



MINUTES
CITY COUNCIL MEETING
JUNE 1, 2021

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

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

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Jennifer Hollin led the pledge.

TEXAS PLEDGE: Bethany Ulteig 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.

Amanda Noe, 4307 Springhill Estates, asked for an update on the municipal building/complex and proposed a citizens' committee to help with the project. Ms. Noe also offered to serve on the committee and help with the bidding process.

ITEMS OF COMMUNITY INTEREST

- PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, JUNE 9, 2021, 6 PM - **VIRTUAL ONLY**

The Mayor stated the (P&R) Commission meeting would be virtual, and the access code is or will be at the top of the agenda for that meeting on the City's website at www.parkertexas.us when that agenda becomes available. **[2021 0602 P&R Chair Barron emailed the Wednesday, June 9, 2021, P&R meeting is officially canceled.]**

- COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, JUNE 16, 2021, 6 PM – **IN-PERSON AND VIRTUAL**

Mayor Pettle said the Comprehensive Plan Committee meeting would be in-person and virtual for the June 16th meeting and the access code is or will be at the top of that agenda on the City's website at www.parkertexas.us when that agenda becomes available.

- PROJECTED 2021 TAX RATE PLANNING CALENDAR

Mayor Pettle noted the Projected 2021 Tax Rate Planning Calendar has been in the Council packet for some time, so everyone will have the projected dates. Budget and Tax Rate items are routinely handled July – September.

INDIVIDUAL CONSIDERATION ITEMS

1. APPROVAL OF MEETING MINUTES FOR MAY 18, 2021. [SCOTT GREY]

MOTION: Councilmember Reed moved to approve May 18, 2021, meeting minutes, as corrected. (See Exhibit 1 – Terry Lynch's email, dated May 30, 2021.) Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-668 PROVIDING FOR THE EXECUTION OF CONTRACT AMENDMENT ONE (1) BETWEEN THE CITY OF PARKER AND COLLIN COUNTY. [BROOKS]

Parker Police Chief Brooks said this is a one-year extension of the Jail Services Agreement with Collin County executed by Council in 2020 (Resolution 2020-640). As stated in **Item #1** of the Contract Amendment One (1), the term of this extension shall be for a period of one (1) year beginning October 1, 2021, and shall continue in full force and effect through September 30, 2022. Either party may terminate this Agreement for any reason by giving a 90-day written notice to the other party. **Item #2** establishes the Basic Charge of \$58.80 per day or part of day per inmate will be charged to the City for one year beginning October 1, 2021, and ending September 30, 2022. The current rate is \$98.78. The original Agreement was adopted in 2002. (**Note: This gives clarity to the reason for our reduced fee for this extension. The Proposed Inmate per day Expense Entity Impact fee sheet states: "CARES Act funding was used in FY2020 to cover a portion of Public Safety Salaries. This savings has translated into a lower daily rate for FY 2022. We expect the expenditures to return to normal over the course of FY 2021 and FY 2022."**)

The Police Department is requesting that Council approve this agreement. As Council is aware, we have entered into an agreement with Wylie Police Department for primary jail services so that Class C Misdemeanor charges, including Parker Municipal Court Warrants, can be processed in that facility. The Police Department would reserve this Collin County Agreement as a back-up jail facility. We will not be charged unless we book a prisoner into the Collin County Facility.

MOTION: Councilmember Slaughter moved to approve Resolution No. 2021-668 providing for the execution of contract amendment one (1) between the City of Parker and Collin County, as presented. Councilmember Abraham seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

3. DISCUSSION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 801, REGARDING “NO THRU TRUCK TRAFFIC” SIGNAGE. [PETTLE/BROOKS]

Parker Police Chief Brooks reviewed the item, stating he provided information in the Council packet to help determine the feasibility and the successful enforcement of implementing a “NO THRU TRUCK TRAFFIC” route on Dublin Road. Texas Transportation Code Title 6. Roadways Subtitle E. Municipal Street Subchapter A. General Authority Sec. 311.002 General Authority of General-Law Municipality and Sec. 311.003 Additional Authority of Type A General-Law Municipality are included. Additionally, Section 6. And Section 8. Of the *Sign Guidelines and Applications Manual*, a companion manual to the *Texas Manual on Uniform Traffic Control Devices* (TMUTCD) are included for Council review.

