



MINUTES
CITY COUNCIL MEETING
SEPTEMBER 19, 2023

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 6:00 p.m. Councilmembers Todd Fecht, Randy Kercho, Terry Lynch, and Amanda Noe were present. Mayor Pro Tem Jim Reed was absent.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage (arrived at 6:50 p.m.), City Attorney Amy J. Stanphill, Public Works Director Gary Machado (arrived at 6:50 p.m.), Fire Chief Mike Sheff (arrived at 6:50 p.m.), Fire Division Chief (Admin) Jeff Kendrick (arrived at 7:00 p.m.), and Police Sgt. Ralph Burdick

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.

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

Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.

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 6:02 p.m.

RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 6:56 p.m.

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

No action was taken.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Lindy M. "Buddy" Pilgrim led the pledge.

TEXAS PLEDGE: Frank DaCosta 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.

Suresh Kapa, 4609 Bryce Drive, inquired when he might be able to get permits and start development of his property at 6804 E. Parker Road. Mr. Kapa was asked to give Public Works Director Machado his contact information.

Lindy M. "Buddy" Pilgrim, 3106 Bluffs Lane, spoke in regard to item #23, Resolution No. 2023-755 approving the purchase of a new Structural Firefighting Pumper Fire Truck, on tonight's agenda. Mr. Pilgrim shared his experience with truck fleets, stating the down time when a truck is unavailable is very expensive both in repairs and loss of providing service to the business. He said he has found using new equipment, especially with warranties, much more cost effective and provided better service. Mr. Pilgrim also asked the City Council to consider changing the property tax exemption from \$50,000 for persons over 65 to a full cap freeze at the time a resident is eligible for an exemption 65.

ITEMS OF COMMUNITY INTEREST

Mayor Pettle reviewed the upcoming Community Interest items below:

PEANUT BUTTER FOOD DRIVE FOR NORTH TEXAS FOOD BANK – SEPTEMBER 1-30, 2023

NATIONAL NIGHT OUT – TUESDAY, OCTOBER 3, 2023, 6 P.M. – 9 P.M

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, OCTOBER 11, 2023, 5 PM

WATER IMPACT FEE CAPITAL IMPROVEMENT ADVISORY COMMITTEE MEETING – **TENTATIVELY** – THURSDAY, OCTOBER 19, 2023, 7 PM

NATIONAL PRESCRIPTION DRUG TAKE BACK EVENT SATURDAY, OCTOBER 28, 2023, 10 AM – 2 PM

PARKERFEST - SUNDAY, OCTOBER 29, 2023, 3 PM to 6 PM

REMINDER – NOVEMBER 7, 2023 – GENERAL ELECTION (EV AND ED INFO) –

Sunday (Domingo)	Monday (Lunes)	Tuesday (Martes)	Wednesday (Miércoles)	Thursday (Jueves)	Friday (Viernes)	Saturday (Sábado)
October 22 No Voting (22 de octubre) (Sin votar)	October 23 Early Voting (23 de octubre) (Votación adelantada)	October 24 Early Voting (24 de octubre) (Votación adelantada)	October 25 Early Voting (25 de octubre) (Votación adelantada)	October 26 Early Voting (26 de octubre) (Votación adelantada)	October 27 Early Voting (27 de octubre) (Votación adelantada)	October 28 Early Voting (28 de octubre) (Votación adelantada)
	8 am – 5 pm	8 am – 5 pm	8 am – 5 pm	8 am – 5 pm	8 am – 5 pm	7 am – 7 pm
October 29 Early Voting (29 de octubre) (Votación adelantada)	October 30 Early Voting (30 de octubre) (Votación adelantada)	October 31 Early Voting (31 de octubre) (Votación adelantada)	November 1 Early Voting (1 de noviembre) (Votación adelantada)	November 2 Early Voting (2 de noviembre) (Votación adelantada)	November 3 Early Voting (3 de noviembre) (Votación adelantada)	November 4 No Voting (4 de noviembre) (Sin votar)
11 am – 5 pm	7am - 7pm	7am - 7pm	7am - 7pm	7am - 7pm	7am - 7pm	

