed Standridge were present.

Staff Present: City Administrator Jeff Flanigan, City Secretary Patti Scott Grey, City Attorney Brandon Shelby, Fire Chief Mike Sheff, and Police Chief Richard Brooks

EXECUTIVE SESSION 6:00 P.M. TO 7:00 P.M. – Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
 - a. 551.071(1) – Consult with the City Attorney regarding pending or contemplated litigation

Mayor Marshall recessed the regular meeting at 6:01 p.m.

2. RECONVENE REGULAR MEETING.

Mayor Marshall reconvened the regular meeting at 7:00 p.m.

3. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

No action was taken.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Annette Stone led the pledge.

TEXAS PLEDGE: James “Jim” Threadgill led the pledge.

PUBLIC COMMENTS The City Council invites any person with business before the Council to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

Roxanne Bogdon, 6701 Overbrook Drive, spoke in regard to the level of noise emitted from Southfork Ranch. Mrs. Bogdon asked City Council to review and update the City's Noise Ordinance. (See Exhibit 1 – Roxanne Bogdon's City Noise Ordinance handout, dated June, 2017.)

Billy Barron, 6707 Overbrook Drive, also spoke about the level of noise coming from Southfork Ranch. Mr. Barron thanked Police Chief Brooks and his staff, stating they have been very helpful and supportive in regard to the noise issues over the last several months. Mr. Barron also requested City Council start the process of reviewing the ordinance, comparing the data from the City of Parker Police Department and other surrounding cities.

CONSENT AGENDA Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

4. APPROVAL OF MEETING MINUTES FOR APRIL 4, 2017. [SCOTT GREY]
[TABLED – 04172017]
5. APPROVAL OF MEETING MINUTES FOR APRIL 17, 2017. [SCOTT GREY]
6. APPROVAL OF MEETING MINUTES FOR MAY 9, 2017. [SCOTT GREY]
7. APPROVAL OF MEETING MINUTES FOR MAY 16, 2017. [SCOTT GREY]
8. APPROVAL OF MEETING MINUTES FOR MAY 17, 2017. [SCOTT GREY]

MOTION: Councilmember Pettle moved to approve consent agenda items 4 - 8 with the following minor suggested corrections:

April 4, 2017 City Council Meeting Minutes, page 2, paragraph 5:

- City Administrator Flanigan briefly reviewed Mary Templeton's Special Use Permit (SUP), stating on March 23, 2017, the Planning and Zoning (P&Z) Commission recommended approval of the SUP for an accessory building or barn larger than 2,500 square feet, located at 1708 Dublin Road.

May 9, 2017 City Council Meeting Minutes, page 1, paragraph 6:

- Stacy Patrick, 5202 Ravensthorpe Drive, Parker Women's Club President, approached City Council about her and another ~~Parker Women's Club member possibly~~ Parker resident co-chairing Parkerfest. Volunteers plan and organize the event. Ms. Patrick asked that an item be placed on a future agenda for further discussion.

(See Exhibit 2 – Councilmember Pettle's email, dated June 6, 2017.)

Councilmember Raney seconded with Councilmembers Levine, Meyer, Pettle, Raney, and Standridge voting for the motion. Motion carried 5-0.

PRESENTATION

9. PRESENTATION OF A CHECK TO PARKER VOLUNTEER FIRE DEPARTMENT (PVFD) FROM FUNDRAISER.

The Parker Volunteer Fire Department (PVFD) Fundraiser Committee presented a check in the amount of \$50,492.72 to Fire Chief Sheff, and thanked everyone for their participation in the event. Fire Chief Sheff also thanked everyone on behalf of the Parker Volunteer Fire Department for the donation.

Councilmember Pettle noted the \$50,492.72 included a donation of over \$10,000 from the Parker Women's Club.

INDIVIDUAL CONSIDERATION ITEMS

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ACCEPTING DONATIONS FROM THE PARKER WOMEN'S CLUB (PWC): [PWC PRESIDENT STACY PATRICK]

- \$4,000 FOR THE POLICE DEPARTMENT
- PICNIC TABLE (Value of \$560)

Outgoing PWC President Patrick presented City Council with a \$4,000 check for the Parker Police Department. PWC also donated a picnic table for the Nature Preserve in memory of former Councilmember Tom Stone. Mayor Marshall, City Council, and Police Chief Brooks thanked the PWC.