It is the Police Department’s position that this type of ordinance will be very difficult for the Department to enforce and will provide citizens an expectation that the ordinance will curtail or stop truck traffic. Officers would be forced to observe the truck travel throughout the entire span of Dublin Road before an enforcement stop could be executed. Additionally, any deliveries made on or off Dublin Road would be allowed. This could potentially cause citizen frustration on this issue. Chief Brooks said he would be happy to answer any questions citizens or Council may have.

After discussion and questions, Council decided to prohibit truck traffic along Dublin Road from Parker Road to Betsy Lane and from Betsy Lane south to Parker, Texas city limits.

MOTION: Councilmember Abraham moved to approve Ordinance No. 801, regarding “No Thru Truck Traffic” signage and prohibiting traffic along Dublin Road from Parker Road to Betsy Lane and from Betsy Land to south Parker, Texas city limits. Mayor Pro Tem Meyer seconded.

Before the vote, Council decided to clarify the motion to include Ordinance No. 801, should be reviewed for effectiveness in one year.

MOTION: Councilmember Abraham moved to approve Ordinance No. 801, regarding “No Thru Truck Traffic” signage, prohibiting traffic along Dublin Road from Parker Road to Betsy Lane and from Betsy Land to south Parker, Texas city limits, and further, including a review for effectiveness in one year. Mayor Pro Tem Meyer seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

Mayor Pettle asked Assistant City Administrator/City Secretary (ACA/CS) Scott Grey to add Ordinance No. 801 review to the Future Agenda Items. ACA/CS Scott Grey agreed.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2021-669 ON UPDATING THE INVESTMENT COMMITTEE. [PETTLE/SAVAGE]

MOTION: Councilmember Abraham moved to appoint Michael Slaughter as Chief Investment Officer for the City of Parker. Councilmember Lynch seconded.

Mayor Pettle asked Councilmember Slaughter if he would be willing to serve as Chief Investment Officer for the City of Parker. Councilmember Slaughter said yes. Mayor Pettle said there are Investment Training Requirements noted in the

Investment Policy and staff would be able to get the training schedule and other information to get this taken care of in a timely manner.

Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

MOTION: Councilmember Abraham moved to re-appoint Lee Pettle and Cindy Meyer Investment Officers for the City of Parker. Councilmember Reed seconded.

Mayor Pettle said she would like to continue to be an Investment Committee Official and Mayor Pro Tem Meyer agreed as well.

Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

MOTION: Councilmember Abraham moved to adopt Resolution No. 2021-669 on updating the Investment Committee. Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 802, AN ORDINANCE OF THE CITY OF PARKER FINDING THAT THE SETTLEMENT AGREEMENT BETWEEN THE CITY AND COSERV GAS, LTD. IS REASONABLE; ORDERING COSERV GAS, LTD. TO IMPLEMENT THE RATES AGREED TO IN THE SETTLEMENT AGREEMENT; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL. [SHELBY]

City Attorney Shelby reviewed the item in the Council packet stating, on or about November 13, 2020, CoServ Gas, Ltd. ("CoServ" or "Company") filed to increase rates in all cities with exclusive original jurisdiction over the rates, operations, and services within its service area. In its application, CoServ sought to increase base rates by 11.8% for its entire service area.

The City, pursuant to § 104.102 of the Gas Utility Regulatory Act ("GURA"), has exclusive original jurisdiction over the gas rates charged by the Company. Although, CoServ proposed an original effective date of January 23, 2021, the Company agreed to extend the proposed effective date to March 14, 2021, with a statutory deadline of August 10, 2021. The City suspended the effective date for 90 days, giving the City until June 12, 2021, to evaluate the application and take final action. The City joined with the other cities (collectively the "CoServ Gas Cities") to conduct a review of the Company's application by hiring and directing legal counsel and consultants to prepare a common response and negotiate with the Company.

On or about May 14, 2021, a Settlement Agreement was reached between the CoServ Gas Cities and the Company. The Settlement Agreement reduces the Company's requested rate increase of \$11.5 million down to \$6.25 million representing a 45.6% reduction to the Company's request. Additionally, the Settlement Agreement provides for a 9.5% return on equity rather than the

Company's requested 11.5% return on equity. Finally, the Settlement Agreement provides for a customer charge of \$15, compared to the Company's original \$18.50 request. The commercial and public authority customer charge will be \$35, versus the Company's original \$43.50 request. The Company has agreed to 100% recovery of City's rate case expenses.