Election Day - November 7, 2023 - 7 am - 7 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 AUGUST 15, 2023. [CITY COUNCIL PROPOSED FY 2023-2024 BUDGET WORKSHOP]
2. APPROVAL OF MEETING MINUTES FOR AUGUST 15, 2023. [REGULAR MEETING]
3. APPROVAL OF MEETING MINUTES FOR AUGUST 22, 2023. [CITY COUNCIL CAPITAL IMPROVEMENT PLAN (CIP) WORKSHOP - PHASED APPROACH]
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE OCTOBER 3, 2023 REGULAR MEETING DUE TO NATIONAL NIGHT OUT (NNO).
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE NOVEMBER 7, 2023 REGULAR MEETING DUE TO ELECTION DAY VOTING.
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESCHEDULING THE NOVEMBER 21, 2023 REGULAR MEETING TO NOVEMBER 14, 2023 DUE TO THE THANKSGIVING HOLIDAY.
7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-756 DESIGNATING THE DALLAS MORNING NEWS AS THE OFFICIAL NEWSPAPER FOR THE CITY OF PARKER FOR FISCAL YEAR 2023-2025.
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-757 APPROVING AN AMENDED WYLIE JAIL SERVICES INTERLOCAL AGREEMENT.
9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-751 CORRECTING THE TERM TO REFLECT APPOINTMENT TO THE PARKS AND RECREATION (P&R) COMMISSION ALTERNATE ONE POSITION EXPIRES NOVEMBER 30, 2023, RATHER THAN NOVEMBER 30, 2024 [CORRECTION TO 2023 0815].
10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-759 APPROVING AN INTERLOCAL AGREEMENT (ILA) BETWEEN THE CITY OF PARKER AND COLLIN COUNTY FOR CHILD ABUSE, INVESTIGATION SERVICES, AND LAW ENFORCEMENT.
11. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-760 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2023 RATE REVIEW MECHANISM FILING AND ADOPTING TARIFFS TO REFLECT RATE ADJUSTMENTS.
12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-761 REGARDING THE SUSPENSION OF SELECT PARK RULES PURSUANT TO PARKER CODE OF ORDINANCE SECTIONS 97.11 AND 97.14 FOR PARKERFEST 2023 ON SUNDAY, OCTOBER 29, 2023, FROM 12:00 P.M. TO 8:00 P.M. UPON SATISFYING CERTAIN CONDITIONS.

MOTION:

Councilmember Lynch moved that items,

- #4, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE OCTOBER 3, 2023 REGULAR MEETING DUE TO NATIONAL NIGHT OUT (NNO);
- #5, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE NOVEMBER 7, 2023 REGULAR MEETING DUE TO ELECTION DAY VOTING;
- #6, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESCHEDULING THE NOVEMBER 21, 2023 REGULAR MEETING TO NOVEMBER 14, 2023 DUE TO THE THANKSGIVING HOLIDAY; and,
- #12, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-761 REGARDING THE SUSPENSION OF SELECT PARK RULES PURSUANT TO PARKER CODE OF ORDINANCE SECTIONS 97.11 AND 97.14 FOR PARKERFEST 2023 ON SUNDAY, OCTOBER 29, 2023, FROM 12:00 P.M. TO 8:00 P.M. UPON SATISFYING CERTAIN CONDITIONS;

be removed from the consent agenda for further discussion and the remaining items,

- #1, APPROVAL OF MEETING MINUTES FOR AUGUST 15, 2023. [CITY COUNCIL PROPOSED FY 2023-2024 BUDGET WORKSHOP];
- #2, APPROVAL OF MEETING MINUTES FOR AUGUST 15, 2023. [REGULAR MEETING];
- #3, APPROVAL OF MEETING MINUTES FOR AUGUST 22, 2023. [CITY COUNCIL CAPITAL IMPROVEMENT PLAN (CIP) WORKSHOP - PHASED APPROACH];
- #7, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-756 DESIGNATING THE DALLAS MORNING NEWS AS THE OFFICIAL NEWSPAPER FOR THE CITY OF PARKER FOR FISCAL YEAR 2023-2025;
- #8, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-757 APPROVING AN AMENDED WYLIE JAIL SERVICES INTERLOCAL AGREEMENT;
- #9, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-751 CORRECTING THE TERM TO REFLECT APPOINTMENT TO THE PARKS AND RECREATION (P&R) COMMISSION ALTERNATE ONE POSITION EXPIRES NOVEMBER 30, 2023, RATHER THAN NOVEMBER 30, 2024 [CORRECTION TO 2023 0815];
- #10, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-759 APPROVING AN INTERLOCAL AGREEMENT

(ILA) BETWEEN THE CITY OF PARKER AND COLLIN COUNTY FOR CHILD ABUSE, INVESTIGATION SERVICES, AND LAW ENFORCEMENT; and,

- #11, CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-760 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2023 RATE REVIEW MECHANISM FILING AND ADOPTING TARIFFS TO REFLECT RATE ADJUSTMENTS;

be approved, as presented. Councilmember Noe seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE OCTOBER 3, 2023 REGULAR MEETING DUE TO NATIONAL NIGHT OUT (NNO).

MOTION: Councilmember Noe moved to cancel the October 3, 2023 regular meeting due to National Night Out (NNO), and to reschedule the meeting to October 2, 2023, 5:00 p.m. Councilmember Fecht seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE NOVEMBER 7, 2023 REGULAR MEETING DUE TO ELECTION DAY VOTING.

