



## MINUTES

### CITY COUNCIL MEETING

**DECEMBER 8, 2020**

The Council meeting was open to the public. The City of Parker provided disposable face masks and hand sanitizer. Citizens were told, if they felt uncomfortable attending the meeting in person, they should send public comments to the City Secretary at [PGrey@parkertexas.us](mailto:PGrey@parkertexas.us) prior to 3:00 PM the day of the meeting.

#### **CALL TO ORDER – Roll Call and Determination of a Quorum**

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

Mayor Lee Pettle called the meeting to order at 7:00 p.m. Councilmembers Diana M. Abraham, Terry Lynch, Cindy Meyer, Michael Slaughter, and Ed Standridge were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/H.R. Manager Grant Savage, City Attorney Brandon Shelby, Public Works Director Gary Machado, Fire Chief Mike Sheff, and Police Chief Richard Brooks

#### **PLEDGE OF ALLEGIANCE**

AMERICAN PLEDGE: Jacob Slaughter led the pledge.

TEXAS PLEDGE: Parker Fire Chief Mike Sheff 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.

Joe Cordina, 4302 Boulder Drive, emphasized cooperation between the City and residents, regarding the facility project. Mr. Cordina called his group the "Parker Citizens Advisory Committee" and said the Committee is open to all interested in preparing for a new City Hall that is affordable and fits a city of Parker's size. He said a committee of residents is the way to approach completion of the City Hall project, as the committee can advise the City and present their findings at City Council meetings.

Jim Douglas, 5005 Hackberry Lane, also said cooperation is necessary for the proposed new facility to be affordable. Mr. Douglas said plans should not include options for one-time events and over staffing. He said the new facility should not include six (6) person waiting rooms, wide hallways, large offices and council chambers, and numerous parking spaces. While Mr. Douglas agreed some expansion is necessary, he indicated the current plans are extreme.

Gregor Ulteig, 4006 Sycamore Lane, noted he has lived in the City of Parker approximately eighteen (18) months. Mr. Ulteig was interested in the possible sales tax increase on tonight's agenda. In particular, he inquired about sharing a zip code and how those sales tax dollars were distributed. He also commented a great deal of education would have to be done, so the residents understand the proposal and the benefits.

## ITEMS OF COMMUNITY INTEREST

- PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, DECEMBER 9, 2020, 6 PM

**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.

1. APPROVAL OF MEETING MINUTES FOR NOVEMBER 10, 2020. [SCOTT GREY]
2. APPROVAL OF MEETING MINUTES FOR NOVEMBER 17, 2020. [SCOTT GREY]

MOTION: Councilmember Abraham moved to approve the consent agenda items, as presented. Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

## INDIVIDUAL CONSIDERATION ITEMS

3. DISCUSSION AND APPROPRIATE ACTION ON CHANGING THE REGULAR CITY COUNCIL MEETING FROM JANUARY 5, 2021 TO JANUARY 12, 2021. [PETTLE]

MOTION: Mayor Pro Tem Standridge moved to reschedule the January 5, 2021 regular City Council meeting to January 12, 2021. Councilmember Lynch seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2020-643, IMPLEMENTING AN AWARDS AND LONGEVITY PROGRAM. [OLSON] **[TABLED – 09152020 and 11172020]** (See Exhibit 1 – Awards and Longevity Program change, dated December 8, 2020.)

MOTION: Councilmember Lynch moved to approve Resolution No. 2020-643, implementing an Awards and Longevity Program to recognize employees' achievements and longevity with the City of Parker, as amended "with Council input". Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2020-645 AWARDING THE 2020 ANNUAL MOWING CONTRACT. [MACHADO/OLSON/SHELBY] **[NOT TABLED, BUT LACK OF A MOTION – 10062020 AND TABLED 11172020]**

This item was tabled previously for further review.

Councilmember Slaughter asked if the bid/contract were all inclusive other than fertilization. Public Works Director said yes, excluding the Preserve.

Councilmember Meyer inquired about tree trimming and duration of the contract.

City Attorney Shelby said the duration would be from January 1, 2021 – September 20, 2021, the City's fiscal year. The contract would be rebid in August.

