



MINUTES
CITY COUNCIL MEETING
FEBRUARY 15, 2022

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 Pettie 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 Trey Lansford, Public Works Director Gary Machado, Fire Chief Mike Sheff, and Police Chief Richard Brooks

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Joe Proctor led the pledge.

TEXAS PLEDGE: Parker Ammar 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.

Parker Ammar, 6903 Audubon Drive, spoke, regarding Maxwell Creek annexation/development. (See Exhibit 1 – Parker Ammar's handout, Maxwell Creek Annexation, dated February 15, 2022.)

ITEMS OF COMMUNITY INTEREST

- **Canceled** - COMPREHENSIVE PLAN (COMP) COMMITTEE - WEDNESDAY, FEBRUARY 16, 2022, 6 PM
- PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, MARCH 9, 2022, **4 PM**
- CITY FILING DEADLINE – FRIDAY, FEBRUARY 18, 2022, 5:00 PM
- **2022 PRIMARY ELECTION – PARKER CITY HALL**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
February 13	February 14 Early Voting 8am–5pm	February 15 Early Voting 8am–5pm	February 16 Early Voting 8am–5pm	February 17 Early Voting 8am–5pm	February 18 Early Voting 8am–5pm	February 19 Early Voting 7am–7pm
February 20 Early Voting 11am–5pm	February 21 <i>No Voting - President's Day</i>	February 22 Early Voting 7am–7pm	February 23 Early Voting 7am–7pm	February 24 Early Voting 7am–7pm	February 25 Early Voting 7am–7pm	February 26
February 27	February 28	March 1 Election Day 7am–7pm				

- THURSDAY, APRIL 7, 2022 - LAST DAY TO REGISTER TO VOTE FOR THE MAY 7, 2022, GENERAL ELECTION

- NATIONAL PRESCRIPTION DRUG TAKE BACK - SATURDAY, APRIL 30, 2022, 10AM-2PM
- REMINDER – MAY 7, 2027 – GENERAL ELECTION (EV AND ED INFO)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 24	Apr 25 Early Voting 8am to 5pm	Apr 26 Early Voting 8am to 5pm	Apr 27 Early Voting 8am to 5pm	Apr 28 Early Voting 8am to 5pm	Apr. 29 Early Voting 8am to 5pm	Apr. 30 Early Voting 8am to 5pm* Changed 2022 0210
May 1	May 2 Early Voting 7am to 7pm	May 3 Early Voting 7am to 7pm	May 4	May 5	May 6	May 7 Election Day 7am to 7pm

Mayor Pettle reviewed the **Items of Community Interest** and noted there would be a Facility Meeting, Tuesday, February 22, 2022, at 6 PM in the Fire Department Training Room, due to 2022 March Primary early voting. She encouraged residents to attend.

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 JANUARY 11, 2022.
2. APPROVAL OF MEETING MINUTES FOR FEBRUARY 1, 2022.

MOTION: Councilmember Slaughter moved to approve consent agenda items 1 and 2, as presented. Councilmember Lynch seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

INDIVIDUAL CONSIDERATION ITEMS

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE ANNUAL AUDIT REPORT.

BrooksWatson & Co. Certified Public Accountant Mike Brooks reviewed the Audit Presentation PowerPoint for the year ending September 30, 2021, dated February 15, 2022, in tonight's City Council packet. The City of Parker, Texas received a clean, unmodified opinion, which is the highest level of assurance.

There were no questions. The Mayor and City Council, staff, and residents were encouraged to contact Finance/Human Resources (FIN/HR) Director Savage should they have questions.

Mayor Pettle, on behalf of herself, and City Council, thanked the Mr. Mike Brooks, and City Staff, especially FIN/HR Director Savage, for their continued efforts on the audit process.

MOTION: Councilmember Slaughter moved to accept/approve the Annual Financial Report 2021 For Fiscal Year Ended September 30, 2021, as presented. Councilmember Lynch seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2022-694, AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE

PAYMENT OF TEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

City Administrator Olson reviewed the item. Council asked for clarification on why the invoice calculation was per capita, when all City of Parker residents are not Oncor customers. Mr. Olson and Lansford will contact Oncor Steering Committee of Cities Counsel, Lloyd Gosselink Rochelle & Townsend, P.C. Thomas Brocato, for clarification and report back to Council.