MOTION: After City Attorney Shelby responded to questions from Council, Councilmember Abraham moved to approve Ordinance No. 802, an ordinance of the City of Parker, Texas, finding that the settlement agreement between the City and CoServ Gas, Ltd. is reasonable; ordering CoServ Gas, Ltd. to implement the rates agreed to in the settlement agreement; requiring reimbursement of cities' rate case expenses; finding that the meeting at which this ordinance is passed is open to the public as required by law; requiring notice of this ordinance to the company and legal counsel. Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

6. DISCUSSION, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING/RESCHEDULING THE JULY 6, 2021, REGULAR CITY COUNCIL MEETING, DUE TO JULY 4TH HOLIDAY. [PETTLE]

MOTION: Councilmember Abraham moved to approve cancel the July 6, 2021, Regular City Council Meeting, with the understanding if an emergency arises Mayor Pettle would call a Special Council Meeting. Councilmember Reed seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

7. FUTURE AGENDA ITEMS

Mayor Pettle noted the addition of "Ordinance No. 801 review for effectiveness in one year" and asked if there were any additional items to be added to the future agenda. Hearing no additional requests, she encouraged everyone to email her any requests. She noted the next regularly scheduled meeting would be Tuesday, June 15, 2021.

UPDATE(S):

- DRAINAGE COMMITTEE [MEYER]

Poco Estados - Mayor Pro Tem Meyer updated everyone in attendance on the Drainage Committee's status, stating the Committee originally looked at Poco Estados Subdivision drainage. She indicated a "breach", located in the Extra-Territorial Jurisdiction (ETJ) "behind the subdivision is a major problem" (north) with a levee like structure impedes waterflow. The water from ETJ properties needs to flow toward Lewis Lane drainage and not into the Poco Estados Subdivision. Ms. Meyer hopes to set up a meeting to discuss and possibly accomplish a plan in this direction.

Moss Ridge - Mayor Pro Tem Meyer said she sent Moss Ridge residents a map of the properties and asked them to show how water currently affects

their property. Twenty-five (25 of the forty-five (45) residents responded. It appears the water in Moss Ridge travels northwest to southeast, running quite rapidly through the southern properties. Since McCreary Road was widened and elevated, water travels into residents' garages, homes, and yards and not along McCreary Road and its proper drainage outlets. Ms. Meyer even noted one resident has installed sump pumps to prevent their home from being flooded. She indicated there were other areas such as Easy Acres, Sycamore and Estate Lane, which have drainage problems. (See Exhibit 2 – Drainage Committee Water Flow Map, dated June 1, 2021.)

Possible Solutions: Notify and educate residents of current city codes and their responsibilities, regarding bar ditches/culverts, after which, enforce city codes. The City should determine the proper slope for bar ditches for residents to maintain and again educate and enforce a standard.

Future of the Drainage Committee: Mayor Pro Tem Meyer indicated the Drainage Committee is being transferred to the Infrastructure Committee, led by Councilmembers Lynch and Reed, due to the fact some drainage issues are caused by roads, which can be addressed better under Infrastructure.

- **SALES TAX [MEYER]**

Mayor Pro Tem Meyer said she would like Council to review the current sales tax rate and consider raising the rate 1 cent, matching surrounding areas and raising additional City revenue. Previously, it was estimated \$250,000 or more could be raised with this increase. The additional revenue could be used for infrastructure, such as Street Maintenance, or placed in the General Fund for Council to determine its best use to help the City. Ms. Meyer indicated, research has determined a portion of the additional 1 cent Sales Tax revenue would come from non-residents, such as patrons of Southfork Ranch or other similar entities. If Council decides to pursue the additional 1 cent Sales Tax, they need to decide which ballot, May 2022 or November 2022, and get started on an informational plan for residents prior to the election.