Mayor Pro Tem Standridge suggested, removing [gsavage@parkertexas.us](mailto:gsavage@parkertexas.us) under **PAYMENT TERMS** and substituting the office name or department, e.g., "Attn: Finance Department", as follows:

## **PAYMENT TERMS**

Seller shall submit itemized monthly invoices detailing Services provided, delivered to the City of Parker, 5700 E Parker Road, Parker, TX 75002, Attn: Finance Department. Payment shall not be due until the above instruments are submitted, until the Services have been received by Buyer, and until Buyer has had sufficient opportunity to inspect and exercise its right to accept or reject. Seller shall keep Buyer advised of any changes in their remittance

MOTION: Councilmember Slaughter moved to approve Resolution No. 2020-645, awarding the 2020 Annual Mowing Contract to Hunter Landscaping Company with the recommended changes, as recommended by Mayor Pro Tem Standridge. Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

### **6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2020-649 FOR NEWSLETTER COMMITTEE APPOINTMENTS. [PETTLE]**

Councilmember Lynch nominated Councilmember Meyer for the Newsletter Committee; Council agreed Ms. Meyer was doing an excellent job with the Newsletter. Councilmember Meyer said she was willing to continue to serve on the Newsletter Committee.

MOTION: Councilmember Lynch moved to approve Resolution No. 2020-649 with Councilmember Meyer remaining on the Newsletter Committee. Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

### **7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2020-654, MAKING APPOINTMENTS TO THE PARKS AND RECREATION (P&R) COMMISSION. [PETTLE] [TABLED 11172020]**

MOTION: Councilmember Slaughter moved to formally accept Michael Slaughter's resignation from P&R. Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

It was noted that staff spoke with the P&R Chair and verified all members expressed a desire to continue their service with the following members being reappointed in the corresponding positions:

<b>Member</b>	<b>Position</b>	<b>Term Expiration</b>
Billy Barron	Place Two (2); Voting; Chair	Nov. 30
Frank DaCosta	Place Four (4); Voting	Nov. 30
Patti Cordina	Alt. 1	Nov. 30
Rick Debus	Alt. 2	Nov. 30
Donna DaCosta	Alt. 3	Nov. 30
Pier Burgess	Alt. 4	Nov. 30

MOTION: Councilmember Slaughter moved to approve Resolution No. 2020-654, making the above-mentioned appointments to the Parks and Recreation

(P&R) Commission with terms expiring November 30, 2022. Councilmember Lynch seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2020-655, APPOINTING JUSTIN MILLER ASSISTANT FIRE CHIEF. [SHEFF]

Fire Chief Sheff reviewed the information provided in the Council packet and recommended Justin Miller for the Assistant Fire Chief position.

MOTION: Mayor Pro Tem Standridge moved to approve Resolution No. 2020-655, appointing Justin Miller Assistant Fire Chief. Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

It was noted Assistant Fire Chief Justin Miller was on duty in City of Fairview and unable to attend tonight's meeting. He will be recognized at the next City Council meeting, January 12, 2021 at 7:00 PM.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2020-656, REGARDING A BANK DEPOSITORY AGREEMENT. [SAVAGE]

Finance/HR Manager Savage said due to COVID-19, the City asked for an additional extension on the American National Bank of Allen, Texas to extend the agreement for a period of one year, beginning January 1, 2021 and expiring December 31, 2021. He assured Council the City would go out for bids in 2021 for 2022.

Councilmember Lynch voiced concerns.

Mayor Pro Tem Standridge thanked Finance/HR Manager.

MOTION: Councilmember Lynch moved to approve Resolution No. 2020-656, regarding a Bank Depository Agreement with American National Bank of Allen, Texas, extending that agreement to December 31, 2021. Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

10. DISCUSSION, CONSIDERATION AND ANY APPROPRIATE ACTION ON SALES TAX. [MEYER]

Councilmember Meyer started the discussion, stating approximately three (3) years ago (May 5, 2018) a Proposition was on the ballot to vote for the adoption of a local sales and use tax in Parker, Texas at the rate of two percent (2%). The Proposition was voted down (For 334 and Against 355 – 20180515 Canvassing). The #1 Obstacle was voter education on the Proposition.

There were three (3) cities in our area with a 7.25% sales tax, the Cities of Parker, New Hope, and Weston, while other cities are at 8.25%. If the sales tax is increased by 1%, it could raise approximately \$250,000 for our city and those funds could be placed in a fund dedicated to street maintenance, infrastructure, and so on or placed in our general fund. Councilmember Meyer said it was her understanding the sales tax is paid by non-residents predominantly, or people doing business in Parker.