MOTION: Councilmember Standridge moved to accept the \$4,000 check for the Parker Police Department and the picnic table in honor/memory of former Councilmember Tom Stone from the Parker Women's Club (PWC). Councilmember Pettle seconded.

The Mayor and Mayor Pro Tem thanked the Parker Women's Club on behalf of City Council and City Staff.

Councilmembers Levine, Meyer, Pettle, Raney, and Standridge voting for the motion. Motion carried 5-0.

11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 748, APPROVING A NEGOTIATED SETTLEMENT WITH ATMOS. [SHELBY]

Mayor Marshall asked the Atmos representative to come forward and state his name, title, and company address for the record. He said he was Patrick McGrath, an Operation Supervisor for the Atmos Energy Corporation, located at 1681 Corporate Drive, McKinney, Texas. The City of Parker is part of the McKinney, Texas, district.

City Attorney Shelby stated this ordinance would approve a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corporation. Atmos requested a rate increase. The Rate Review Mechanism (RRM) was used to negotiate a system-wide rate increase of \$48 million, which is approximately 4.4 million less than originally entitled under the Gas Reliability Infrastructure Program ("GRIP").

Mayor Marshall asked how many Atmos customers the City of Parker had. Mr. McGrath said Atmos, currently has 184 Parker customers on their distribution system.

MOTION: Councilmember Raney moved to approve Ordinance No. 748, approving a negotiated settlement with Atmos Energy Corporation. Councilmember Standridge seconded with Councilmembers Levine, Meyer, Pettle, Raney, and Standridge voting for the motion. Motion carried 5-0.

12.1st PUBLIC HEARING FOR KING'S CROSSING PHASE 4 ANNEXATION. [SHELBY]

Mayor Marshall asked Developer Steve Sallman if he had any comments. Mr. Sallman said he had no comments.

The Mayor read the King's Crossing Phase 4 Annexation public hearing notice, as follows:

LEGAL NOTICE FOR PUBLICATION ON KING'S CROSSING PHASE 4

LEGAL NOTICE

The City of Parker will hold a Public Hearing on Tuesday, June 6, 2017, at 7 p.m. in City Hall, 5700 E. Parker Rd, Parker, TX 75002, to consider annexation of property, extending the city limits of the City of Parker, and reviewing the service plan on the following described property:

PARCEL DESCRIPTION

Annexation of approximately 71 +/- acres of land in the Ann S. Hurt Survey, Abstract No. 428, City of Parker ETJ, Collin County, Texas, generally located west of Lewis Lane and north of Curtis Drive.

By direction of the City Council of the City of Parker, Texas.

Patti Grey
City Secretary

The Mayor then opened the 1st public hearing at 7:19 p.m. to receive comments regarding the King's Crossing Phase 4 Annexation.

There being no comments or questions Mayor Marshall declared the public hearing closed at 7:20 p.m.

The King's Crossing Phase 4 annexation will have its next public hearing on June 20, 2017. Mayor Marshall noted there would be a Budget Work Session June 20, 2017, the same day, which would start at 3:00 p.m.

ITEMS 13 AND 15 WERE COMBINED

13. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON SETTING A SPECIAL CITY COUNCIL MEETING DATE OF JULY 11, 2017 FOR KINGS CROSSING PHASE 4 ANNEXATION. [SHELBY]
15. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE JULY 4, 2017 REGULAR MEETING DUE TO HOLIDAY. [MARSHALL]

Mayor Marshall noted the annexation public hearing dates are set by Texas State Law, which states the “two public hearings be held not more than 40 days and no less than 20 days prior to adoption of the ordinance” and the first Tuesday in July is July 4, 2017, which is in conflict with our national holiday. The Mayor requested City Council set the schedule, approving July 11, 2017 for the King’s Crossing Phase 4 annexation date and canceling the July 4, 2017 City Council regular meeting date due to the holiday.