MOTION: Councilmember Noe moved to cancel the November 7, 2023 regular meeting due to Election Day Voting, and to reschedule the meeting to October 4, 2023, 5:00 p.m. Councilmember Fecht seconded with Councilmembers Fecht and Noe voting for the motion and Councilmembers Lynch and Kercho voting against the motion. Due to the tie vote, Mayor Pettle voted. Mayor Pettle voted against the motion. Motion failed 3[Mayor Pettle, and Councilmembers Lynch and Kercho]-2[Councilmembers Fecht and Noe].

Mayor Lee Pettle recessed the regular meeting at 7:34 p.m. for City Administrator Olson and City Attorney Stanphill to discuss the matter.

Mayor Lee Pettle reconvened the meeting at 7:45 p.m.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON CANCELING THE NOVEMBER 7, 2023 REGULAR MEETING DUE TO ELECTION DAY VOTING.

MOTION: Councilmember Lynch moved to cancel the November 7, 2023 regular meeting due to Election Day Voting, as written. Councilmember Kercho seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESCHEDULING THE NOVEMBER 21, 2023 REGULAR MEETING TO NOVEMBER 14, 2023 DUE TO THE THANKSGIVING HOLIDAY.

MOTION: Councilmember Lynch moved to reschedule the November 21, 2023 regular meeting to November 14, 2023 due to the Thanksgiving Holiday, as written. Councilmember Kercho seconded with Councilmembers Kercho, Lynch, and Noe voting for the motion and Councilmember Fecht voting against the motion. Motion carried 3-1.

12. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-761 REGARDING THE SUSPENSION OF SELECT PARK RULES PURSUANT TO PARKER CODE OF ORDINANCE SECTIONS 97.11 AND 97.14 FOR PARKERFEST 2023 ON SUNDAY, OCTOBER 29, 2023, FROM 12:00 P.M. TO 8:00 P.M. UPON SATISFYING CERTAIN CONDITIONS.

MOTION: Councilmember Noe moved to approve Resolution No. 2023-761 regarding the suspension of select Park Rules pursuant to Parker Code of Ordinance Sections 97.11 and 97.14 for Parkerfest 2023 on Sunday, October 29, 2023, from 12:00 P.M. TO 8:00 P.M. upon satisfying certain conditions, and amending the resolution to include,

“(23) To use or operate any gas operated remote controlled airplanes; boat, car, drone or other motorized, model device, including radio-controlled devices such as helicopters; parasail, hang glider or hot air balloons,” Councilmember Lynch seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0. **[See Exhibit 1 – Amended Resolution No. 2023-761, dated September 19, 2023.]**

13. PUBLIC HEARING ON THE PROPOSED FY2023-2024 BUDGET.

Mayor Lee Pettle opened a public hearing at 7:59 p.m. to receive comments regarding the Proposed FY2023-2024 Budget.

Finance/Human Resources Director Savage reviewed the City Council Work Session FY 2023-2024 Public Hearing – Budget, Tuesday, September 19, 2023 PowerPoint in tonight’s Council packet, stating the budget has been prepared using the proposed tax of \$0.322680 per \$100 valuation, a decrease of \$0.006609 from the previous year.

Mayor Pettle asked if there were any questions on the Proposed FY 2023-2024 Budget.

No one came forward.

Mayor Pettle declared the public hearing closed at 8:03 p.m.

14. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 847 ADOPTING THE 2023-2024 BUDGET.

MOTION: Councilmember Lynch moved to approve Ordinance No. 847 adopting the 2023-2024 Budget, excluding or removing,

"2. With the approval of City Administrator and or Mayor, transfer of appropriations from designated appropriation from one department or activity to another department or activity within the same fund."

of **SECTION 5.** Specific authority is given to the Mayor, conditioned as set forth below, to make the following adjustments. [*See Exhibit 2 – Amended Ordinance No. 847, dated September 19, 2023.*]

Mayor Pro Tem Noe seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

15. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 848 RATIFYING THE PROPERTY TAX REVENUE INCREASE IN THE 2023-24 BUDGET AS A RESULT OF THE CITY RECEIVING MORE REVENUES FROM PROPERTY TAXES IN THE 2023-24 BUDGET THAN IN THE PREVIOUS FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE.

Finance/Human Resources Director Savage reviewed the information in tonight's packet.

MOTION: Councilmember Lynch moved to approve Ordinance No. 848 ratifying the property tax revenue increase in the 2023-24 Budget as a result of the City receiving more revenues from property taxes in the 2023-24 Budget than in the previous fiscal year; and providing an effective date. Councilmember Noe seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

16. PUBLIC HEARING ON THE PROPOSED FY2023-2024 TAX RATE.

Mayor Lee Pettle opened a public hearing at 8:10 p.m. to receive comments regarding the Proposed FY2023-2024 Tax Rate.