Councilmember Lynch said this is still a tax increase. Council Member Meyer said yes, but it would not be paid by our residents.

Councilmember Meyer said Council would have to vote whether to place a proposition on the ballot; Council would need to determine whether funds would be dedicated and if so, dedicated to what; and finally, how best to educate our residents.

A sales tax item is to be brought back on the next Council meeting with details about placing it on the ballot and educating our citizens.

City Attorney Shelby spoke on sales tax. (See Exhibit 2 – City Attorney Shelby's Sales Tax information sheet, dated December 8, 2020.)

Councilmember Meyer said if the sales tax is dedicated, she feels it is an easier sell. She also said she feels delaying the process and approval would be missing out on additional revenue.

Council agreed this item should be brought back at the next meeting, January 12, 2021 for further discussion to place a sales proposition on the May 2021 ballot and how to move forward with an education program, i.e., brochure, letter, newsletter, etc. Councilmember Meyer and City Administrator Olson plan to have a rough education plan to present.

**11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON DONATION ACCEPTANCE FROM REPUBLIC WASTE FOR THE LIGHT TOWERS. [PETTLE/OLSON]**

City Administrator Olson said Republic Waste donated light towers for the Parker Parks and Recreation (P&R) Commission Holidaze Family Holiday Event, Sunday, November 29, 2020, valued at \$1,000.

**MOTION:** Councilmember Slaughter moved to accept the Republic Waste donation. Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

Mayor Pettle on behalf herself, Council, and City Staff, thanked Republic Services for their generous donations.

**12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON DONATION ACCEPTANCE FROM JAMIE AND LEANN TURRENTINE. [PETTLE/OLSON]**

City Administrator Olson said Jamie and LeAnn Turrentine a \$1,000 to the Parker Police Department.

**MOTION:** Councilmember Lynch moved to accept Jamie and LeAnn Turrentine's donation. Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

Mayor Pettle on behalf herself, Council, and City Staff, thanked Jamie and LeAnn Turrentine for their generous donations.

**13. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2020-657 TO POSTPONE COMMENCEMENT OF FIRE DEPT. DISPATCH SERVICES FROM OCTOBER 1, 2020 UNTIL JANUARY 1, 2021 AND TO EXTEND**

## THE CURRENT FIRE DEPT. DISPATCH AGREEMENT WITH THE CITY OF PLANO. [SHEFF]

Fire Chief Sheff reviewed the information provided in the Council packet and recommended modifying or extending the Interlocal Agreement (ILA) between the City of Parker and the City of Plano and postponing the start of the Interlocal Agreement (ILA) between the City of Parker and Wylie for Fire and Emergency Medical Dispatch Services, due to COVID-19.

MOTION: Councilmember Lynch moved to approve Resolution No. 2020-657 to postpone commencement of Fire Department Dispatch Services with Wylie from October 1, 2020 until January 1, 2021 and to extend the current Fire Department Dispatch Services Agreement with the City of Plano. Mayor Pro Tem Standridge seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

## 14. DISCUSSION AND APPROPRIATE ACTION ON POSSIBLY CANCELING THE DECEMBER 15, 2020 REGULAR CITY COUNCIL MEETING. [PETTLE]

MOTION: Councilmember Slaughter moved to cancel the December 15, 2020 Regular City Council Meeting. Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Slaughter, and Standridge voting for the motion. Motion carried 5-0.

## ROUTINE ITEMS

### 15. FUTURE AGENDA ITEMS

#### UPDATE(S):

- **FACILITY [PETTLE]**

Mayor Pettle said at our last meeting on November 17, 2020, Council decided, with input from the citizens, the city would hold a citywide community meeting to hear from all our residents and the meeting would be led by a facilitator. She reported no facilitator has responded to requests thus far, but the search will continue.

The Mayor also noted several residents proposed instead of one big gathering/meeting, the City would have a series of smaller gatherings/meetings, as some residents are intimidated and do not feel free to speak at large gatherings.

The Mayor said it was also suggested the gatherings/meetings be done in both in person and virtually, as many are still concerned with COVID-19.

Finally, Council decided to have the citywide community meeting January 5, 2021 at 7:00 PM at City Hall.

Mayor Pettle encouraged all Parker residents to attend either in person or virtually.