Mayor Pro Tem Levine stated he was currently scheduled for trial on July 11, 2017. Therefore, he did not think he would be available for that special meeting, which would require everyone else’s attendance.

Mayor Marshall reiterated Mayor Pro Tem Levine’s comment by stating the July 11, 2017, Special City Council meeting would require a super quorum or four (4) City Council members present to conduct business.

MOTION: Councilmember Raney moved to set a Special City Council meeting for July 11, 2017 for the King’s Crossing Phase 4 annexation and to cancel the July 4, 2017 Regular City Council meeting due to the national holiday. Mayor Marshall asked that the motion for July 11, 2017 also include King’s Crossing Phase 4 annexation as well as any other regular, special meeting items. Councilmember Raney agreed and modified the motion to include other special meeting agenda items. Councilmember Standridge seconded with Councilmembers Levine, Meyer, Pettle, Raney, and Standridge voting for the motion. Motion carried 5-0.

14. DISCUSSION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKERFEST. [MARSHALL]

Mayor Marshall asked that Dr. James Clay’s email, regarding Agenda Item 14 – Parkerfest, be entered into the record. (See Exhibit 3 – Dr. James Clay email, dated June 5, 2017.)

The Mayor asked City Attorney Shelby to research what constituted a city event and what did not constitute a city event. Mr. Shelby said a city event is essentially an event which the City holds itself to be a sponsor. There is no defining law that states certain requirements to be a city event. An event held on city property, promoted and worked by City Staff would likely be considered a city event. Parkerfest, as constituted, would be considered a city event. It is called Parkerfest, held on city property, and worked by City Staff members. Mr. Shelby said he would consider Parkerfest to be a city event. On the other hand, it does not have to be a city event

to have the city involved, such as a private party held at a public City Park. City Attorney Shelby discussed some liability issues with events held on city property.

Mayor Marshall asked for City Council's input.

MOTION: Councilmember Pettle moved to

- allow the current Parkerfest Committee, who has been planning Parkerfest since last November, to move forward with this year's Parkerfest;
- have City Council discuss any issues with Parkerfest on a future agenda;
- have City Council consider re-establishing the Parks and Recreation Commission;
- return Parkerfest to that Parks and Recreation Commission, along with the Living Legend Tree Program, the Keep Parker Beautiful Program, the trail and tree plans for new developments; and
- allow the re-established Parks and Recreation Commission develop additional events for the Preserve.

City Attorney Shelby reminded City Council the item on tonight's agenda was "Discussion, Consideration and/or appropriate action on Parkerfest." He suggested Councilmember Pettle's restate the portion of her motion regarding Parkerfest and separate the portion regarding re-establishing Parks and Recreation Commission, which might be considered on a future agenda.

Councilmember Pettle restated her motion regarding Parkerfest.

Councilmember Meyer seconded.

Councilmember Standridge noted the point of having this item on tonight's agenda was Parker resident Stacy Patrick came forth at the May 9, 2017 City Council meeting and said she and other Parker residents wanted to participate in Parkerfest in some manner, as she said possibly co-chairing Parkerfest. Mr. Standridge said City Council has not heard from Ms. Patrick and Council was about to vote on this motion. He asked to hear from Ms. Patrick. Mayor Marshall said Council has a motion and second. The Mayor asked City Attorney Shelby for guidance. Mr. Shelby said the Mayor could allow additional discussion and then call for the vote.

Mayor Pro Tem Levine asked who constituted the current Parkerfest Committee. Councilmember Pettle said she and Councilmembers Raney and Standridge were on the committee; she was unsure whether Councilmember Meyer was still on the committee, due to time restraints; she also noted Roxanne Bogdan, Trudi Jackson, Sharon Brucato, Paul Brucato and others. She asked Mayor Pro Tem if he wanted more names and he declined. Mayor Pro Tem asked for an Executive Session.

Mayor Marshall recessed the regular meeting at 7:31 p.m.

Mayor Marshall reconvened the regular meeting at 8:03 p.m.

Councilmember Pettle asked to withdraw her previous motion.