Finance/Human Resources Director Grant Savage reviewed the City Council Work Session FY 2023-2024 Public Hearing on Proposed Tax Rate, Tuesday, September 19, 2023 PowerPoint in tonight's Council packet, noting the proposed tax rate is \$0.322680 per \$100 valuation, a decrease of \$0.006609 or 2.01% from the previous year. Although the rate decreased, the City Council is required to hold a public hearing on the proposed tax rate because it exceeds the "No-New Revenue Rate". The proposed tax rate is 8.17% above the No-New Revenue Rate.

Mayor Pettle asked if there were any questions on the Proposed FY 2022-2023 Tax Rate.

It was noted again that the 2023 tax rate was an increase, as stated in the PowerPoint presentation.

Tom Macduff noted the City's Capital Improvement Plan (CIP) would probably incur debt and may require the issuance of bonds. He asked the City Council and City Staff to be aware of this and track debt/bond capacity accordingly.

No one else came forward.

Mayor Pettle declared the public hearing closed at 8:15 p.m.

17. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 849 ADOPTING THE 2023 TAX RATE.

MOTION: Councilmember Lynch moved to approve Ordinance No. 849 adopting the 2023 Tax Rate. Councilmember Fecht seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

18. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-758 APPROVING THE TERMS AND CONDITIONS OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH BIRKHOFF, HENDRICKS & CARTER, LLP, A QUALIFIED INDEPENDENT THIRD-PARTY FOR SERVICES RELATED TO THE REVIEW AND/OR PROCESSING OF ENGINEERING PLANS, CONSTRUCTION PLANS, AND/OR INSPECTION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS CONSTRUCTED BY PRIVATE DEVELOPMENT TO MEET THE CITY'S ACTUAL COST REQUIREMENT ESTABLISHED UNDER LOCAL GOVERNMENT CODE SECTION 212.906.

MOTION: Councilmember Lynch moved to postpone Resolution No. 2023-758 approving the terms and conditions of a Professional Engineering Services Agreement with Birkhoff, Hendricks & Carter, LLP, a qualified independent third-party for services related to the review and/or processing of engineering plans, construction plans, and/or inspection of public infrastructure improvements constructed by private development to meet the City's actual cost requirement established under Local Government Code Section 212.906. Motion died for lack of a second.

Councilmember Noe inquired as to whether the City Council could approve the agreement conditionally. City Attorney Stanphill explained why that would not be possible.

Councilmember Lynch indicated she had concerns about the cost associated with this agreement and would like the City to advertise for Request for Qualifications (RFQs), regarding professional engineering services.

MOTION: Councilmember Noe moved to approve Resolution No. 2023-758 approving the terms and conditions of a Professional Engineering Services Agreement with Birkhoff, Hendricks & Carter, LLP, a qualified independent third-party for services related to the review and/or processing of engineering plans, construction plans, and/or inspection of public infrastructure improvements constructed by private development to meet the City's actual cost requirement established under Local Government Code Section 212.906, and requesting, as Councilmember Lynch suggested, the City advertise for RFQs for professional engineering services and an item be placed on the Future Agenda Items (FAI).

Councilmember Kercho seconded with Councilmembers Fecht, Kercho, and Noe voting for the motion and Councilmember Lynch voting against the motion. Motion carried 3-1.

19. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 850 APPROVING A PLAT SUBMITTAL CALENDAR TO BE ADMINISTERED BY THE CITY ADMINISTRATOR AND/OR DIRECTOR OF PUBLIC WORKS AND UPDATED AS NEEDED.

MOTION: Councilmember Lynch moved to approve Ordinance No. 850 approving a Plat Submittal Calendar to be administered by the City Administrator and/or

Director of Public Works and updated as needed. Councilmember Fecht seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

20. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 851 APPROVING THE SEPTEMBER 2023 CITY FEE SCHEDULE AMENDMENT IN COMPLIANCE WITH NEW LOCAL GOVERNMENT CODE SECTION 212.906 AND TO REMOVE ELEMENTS REPEALED BY ORDINANCE NO. 840, MARCH 21, 2023.

MOTION: Councilmember Lynch moved to approve Ordinance No. 851 approving the September 2023 City Fee Schedule Amendment in compliance with new Local Government Code Section 212.906 and to remove elements repealed by Ordinance No. 840, March 21, 2023. Councilmember Noe seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

21. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 852 AUTHORIZING EXPENDITURES AND APPROVING AMENDMENT(S) TO THE FY 2022-2023 OPERATING BUDGET.