- **COMPREHENSIVE PLAN COMMITTEE [OLSON/SLAUGHTER]**

Councilmember Slaughter said Comprehensive Plan Committee has had a 90% volunteer attendance rate. The Committee was anxiously awaiting the approval of the recently reviewed zoning codes, as those codes are a fundamental to any Comprehensive Plan. He indicated the Committee is also looking into the City's ETJ areas, as they will probably be part of Parker in the future. Finally, Councilmember Slaughter asked Council for guidance on whether they would like a fully professional plan or an updated plan. A brand new professional plan is estimated to cost from \$60,000 to \$80,000, while an updated combination Committee/Professional plan is estimated to cost approximately \$12,000 to \$17,000. The second option, the combination plan would be the most cost efficient and effective way to proceed. Council agreed.

- **FACILTY [COUNCIL]**

Mayor Pettle related Council plans to have an informational meeting prior to the next City Council meeting, Tuesday, June 15, 2021, 6:00 PM to provide residents with all the available facility information, gathered to date, such as,

- needs assessments,
- price points,
- legal requirements and
- other documents.

- The second meeting will be held, Tuesday, June 22, 2021, 6:00 PM to answer all the questions from our residents. Questions are to be answered by the appropriate person, who is a professional in the field. For example, a question about bonds will be answered by a bond counsel.
- The third meeting will be held, Thursday, July 15, 2021, 6:00 PM so every resident may voice their opinion equally, stating their likes, dislikes, ideas, suggestions and so on.

After that, interactive meetings will continue until agreement is reached on a proposed facility. The interactive group is the committee, and it is open to any resident who would like to participate. This plan is in progress and may be revised by Council, as needed.

- **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]**

Mayor Pettle read the donation(s) below and said, on behalf herself, City Council, City and City Staff, we thank each one of the doners for their kind and generous donation(s).

- Parker Women's Club (PWC) donated a variety of food/snacks, including Nothing Bundt Cakes (cakes & cupcakes); tea, lemonade, sandwiches, salad/salad dressing and salted caramel cookies, estimated value \$150.
- Murphy Police Communications delivered a dozen Bundtins estimated value \$25.00.
- Girl Scout 151 Service Unit delivered several boxes of Girl Scout Cookies estimated value \$90.00.
- Jalen Christopher 5003 E. Parker Road Parker, TX 75002 delivered three cakes estimated value \$15.00.
- Hsaing-Fang Hsieh and Tsui-Chen Tseng 5901 Parker Village Drive donated chips and cookies estimated value \$50.00.
- Stacy Patrick 5202 Ravensthorpe Drive donated individual pies estimated value \$25.00.

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.

8. 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.
 - 1. Evaluate job performance and organization of certain employees
- b. Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.
 - 1. Status update of pending and contemplated lawsuits
- 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).
 - 1. Legal matters unrelated to pending or contemplated litigation
- d. Government Code Section 551.072. Deliberation regarding the purchase, exchange, lease, or value of real property.
 - 1. Real property matters

Mayor Lee Pettle recessed the regular meeting to Executive Session at 9:04 p.m.

9. RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 11:36 p.m.

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

No action was taken.

11. ADJOURN

Mayor Lee Pettle adjourned the meeting at 11:37 p.m.



ATTESTED:

Patti Scott Grey, City Secretary

APPROVED:

Mayor Lee Pettle

Approved on the 15th day
of June, 2021.

From: [Terry Lynch](#)
To: [Patti Grey](#)
Subject: Requested Changes to Parker City Council May 18, 2021 Meeting Minutes
Date: Sunday, May 30, 2021 10:12:58 AM

Patti -

I would like to suggest changes to the minutes to reflect the discussions that occurred and included in the recorded meeting and transcript in the following areas:

Audit Report

* Add comment about Material Weakness

Councilmember Lynch asked about the Material Weakness in controls over Financial Reporting reported in the audit letter. The auditors stated that this means that if the auditors did not step in there is a significant chance that something could be materially misstated if the auditors did not intervene. The auditor also stated that every city that they audit except one has this weakness.

Update on Capital Improvement Plan

* Change as follows:

Councilmember Lynch said the Capital Improvement Plan should include streets, drainage and water related infrastructure. Once she receives a list of the City streets ~~for repair in the next five years~~, the Committee will compile additional information to bring back City Council and residents to develop a prioritized list.

~~Evidently, Finance/Human Resources Director Savage will then should be able to use this information to assist in developing/finding funding plan.~~

Let me know if you have any questions.

Thanks and take care,

Terry Lynch

