

**MINUTES**  
**CITY COUNCIL MEETING**

**JULY 18, 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, Finance/H.R. Manager Johnna Boyd, City Secretary Patti Scott Grey, City Attorney Brandon Shelby, City Engineer John Birkhoff, P.E., 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. Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation**
  - b. Section 551.074 - (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee.**

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

- 2. RECONVENE REGULAR MEETING.**

Mayor Marshall reconvened the regular meeting at 7:02 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:** Billy Barron led the pledge.

**TEXAS PLEDGE:** Terry Lynch 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.

Mayor Marshall said he had one public comment card, regarding home rule, from Mr. Billy Barron and Mr. Barron requested to hold his comment until that item was discussed on the agenda.

**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. REPUBLIC WASTE QUARTERLY REPORT. [BERNAS]
5. DEPARTMENT REPORTS-ANIMAL CONTROL, BUILDING, COURT, POLICE AND WEBSITE

MOTION: Mayor Pro Tem Levine moved to approve the consent agenda, the Republic Waste Quarterly Report and the monthly departmental reports, as presented. Councilmember Raney seconded. The Mayor asked if there was any further discussion.

**Republic Waste Contract - Trash/Bulk Service:**

Mayor Marshall spoke about the City's Trash/Bulk Service, commenting as the City grew the service may need to change to staggered pickup dates. Republic Waste Staff and City Staff were assessing the situation and more information would be provided as it was available.

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

**INDIVIDUAL CONSIDERATION ITEMS**

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2017-542 REGARDING HOME RULE. [SHELBY/LEVINE]

Billy Barron, 6707 Overbrook Drive, spoke in regard to the Home Rule item on tonight's agenda. Mr. Barron asked that proposed Resolution No. 2017-542 Section 2,

**"SECTION 2.**That the City Council of Parker authorizes the Mayor to nominate members of a Home Rule Charter Commission for appointment by the governing body."

be explained further. He wanted to know if there were going to be any restrictions as to who would be on the Home Rule Charter Commission and stated it would be prudent to exclude the Mayor, City Council, and City Staff, as that could be perceived inappropriate, due to the fact that the Home Rule Commission members could decide

possible future salaries, term lengths and/or term limits. He did say he preferred an appointed Commission, rather than elected Commission.

Mayor Marshall said he asked Mayor Pro Tem Levine to take the lead on this discussion and turned the meeting over to Mayor Pro Tem Levine, who was currently working with City Attorney Shelby on the task. Mr. Levine said City Council had a proposed resolution. In the resolution after several whereases paragraphs, there were several sections, Section 1 of proposed Resolution No. 2017-542 states City Council projects the population of Parker, Texas to be 5,012 by May 5, 2018. Section 2 authorizes the Mayor to nominate members of a Home Rule Charter Commission by the governing body. Mayor Pro Tem noted to answer Mr. Barron's question City Council was not appointing a commission to adopt the charter, the Commission would assemble a document, which would go to a vote by Parker citizens.

City Attorney Shelby said that was correct. The Commission would assemble a draft charter, which would go to the citizens for a vote. Mr. Barron said he understood.

When talking about creating a charter, the Commission would engage in an exploratory and drafting exercise, but not approval. Mr. Barron said he understood. There were multiple ways to do this. With the proposed resolution, the Mayor would nominate those members.

Finally, Section 3 states that this resolution was passed in an open and public meeting, as required by law.

The proposed resolution was placed on the agenda for discussion and additional input. Mayor Pro Tem Levine said he thought it was important to have different types of representation. City Council should not exclude city officials or staff, because they are a valuable resource; although, the commission should be open to more than city officials and staff.

Mayor Pro Tem Levine asked City Council if this was the proper time to proceed with the Charter Commission.

Councilmember Standridge said he understood the calculations and projections were made and the city's population would be over 5,000 by May 5, 2017. He agreed the commission needed to be comprised of city officials, city staff, and citizens. Mr. Standridge suggested keeping the commission small, due to complications and difficulties with previous committees. Also, he added the appointees needed to be dedicated to the project.