Finance/Human Resources Director Savage reviewed the item, stating the purpose of this item is to do some housekeeping and amend the FY 2022-2023 budget for the amounts listed on the cover letter provided in tonight's Council meeting packet and as follows:

Fund	Account	Description	Budget	Budget Amendment	Revised Budget	Reason
Water	03-600-8608	Water Purchase	2,182,870	40,000	2,222,870	NTMWD Increase
Water	03-610-8609	W/W Treatment	410,000	80,000	490,000	NTMWD Increase
Water	03-900-8605	Prof Services	105,000	20,000	125,000	Increased legal fees
\$ 140,000						

MOTION: Councilmember Lynch moved to approve Ordinance No. 852 authorizing expenditures and approving amendment(s) to the FY 2022-2023 Operating Budget. Councilmember Noe seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

22. PARKER PARKS AND RECREATION (P&R) COMMISSION ANNUAL REVIEW

P&R Chair Frank DaCosta reviewed the P&R Commission's Annual Update Report in tonight's packet.

The Mayor and City Council agreed P&R has done an excellent job and approved the Commission continuing for another year. They thanked P&R Commission members for their service and commended them for their outstanding work.

City Administrator Olson let P&R Chair DaCosta know there was a box labeled P&R in his office he could pick up anytime.

MOTION: Councilmember Lynch moved to officially accept the P&R Commission annual review. Councilmember Noe seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

23. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-755 APPROVING THE PURCHASE OF A NEW STRUCTURAL FIREFIGHTING PUMPER FIRE TRUCK FROM DACO FIRE EQUIPMENT UNDER ITS HGAC (#FS12-19) AND BUYBOARD (#651-21) CONTRACT PRICING AS REPLACEMENT FOR FIRE DEPARTMENT VEHICLE ENGINE 811 AND AUTHORIZING EXECUTION OF THE RELATED CONTRACT DOCUMENTS. [POSTPONED – 2023 0815]

Fire Chief Sheff provided and reviewed a PowerPoint presentation, Fleet Replacement for Engine 811, and then responded to questions. [**See Exhibit 3 – Fleet Replacement for Engine 811, Parker Fire Department, dated September 19, 2023.**]

MOTION: Councilmember Lynch moved to approve Resolution No. 2023-755 approving the purchase of a new Structural Firefighting Pumper Fire Truck from DACO Fire Equipment under its HGAC (#FS12-19) and Buyboard (#651-21) contract pricing as replacement for Fire Department Vehicle Engine 811 and authorizing execution of the related contract documents. [Postponed – 2023 0815]. Councilmember Kercho seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

24. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2023-762 AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF PARKER AND CIVICPLUS, LLC FOR CONTINUED WEBSITE SERVICES AND DESIGN SERVICES.

City Administrator Olson reviewed the information in tonight's packet and acknowledged and thanked staff members Lori Newton and Robin Shults for their continued assistance with the project along with Website Development Committee members, Mayor Lee Pettle and Councilmembers Lynch and Reed.

MOTION: Councilmember Noe moved to approve Resolution No. 2023-762 authorizing execution of an agreement between the City of Parker and CivicPlus, LLC for continued website services and design services. Councilmember Fecht seconded with Councilmembers Fecht, Kercho, Lynch, and Noe voting for the motion. Motion carried 4-0.

Councilmember Lynch asked City Administrator Olson to send copies of the final details to City Council. Mr. Olson agreed.

ROUTINE ITEMS

25. UPDATE(S):

FM2551

City Administrator Olson deferred to Public Works Director Machado, who attended a meeting last Thursday, September 14, 2023, regarding the matter. Mr. Machado said Texas Department of Transportation (TxDot) plans to begin construction in November at Curtis Drive and Hogge Road. TxDot will have their construction headquarter trailers at Parker Road and Dillehay Drive and he confirmed utility work on Dillehay Drive is ongoing.

ANY ADDITIONAL UPDATES

None

MONTHLY/QUARTERLY REPORTS

Council accepted the departmental and quarterly reports hyperlinked below:

[August 2023 - Building Permit/Code Report](#)

[August 2023 – Court Report](#)

[Fire 2nd Qtr. Report 2023](#)

[April-August 2023 – Police Report](#)

[January 2023 – Police Report \(corrected\)](#)

[February 2023 – Police Report \(corrected\)](#)

[March 2023 – Police Report \(corrected\)](#)

[April 2023 – Police Report \(corrected\)](#)

[May 2023 – Police Report \(corrected\)](#)

[June 2023 – Police Report \(corrected\)](#)

[July 2023 – Police Report \(corrected\)](#)

[August 2023 – Police Report](#)

[August 2023 – Republic Services Inc., dba Allied Waste Services of Plano](#)

[August 2023 – Website \(PIWIK\) Report](#)

DONATION(S)

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

Johnnie and Cindy Frost donated cookies valued at \$30 to the Parker Police Department.