Motion: Councilmember Pettle then moved to allow the current volunteers to continue this year's Parkerfest preparations only. Councilmember Meyer seconded. Mayor Pro Tem Levine commented in light of Parker resident James Clay's email and similar citizens' comments, City Council should take a step back, allowing the two (2) new councilmembers the time and opportunity to examine the budget before a commitment is made. Mayor Pro Tem Levine said he was not in favor of moving forward. Councilmembers Meyer and Pettle voted for the motion. Councilmembers Levine, Raney, and Standridge voted against the motion. Motion failed 2-3.

MOTION: Mayor Pro Tem moved to place Parkerfest on the future budget work session agenda for discussion of its direction and structure, based on input and guidance from the City's residents, and further abating Parkerfest for one (1) year while that determination is being made.

Councilmember Standridge asked why City Council would deliberate for a year. Mr. Standridge asked if the item could be accelerated and moved faster to take advantage of the work the volunteers have already completed.

There was some discussion of the one (1) year portion of the motion, whether the Parkerfest discussion, held at the budget work session, was of a budgetary nature, considering Parkerfest is currently neutral as far as an expense to the City, working from donations, and/or was Parkfest a city sponsored event.

After councilmembers comments, Mayor Pro Tem Levine suggested he withdraw his former motion and reconsider or restate the motion to place the item regarding Parkerfest on a future agenda with the outcome of Parkerfest and its structure to be determined by City Council by resolution.

MOTION: Mayor Pro Tem motioned to table tonight's item, Parkerfest be placed on a future agenda for consideration and/or appropriate action, relating to the formalization by City Council of its structure and whether Parkerfest should continue on an ongoing basis. Councilmember Standridge seconded.

Stacy Patrick, 5202 Ravensthorpe Drive, asked for clarification on whether the discussion would determine whether Parkerfest would be a city function. Mayor Pro Tem Levine said with regard to his motion, yes, it would be determined whether it was a city function and if so, how should the City move forward.

Councilmember Pettle asked Mayor Pro Tem Levine whether his motion would require abandoning Parkerfest this year. Mr. Levine said it would not necessarily dictate abandoning Parkerfest this year; although, that could be the result.

Mayor Pro Tem Levine restated the motion once again, stating his motion was to table tonight's agenda item, regarding Parkerfest; Parkerfest would be placed on a future agenda to determine whether the City will conduct Parkerfest; and if so, what manner the City will conduct the event. Councilmember Standridge seconded the motion.

Councilmembers Levine, Meyer, Pettle, Raney, and Standridge voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

15. FUTURE AGENDA ITEMS

- Website update

Mayor Marshall asked if there were any items to be added to the future agenda and noted Parkerfest, the Noise Ordinance, as well as the Zoning Ordinance, and as requested by Councilmember Pettle an item to consider re-establishing the Parker Parks and Recreation Commission. He then said the next regularly scheduled meeting would be Tuesday, June 20, 2017 and reminded everyone there would be a budget work session at 3:00 p.m., as well as a regular City Council meeting agenda.

Councilmember Pettle inquired about a city website update. Mayor Marshall said that item would be next on tonight's agenda.

Website Update

City Administrator Flanigan updated City Council on current website updates, stating staff was asked approximately a year ago to review and make updates to the current city website to have a cleaner, more user friendly site. Staff members, including himself, Utility Billing (Water/Trash/Recycle) Clerk Kathy Clark, Finance/H.R. Manager Johnna Boyd, and City Secretary Patti Scott Grey, have been working diligently on changes and updates with CivicPlus Project Manager Janell Glassford and would be headed into the second phase of the process in approximately ten (10) days. The changes and updates should be online around October of this year. Mr. Flanigan handed City Council a copy of the proposed or first draft of the future home page. He noted how much cleaner and how much easier the site would be to navigate. (See Exhibit 4 – Parker Website handout, dated June, 2017.)

Councilmember Meyer asked why the city website was being changed. She said the website was now familiar and she felt changes would be confusing. City Administrator Flanigan said City Council asked for an upgrade to make the site cleaner and more user friendly approximately a year ago.