Mayor Pro Tem said the City Charter cannot be done without an election and it would be extraordinarily ambitious, possible, but ambitious to have this on the November 2017 ballot. The reason why the resolution says May 5, 2018 is, 1) we would be more comfortable with the census data, and 2) that would be the first opportunity to actually have an election for the charter.

Councilmember Meyer said she agreed with Mr. Barron and some of the points he made. It would be helpful to have a representative from council, but Council should not be a majority. Selection was important, the appointees should be dedicated and

should represent the subdivisions and various areas across the City. The commission needed to be diverse.

City Attorney Shelby clarified, while Section 2 authorizes the Mayor to nominate members for appointment by the governing body, those appointments would need to be made at another meeting and voted upon. Citizens would have another opportunity to speak in regard to the item. The proposed resolution accomplished two (2) things, a good faith estimate that the population will be over 5,000 by the time of the election, and the commission would be appointed and not elected.

Councilmember Raney said with the City's growth and projected population, City Council needed to move forward.

Councilmember Pettle agreed City Council needed to move forward. She was interested in what criteria would be used in the selection to ensure diversity from throughout the City.

Mayor Pro Tem Levine reiterated what City Attorney Shelby stated. The appointment portion would be handled at a future meeting. He did not envision the Mayor handling the selection entirely by himself, nor did he think the process would be completed by next week. There was no rush. This was process. This was the first step. City Council had time to develop the criteria. Mayor Pro Tem Levine stated it was his preference to appoint members, rather than elect. City Council agreed.

**MOTION:** Mayor Pro Tem Levine moved to approve Resolution No. 2017-542, regarding home rule. Councilmember Raney seconded.

Councilmember Pettle asked if "once criteria has been established" should be added to Section 2.

Mayor Pro Tem Levine said he was sure that would be achieved in upcoming meetings prior to the appointment of the members.

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

## 7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON FY 2017-2018 BUDGET. [BOYD]

No action was taken. There were no changes at this meeting or the previous meeting on July 11, 2017. The only change was a \$3,600 stipend item in the fire department budget at the June 20, 2017 Annual Budget Work Session. Again, City Council, City Staff and Citizens were urged to send any comments and/or questions, regarding the proposed budget to Mayor Marshall, City Administrator Flanigan, and/or Finance/H.R. Manager Boyd.

Mayor Marshall announced there would be two budget public hearings, the first on August 15, 2017 and the second on August 29, 2017, with the vote to approve the budget and the tax rate on September 5, 2017. The City should receive its certified numbers from Collin County on July 25, 2017 and until the certified numbers were

released by County, the effective tax rate is unknown. The Mayor noted there were still 31 homes under protest with the Collin County Appraisal District.

## ROUTINE ITEMS

### 8. FUTURE AGENDA ITEMS

Mayor Marshall announced Mayor Pro Tem Levine would preside over the next City Council meeting, Tuesday, August 1, 2017, and he reviewed the Budget/Tax Rate Calendar dates once again. The Mayor then asked if there were any items to be added to the future agenda. Councilmember Meyer asked that the City's check book be placed online for transparency purposes. Mayor Marshall said he would have to get back to her on the matter. Councilmember Meyer also asked that an item to discuss a Municipal Sales Tax Rate increase from 1% to 2% be added. Councilmember Pettle asked that an item discussing the bid process, specifically only bids, be placed on a future agenda items. Mayor Marshall also added code violations to the list.

Mayor Marshall then noted National Night Out would be Tuesday, October 3, 2017 and that the October 3<sup>rd</sup> City Council meeting was on future agenda items for cancelation.

### 9. ADJOURN

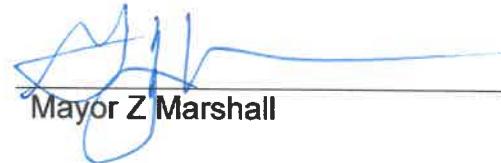
Mayor Marshall adjourned the meeting at 7:38 p.m.

ATTESTED:

  
Patti Scott Grey, City Secretary



APPROVED:

  
Mayor Z Marshall

Approved on the 15th day  
of August, 2017.