Parker Women's Club (PWC) donated donuts, apple fritters, fruit bowl, teas and miscellaneous (plates, cups, forks and napkins) valued at \$113 to the Police Department, Fire Department, Public Works Department and City Staff.

Maryam Boroujerdi and Mohammad Massoudi donated one (1) dozen Nothing Bundt Cakes Bundtinis valued at \$28 to City Staff.

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

FUTURE AGENDA ITEMS

27. FUTURE AGENDA ITEMS

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

Mayor Pettle asked if there were any items to be added to the future agenda, noting the request for a special Capital Improvement Plan (CIP)/ Comprehensive Plan (COMP Plan) meeting Monday, October 2, 2023, 5 p.m. and a RFQ for professional engineering services, would be added.

Hearing no additional requests, she encouraged everyone to email her any requests. She noted the next regularly scheduled meeting would be Tuesday, October 17, 2023.

ADJOURN

Mayor Lee Pettle adjourned the meeting at 10:04 p.m.



ATTESTED:

Patti Scott Grey
Patti Scott Grey, City Secretary

APPROVED:

Lee Pettle
Mayor Lee Pettle

Approved on the 17th day
of October, 2023.

RESOLUTION NO. 2023-761
(Park Rules Suspension for Parkerfest 2023)

A RESOLUTION SUSPENDING CERTAIN PARK RULES APPLICABLE TO THE PRESERVE, A CITY PARK, PURSUANT TO SECTIONS 97.11 AND 97.14 OF THE PARKER CODE OF ORDINANCES FOR PARKERFEST 2023 ON SUNDAY, OCTOBER 29, 2023, FROM 12:00 P.M. TO 8:00 P.M., UPON SATISFYING CERTAIN CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Parker, Texas (the City) through the Parks and Recreation Commission (“P&R”) will host the Parkerfest 2023 event on Sunday, October 29, 2023, as a community event (“Parkerfest”); and

WHEREAS, P&R has requested that they be allowed to have vendors at the event to sell food, drink, confections, merchandise, and/or services at Parkerfest; and

WHEREAS, P&R has also requested that a live band be allowed to play amplified music at the event; and

WHEREAS, Section 97.11(A) of the Parker Code of Ordinances states, in part, that the following activities are unlawful in the limits of a City park:

“... (1) No motorized vehicles, except for wheelchairs for the disabled, are allowed in any park, trail, or sidewalk, except within designated parking areas...

... (10) To distribute, post, place, or erect any advertising, handbill, circular, bill, notice, paper, or other advertising device...

... (11) To sell or offer for sale any food, drinks, confections, merchandise, or services...

... (19) To park or operate any truck-tractor, trailer, semitrailer, pole-trailer in a park facility parking lot at any time...

... (22) To advertise, solicit, and/or conduct a business in the park in any manner that either creates a disturbance to other park guests, or displaces other park guests in the park, or involved more than 2 representatives of the business, or which occurs for more than 1 hour in any 3-day period...

(23) To use or operate any gas operated remote controlled airplanes; boat, car, drone or other motorized, model device, including radio-controlled devices such as helicopters; parasail, hang glider or hot air balloons, ... [and]

(24) To use or operate mechanical or amplified music, sound or voice.”

WHEREAS, pursuant to Section 97.11(B) of the Parker Code of Ordinances, the City may approve in advance the waiver of park rules for good cause; and

WHEREAS, Section 97.14 of the Parker Code of Ordinances states that “City sponsored events or use of park facilities may be exempt from all or a portion of the provisions of § 97.11 as is reasonably necessary for operation of the event”; and

WHEREAS, the City Council deems it in the public interest and that good cause has been shown to waive the seven rules specified above for and during Parkerfest on Sunday, October 29, 2023, so long as certain conditions are met.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:

Section 1. The findings set forth in the preamble of this Resolution are incorporated by reference into the body of this Resolution as if fully set forth herein.

Section 2. Subject to the following conditions, Sections 97.11(A)(1), (10), (11), (19), (22), (23) and (24) are hereby waived for Parkerfest 2023, on Sunday, October 29, 2023, from 12:00 p.m. to 8:00 p.m., to be held at the Preserve, located at 5700 E. Parker Road, Parker, Texas 75002:

1. The Parks & Recreation Commission shall be responsible for rental of any booth or space necessary by vendors.
2. Vendors at the event shall abide by all laws, resolutions, rules, and regulations, and shall be responsible to obtain any temporary license(s) and permit(s) necessary for the selling of their respective items, including but not limited to, alcoholic beverages.
3. Any vendor must agree to indemnify the City of Parker against any liability incident to the selling of their respective products at Parkerfest 2023.