MOTION: Councilmember Slaughter moved to approve Resolution No. 2022-694, authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of ten cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC. Mayor Pro Tem Meyer seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

5. UPDATE(S):

ANY COMMITTEE UPDATES, AS NEEDED.

No Updates.

MONTHLY/QUARTERLY REPORTS

DEPARTMENT REPORTS –BUILDING/CODE (Nov21-Jan22), COURT (Nov21-Jan22), FINANCE (monthly financials) (Nov21-Jan22), FIRE (4TH QTR), INVESTMENT (4TH QTR), POLICE (Nov21-Jan22), REPUBLIC WASTE (Nov21, Dec21, ~~Jan22~~), AND WEBSITE (Nov21-Jan22)

Council accepted reports.

ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF FOR THE RECORD (Each valued at between \$0 - \$500).

Jerry Dorough donated \$100.00 to Parker Fire Department.

Davies/Coble family donated snacks, estimated value is \$50.00

Nhan Anderson donated snacks, estimated value \$45.00

Epel Brohlan donated Girl Scout Cookies, estimated value \$30.00

Pier Burgess donated \$60.90 for P&R Wildflower edging/fencing

Mayor Pettie, on behalf of herself, City Council, and City Staff, thanked the above listed donors for their kind and generous donations.

FUTURE AGENDA ITEMS

6. FUTURE AGENDA ITEMS

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

Hearing no requests, Mayor Pettie encouraged everyone to email her any requests. She noted the next regularly scheduled meeting would be Tuesday,

March 15, 2022, as City Council canceled the Tuesday, March 1, 2022 meeting, due to the 2022 March Primary Early Voting at Parker City Hall.

WORKSHOP

7. COMPREHENSIVE PLAN PRESENTATION

Councilmember Slaughter reviewed the Comprehensive Plan Update Powerpoint, dated February 15, 2022, in tonight's City Council packet and answered questions.

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.
- 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 Pettie recessed the regular meeting to Executive Session at 8:03 p.m.

RECONVENE REGULAR MEETING.

Mayor Lee Pettie reconvened the meeting at 10:31 p.m.

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


MOTION: Councilmember Reed moved to accept the mediation plan in the Booth case. Councilmember Slaughter seconded with Councilmembers Abraham, Lynch, Meyer, Reed, and Slaughter voting for the motion. Motion carried 5-0.

ADJOURN

Mayor Lee Pettie adjourned the meeting at 10:32 p.m.



APPROVED:


Mayor Lee Pettie

ATTESTED:



Patti Scott Grey, City Secretary

Approved on the 15th
day
of March, 2022.

Parker Ammar

February 15, 2022

Maxwell Creek Annexation

The city of Parker has the authority to annex the length of Maxwell Creek that runs through its ETJ, as is described in Texas Local Government Code **Section 43.013**, if Maxwell Creek is a navigable stream.

Texas Local Government Code Section 43.013:

Sec. 43.013. AUTHORITY OF MUNICIPALITY TO ANNEX NAVIGABLE STREAM. The governing body of a municipality by ordinance may annex any navigable stream adjacent to the municipality and within the municipality's extraterritorial jurisdiction under the procedures prescribed by Subchapter C-1.

A stream is considered navigable so far as it maintains an average width of 30 feet from the mouth up, as is defined in Texas Natural Resources Code **Section 21.001**.

Texas Natural Resources Code Section 21.001:

Sec. 21.001. DEFINITIONS. In this chapter:

- (1) "Commissioner" means the Commissioner of the General Land Office.
- (2) "Land office" means the General Land Office.
- (3) "Navigable stream" means a stream which retains an average width of 30 feet from the mouth up.

By measurements taken from satellite images and from the ground, I have determined that Maxwell Creek maintains an average width of **35.52 feet** from its mouth to its intersection with N Murphy Road.

The full results of my findings will be posted tomorrow (February 16, 2022) at Noon at:

paammar.org/maxwell-creek.html