Joe Cordina, 4302 Boulder Drive, once again urged cooperation between the City and residents, specifically with what he called his group, "Parker Citizens Advisory Committee", regarding the facility project.

- NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD) [OLSON]  
City Administrator Olson updated the Mayor, Council, Staff and audience on the progress made on our requested NTMWD contract changes. The member cities have settled their case with NTMWD. The City of Parker is a customer city and the customer cities are hopeful of reaching a new agreement similar to the member cities. City Administrator Olson said he will keep everyone advised.
- ACCEPTANCE OF FOOD DONATION(S) FOR POLICE, FIRE, AND CITY STAFF DUE TO COVID-19 FOR THE RECORD (Each valued at between \$0 - \$500). [PETTLE]  
No additional donations were made at this time.

Mayor Pettle asked if there were any items to be added to the future agenda.

Hearing no additional requests, Mayor Pettle encouraged everyone to email her any additional requests and noted, due to the holidays the December 15, 2020 City Council meeting has been canceled; a December 15, 2020 Workshop Session has been scheduled for 4:30 PM; the January 5, 2021 City Council meeting has been rescheduled for January 12, 2021; and finally, a citywide community meeting will be January 5, 2021 at 7:00 PM.

The Mayor asked everyone to check the City's website frequently, due to possible changes related to COVID-19, holidays, and possible inclement weather.

**EXECUTIVE SESSION** - Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated the City Council may hold a closed meeting.

16. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:

- a. Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
- b. Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.
- c. Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with this chapter (Open Meetings Act).

Mayor Lee Pettle recessed the regular meeting to Executive Session at 9:52 p.m.

17. RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 10:51 p.m.

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

No action was taken.

19. ADJOURN

Mayor Lee Pettle adjourned the meeting at 10:52 p.m.



ATTESTED:



Patti Scott Grey, City Secretary

APPROVED:



Mayor Lee Pettle

Approved on the 12th day  
of January, 2021.

**City of Parker Policy on Staff Awards:**

The City of Parker actively seeks to recognize employee performances that are exemplary in providing professional service on a consistent basis. This policy allows the City of Parker Mayor, with input from City Council and/or staff the ability to recognize employees who exceed expectations. Any earned awards will be presented on an annual basis.

The City of Parker also wishes to recognize the longevity of our employees by issuing milestone awards for their years of service to our city. The milestones to be recognized are in increments of five years of service beginning with 5 years of service with our city. These awards are to be presented on or near the day of the milestone.

## Sales Tax

The sales tax rate charged by the state on the sale of each taxable item in the state is 6.25 percent of the sales price of the taxable item. TEX. TAX CODE § 151.051. On top of the state's 6.25-percent sales tax rate, local taxing entities (cities, counties, transit authorities, and special purpose districts) can collectively claim an additional two-percent tax rate for a total maximum tax rate of 8.25 percent in any given location. See TEX. TAX CODE § 321.101(f).

Parker has adopted at 1% sales tax for general revenue. In the past, Cities were permitted to impose an additional 1% take for dedicated purpose. In 2015 the legislature loosened some of the restrictions. Now, Cities can issue the additional tax for dedicated purpose or for general revenue.

Some examples of dedicated purposes are:

1. economic development (Type A or B)
2. property tax relief (complicated administration; does not increase revenue)
3. street maintenance (renewed every 4 years, must be used on streets in existence at time of passage.)
4. special purpose districts (crime, fire)
5. Other – A city may dedicate the use of sales tax revenue to virtually any lawful purpose. WE would consult with the AG, but it is possible that the revenue could be dedicated to addressing drainage issues or payment of bonds.

## How?

Any implementation of additional sales tax must be put to a vote on a general election date. (May or November). The May election must be called in early February and a November election in August. No election can be called within 1 year of a previous sales tax election.

## Can we change the purpose?

Legislation that passed in 2005 permits a city to repeal or lower one dedicated sales tax, and raise or adopt a different dedicated sales tax, all with one combined ballot proposition. The fact that this can be accomplished by one combined ballot proposition protects the city's interest by eliminating the risk that one tax will be voted out by the citizens without the other tax being voted in.

## Rebate of sales tax

While businesses with future contracts may not be grandfathered into a lower sales tax rate, the City does have some flexibility to rebate sales tax through a Chapter 380 agreement. Chapter 380 of the Local Government Code provides significant flexibility in rebating tax revenue for the purpose of economic development.