Section 3. This Resolution shall be effective upon passage and approval.

DULY RESOLVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 19TH DAY OF SEPTEMBER 2023.

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Amy J. Stanphill, City Attorney

ORDINANCE NO. 847
(Adopting FY 2023-2024 Budget)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS OF THE CITY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as required by law, the Mayor has prepared and submitted to the City Council a proposed budget reflecting financial policies for the year and forecasting revenues and expenditures for conducting the affairs of the City and providing a complete financial plan for the fiscal year beginning October 1, 2023, and ending September 30, 2024; and

WHEREAS, the City Council has received the Mayor's proposed budget, a copy of which and all supporting schedules have been filed with the City Secretary of the City of Parker, Texas; and

WHEREAS, the City Council has conducted the necessary public hearings as required by law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS AS FOLLOWS:

SECTION 1. The proposed budget of the revenue and expenditures necessary for conducting the affairs of the City of Parker, Texas, said budget being in the amount of \$17,049,663, providing a complete financial plan for the fiscal year beginning October 1, 2023, and ending September 30, 2024, as submitted to the City Council by the Mayor, attached hereto as Exhibit "A", be and the same is hereby adopted and approved as the budget of the City of Parker, Texas for the fiscal year beginning October 1, 2023, and ending September 30, 2024.

SECTION 2. The sum of \$17,049,663 is hereby appropriated for the payment of the expenditures established in the approved budget for the fiscal year beginning October 1, 2023 and ending September 30, 2024.

SECTION 3. The expenditures during the fiscal year beginning October 1, 2023; and ending September 30, 2024 shall be made in accordance with the budget approved by this ordinance unless otherwise authorized by state law or a duly enacted ordinance of the City of Parker, Texas.

SECTION 4. All budget amendments and transfers of appropriations budgeted from one account or activity to another within any individual activity for the fiscal year 2022-2023 are hereby ratified, and the budget Ordinance for fiscal year 2022-2023, heretofore enacted by the City Council, be and the same is hereby, amended to the extent of such transfers and amendments for all purposes.

SECTION 5. Specific authority is given to the Mayor, conditioned as set forth below, to make the following adjustments:

1. With the concurrence of the Director of Finance, the transfer of appropriations budgeted from one account classification to another account classification within the same department.

SECTION 6. All notices and public hearings required by law have been duly completed.

SECTION 7. All provisions of the Ordinances of the City of Parker, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City of Parker, Texas not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 8. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

SECTION 9. This Ordinance shall take effect from and after its passage as the law in such cases provides.

DULY PASSED by the City Council of the City of Parker, Texas, on the 19th day of September, 2023; by the following votes:

In Favor: Todd Fecht, Terry Lynch, Amanda Noe, Randy Kercho

Opposed: None

APPROVED:

Lee Pettle, Mayor

ATTESTED:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Amy J. Stanphill, City Attorney

Fleet Replacement for Engine 811

Parker Fire Department

September 19, 2023



Fleet Replacement for Reserve Engine 811

- Today' Engine 811
 - 2002 Pierce pumper
 - 750-gallon water tank
 - 1,750 gpm fire pump
 - Primary roll is backup to Truck 811, a 2018 aerial ladder/pumper
- Past strategic planning workshops identified E811 for replacement during FY 2025 due to its age and reduced reliability.
 - Allows for strategic spacing of fleet replacement
 - Permits additional years for City to allocate funds for fleet replacement
- Due to rapidly escalating cost including changes in Federal diesel engine emission standards impacting diesel engine availability as early as 2024, and delivery times of up to two years, the fire dept. recommends contracting for a newly built replacement of E811.
- Through cooperative buying programs we have identified a Rosenbauer pumper at a contracted cost of \$875,203.
 - Payment at time of delivery

Considerations

- Safety overarching determinant (NFPA 1911)
- Options:
 - Retain the current apparatus/ Refurbish
 - Buy “used”
 - Buy new “stock”
 - Buy new spec’ed for City needs

Considerations

- Service life – time apparatus can render service to community
- Technological life – obsolescence, compared to new vehicles having today's technology in manufacturing, safety and operational aspects
- Economic life – impact vehicle's maintenance, testing and downtime have on city's operating budget.
 - NFPA 2018 study, average maintenance cost for an engine (pumper) is \$11,000/year, and for a truck (aerial ladder) \$13,000/year.
- Immediate or delayed financial impact on City
 - Timing of fleet replacement in the future – space the purchases apart