16. ADJOURN

Mayor Marshall adjourned the meeting at 8:17 p.m.



APPROVED:



Mayor Z. Marshall

ATTESTED:



Patti Scott Grey, City Secretary

Approved on the 20th day
of June, 2017.

City Noise Ordinances

City	Objective		Location	Notes
	Night Hours	Day Limit		
Allen	8PM-7AM	65 dB(A)	58 dB(A)	Plainly Audible at 50ft
Anna	10PM-7AM			Within 150ft of Residence
Dallas	Sunset-8AM			Subjective Only
Fairview	10PM-7AM			
Farmersville	10PM-6AM			
Flower Mound	10PM-7AM	57-62dB(A)	47-52dB(A)	Within 500ft of Residence
Frisco	10PM-7AM	55dB(A)	50dB(A)	Within 500ft of Residence
Garland	10PM-7AM			
Lavon				
Lucas				
McKinney	10PM-7AM	Based on Freq	-7dB of day	Within 500ft of Residence
Melissa	10PM-7AM			Within 1500ft of Residence
Murphy	9PM-7AM	60dB(A)	50dB(A)	Plainly Audible at 50ft
Parker	11PM-6AM	75dB	65dB	Within 500ft of Residence
Plano	10PM-7AM			Within 500ft of Residence
Princeton	9PM-6AM			Subjective Only
Prosper	7PM-7AM			
Richardson	6PM-7AM			
Rockwall	10PM-7AM	55dB(A)	50dB(A)	Plainly Audible at 50ft
Rowlett	10PM-7AM	55dB(A)	50dB(A)	Within 500ft of Residence
Sacshe				Subjective Only
Saint Paul	9PM-7AM	Based on Freq	-7dB of day	
Wylie	7PM-7AM			Subjective Only
	10PM-7AM			

June 2017

EXHIBIT 1

Patti Grey

From: LPettle@aol.com
Sent: Tuesday, June 06, 2017 4:14 PM
To: Patti Grey
Subject: City Council Minutes

Hi Patti,

Here are my suggestions for the minutes:

4-4-17: Item 4, Flanigan reviewed Mary Templeton's *request* for a SUP...

5-9-17: Public Comments: Stacy Patrick. Parker resident Stacy Patrick approached Council about her and another Parker resident offering to co chair Parkerfest. She believes this should be a city event and wants to take it in a different direction..... (at no time did Stacy mention Parker Women's Club)

5-16-17: Council Member Cindy Meyer led the pledge. Technically she was not a CouncilMember til she was sworn in. I am just noting this, I don't believe it needs to be changed.

See you tonight!

Lee

EXHIBIT 2

From: James Clay [REDACTED]
Date: June 5, 2017 at 12:37:17 PM CDT
To: [REDACTED]

Subject: Agenda Item 14 - Parkerfest

Honorable Mayor and Council:

I see item 14 on your meeting agenda has to do with Parkerfest. I am not sure what is to be discussed regarding this, but I have heard that a request for city funding may be involved. As a reminder, when the preserve was being purchased, there were public hearings and council meetings regarding it, and the mayor and council told the citizens that the preserve would never be a line item in the budget or cost the citizens any money beyond its purchase. It was to be supported and maintained by volunteers. I realize that promise was only good as long as the council members' terms lasted, but the intent for that time and the future was for the preserve to not be a budget item for the city. As the name implies, the preserve was to be a place to keep the black land prairie as it was, not plant a flower garden and install concrete walking paths at city expense.

Parkerfest initially cost the Parker tax payers a lot of money each time it was held. I understand that it now makes a little money, and donates that money to the city. If that is the case, there is no reason for the tax payer to fund Parkerfest.

I know that the "Preserve" continues to cost the city money to maintain, and those with an interest in supporting its use by the same 20 people or so should contribute their time, labor, and money to its support, and seek sponsors. It is certainly not used by many Parker residents, and should not add to residents' tax burden.

Kindest regards,

James Clay
2007 Dublin Road
Parker, TX 75094

Exhibit 4

Citizen Services

Parker News & Events

A Spotlight on Parker

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