Service Life

- National Fire Protection Association
 - NFPA 1900, *Standard for Aircraft Rescue and Firefighting Vehicles, Automotive Fire Apparatus, Wildland Fire Apparatus, and Automotive Ambulances* (2024). Annex F “Guidelines for First-Line and Reserve Fire Apparatus”
 - F.1, “Apparatus over 25 years old should be replaced”.
 - NFPA 1911, *Standard for Inspection, Maintenance, Testing & Retirement of In-Service Automotive Fire Apparatus* (2017)
 - 5.1.1, “The fire department shall consider safety as the primary concern in the retirement of emergency vehicles.”
- Fire Safety Council
 - “If a fire apparatus has been in service for more than 20 years, upgrading it will result in no value, and it should be retired after 25 years.” (March 12, 2022)

Service Life

- **Fire Underwriters Survey, Insurance Grading Recognition of Used and Rebuilt Fire Apparatus.** In summary:
 - a. Apparatus are built to applicable ULC S515 or NFPA 1901 (now 1900) standards.
 - b. Apparatus should respond to first alarms for the first 15 years. For the next 5 years, be in reserve status for use at major fires or as a temporary replacement for out-of-service first line apparatus.
 - c. Be retired at 20 years of age, unless the apparatus meets the recommended annual, service and acceptance level tests and has been deemed in excellent mechanical condition
 - d. Testing includes weight, road and pump performance tests.
 - e. Testing and maintenance only be completed by a qualified technician.

Technological Life

- NFPA 1901 (2009), now NFPA 1900 included, among others, new requirements for
 - Rollover stability
 - Tire pressure indicators
 - Seatbelt warning systems and seatbelt length
 - Road ability including minimum acceleration and maximum speed
 - Enhanced step and work surface lighting
 - Cab integrity

Economic Life

- NFPA 2018 study
 - Average cost of maintenance (excluding repairs) for an engine (pumper) is \$11,000/year
 - Average cost of maintenance (excluding repairs) for a truck (aerial ladder) is \$13,000/year
- Actual cost of maintenance AND repairs for E811 over the fiscal years 2021, 2022, 2022 totals
 - \$14,404 or 4,801/year over the three years
 - Outperforms average which makes sense since we operate E811 as a reserve apparatus
- Future projected repair costs of major components (drivetrain, fire pump) should they fail.
 - \$54,000 - Overhaul pump transmission
 - \$56,000 – Overhaul engine and transmission
 - Total \$110,000 (excludes chassis including suspension, electrical and other systems)
- Residual value of current apparatus in secondary market - \$40,000 (estimated)

Options – Retain/Refurbish

- Retain
 - Reliability when placed into front-line readiness
 - Likelihood of major repairs well in excess of value
 - Liability - Vehicle safety features fail to meet standards as of NPFA 1901 (2009), updated in subsequent editions AND NPFA guidance recommends replacement after 25 years
- Refurbish
 - NFPA recommends against refurbishment of any apparatus over 20 years of age and replacement of any vehicle over 25 years
 - During refurbishment period must have replacement for E811

Options – Buy Used

- Buying from private dealers
- Regardless of the age of the vehicle,
 - No representations nor warranties (i.e., “as-is, where-is”)
 - Limited ability to verify past maintenance conformed to NPFA standards nor if certified technicians performed scheduled maintenance and repairs
 - Lack of local service support
- Restrict population of vendors to national-scope manufacturers having local dealer/servicing in DFW area
- Have reviewed available “used” markets, including pumpers aged under 7 years, eliminating regional vendors without DFW dealer/service support, and concluded advantages (cost) do not outweigh the risks (no warranty and dice roll with respect to future repairs)

Option – Buy New “Stock”

- City benefits from OEM warranties on apparatus body, fire pump, plumbing, plus pass-through warranties on cab, powertrain and chassis
- Consideration must be given to OEMs having dealers with ability for repair at the fire station of minor repairs and local facilities for others
- Fails to meet the need to extend purchase to 2025 which aligns with strategic plan to spread out fleet replacement as presented to Council at past workshops
- As a point of reference, prior two fleet purchases were stock units that were customized to meet dept. needs
- Initial investigation by fire dept. staff among local dealers found no comparable stock units available

Options – Buy New Customized

- The fire department strongly recommends replacement of E811 by purchasing:
 - Rosenbauer FX custom pumper: 2,250 gpm pump, 750-gallon water tank
 - Daco Fire, Ft. Worth
 - Lock in purchase price of \$875,203 with payment due upon delivery (est. FY 2025/2026)
 - Benefit from OEM warranties on apparatus body, fire pump (5 yrs), plumbing (10 yrs), plus pass-through warranties on powertrain and chassis
 - HGAC contract #FS12-19; BuyBoard #651-21
 - Cost comparison amortized over expected life of 25 years
 - \$725,000 stock unit = \$29,000/year
 - \$875,000 custom unit = \$35,000/chassis'