

ALLEN CITY COUNCIL

REGULAR MEETING

SEPTEMBER 27, 2016

Present:

Stephen Terrell, Mayor

Councilmembers:

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Ross Obermeyer

Joey Herald

Robin L. Sedlacek

Baine Brooks

City Staff:

Peter H. Vargas, City Manager

Shelli Siemer, Assistant City Manager (absent)

Eric Ellwanger, Assistant City Manager (absent)

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations Office

Rebecca Vice, Assistant to the City Manager

Pete Smith, City Attorney (absent)

Whitt Wyatt, City Attorney

Workshop Session

With a quorum of the Councilmembers present, the Workshop Session of the Allen City Council was called to order by Mayor Terrell at 6:38 p.m. on Tuesday, September 27, 2016, in the Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- Update Regarding Bond Refunding and FY17 Bond Projects
- Committee Updates from City Council Liaisons
- Questions on Current Agenda

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 6:50 p.m. on Tuesday, September 27, 2016.

Call to Order and Announce a Quorum is Present

With a quorum of the Councilmembers present, the Regular Meeting of the Allen City Council was called to order by Mayor Terrell at 7:03 p.m. on Tuesday, September 27, 2016, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Members of Cub Scout Pack 708 posted the colors and lead the Pledge of Allegiance.

Public Recognition

1. **Citizens' Comments.**

Consent Agenda

MOTION: Upon a motion made by Councilmember Brooks and a second by Councilmember Herald, the Council voted seven (7) for and none (0) opposed to adopt all items on the Consent Agenda as follows:

2. **Approve Minutes of the September 13, 2016, Regular City Council Meeting.**
3. **Adopt a Resolution Designating The Allen American as the Official Newspaper of the City of Allen for Fiscal Year 2016-2017.**

RESOLUTION NO. 3424-9-16(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DESIGNATING THE ALLEN AMERICAN AS THE OFFICIAL NEWSPAPER OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, FOR FISCAL YEAR 2016-2017; AUTHORIZING THE CITY MANAGER TO CONTRACT WITH THE ALLEN AMERICAN; AND PROVIDING AN EFFECTIVE DATE.

4. **Motion to Confirm Appointments of Councilmembers as Liaisons to City Boards and Commissions as Nominated by Mayor Terrell.**
5. **Authorize the City Manager to Execute a Professional Services Agreement with Cynthia Porter Gore as Alternate Municipal Court Judge for a Period of Three Months Beginning on October 1, 2016.**
6. **Authorize the City Manager to Execute a Facilities Agreement Related to Owner/Developer Maintenance of the Montgomery Boulevard Median and Traffic Roundabout Landscaping Improvements.**
7. **Authorize the City Manager to Execute Contracts for \$50,000 and Greater for Professional Services and Delegate Signatory Authority to a Parks and Recreation Designee to Execute Contracts for an Amount Less than \$50,000, as Provided in the Approved 2017 Budget for Various Parks and Recreation Centers and Programs for an Annual Amount Not to Exceed \$641,400.**
8. **Authorize the City Manager to Execute Contracts for \$50,000 and Greater for Professional Services and Delegate Signatory Authority to a Parks and Recreation Designee to Execute Contracts for an Amount Less than \$50,000, as Provided in the Approved 2017 Budget for The Courses at Watters Creek for an Annual Amount Not to Exceed \$313,000.**
9. **Award Bid and Authorize the City Manager to Execute a Contract with American Landscape Systems, Inc. for the Alma Drive Landscaping Project in the Amount of \$146,340.**
10. **Authorize the City Manager to Execute the Purchase of Radio Equipment through**

the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Agreement Program Contractor, Motorola, in the Amount of \$1,930,797.

11. **Receive the Capital Improvement Program (CIP) Status Reports.**
12. **Receive the Summary of Property Tax Collections as of August 2016.**

The motion carried.

Regular Agenda

13. **Conduct a Public Hearing and Adopt an Ordinance for a Specific Use Permit No. 149 for a Beer and Wine Package Sales Use on a Portion of Lot 7A-1, Block A, Village at Allen; Generally Located South of Stacy Road and East of US Highway 75. [Total Wine & More: Beer and Wine Package Sales Use]**

Mayor Terrell opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

With no one speaking, Mayor Terrell closed the public hearing.

ORDINANCE NO. 3425-9-16: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY GRANTING SPECIFIC USE PERMIT NO. 149 AUTHORIZING A 0.5601± ACRE PORTION OF LOT 7A-1, BLOCK A, VILLAGE AT ALLEN, PRESENTLY ZONED PLANNED DEVELOPMENT NO. 73 (PD 73) FOR SHOPPING CENTER "SC" TO BE USED FOR A BEER AND WINE PACKAGE SALES USE; ADOPTING A SITE PLAN, LANDSCAPE PLAN, AND BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion made by Councilmember Obermeyer and a second by Mayor Pro Tem Caplinger, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3425-9-16, as previously captioned, for Specific Use Permit No. 149 for a beer and Wine Package sales use on portion of Lots 7A-1, Block A, Village at Allen; generally located south of Stacy Road and east of US Highway 75. The motion carried.

14. **Adopt an Ordinance Amending the Code of Ordinances, Chapter 8, Article IV, "Alarm Systems" and Adopt a Resolution Amending and Restating Alarm Permit Fees and Other Fees Associated with Alarm Systems.**

Mayor Terrell opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

With no one speaking, Mayor Terrell closed the public hearing.

ORDINANCE NO. 3426-9-16: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 8 TITLED "LICENSES AND BUSINESS REGULATIONS" BY AMENDING ARTICLE IV TITLED "ALARM SYSTEMS"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500); AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. 3427-9-16(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ESTABLISHING ALARM PERMIT FEES AND OTHER FEES ASSOCIATED WITH ALARM SYSTEMS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion made by Mayor Pro Tem Caplinger and a second by Councilmember Sedlacek, the Council voted five (5) for and two (2) opposed, with Councilmembers Books and Herald casting the negative votes, to adopt Ordinance No. 3426-9-16, as previously captioned, amending the Code of Ordinances, Chapter 8, Article IV, "Alarm Systems" and adopt Resolution No. 3427-9-16(R) amending and restating alarm permit fees and other fees associated with alarm systems. The motion carried.

The Regular meeting recessed at 7:36 p.m.

Executive Session

In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 7:50 p.m. on Tuesday, September 27, 2016, in the Council Conference Room, 305 Century Parkway, Allen, Texas, in order to discuss matters pertaining to:

18. **Personnel Pursuant to Section 551.074 of the Texas Government Code — Interview and Discuss Candidates to Fill the Vacancy on the Economic Development Corporation.**
19. **Personnel Pursuant to Section 551.074 of the Texas Government code – Discuss Appointments to the Board of Adjustment, Building and Standards Commission, Community Development Corporation, and Planning and Zoning Commission.**

The Executive Session adjourned at 10:40 p.m. on Tuesday, September 27, 2016

20. **Reconvene and Consider Action on Items Discussed During Executive Session.**

The Allen City Council reconvened into the Regular Meeting at 10:48 p.m. on Tuesday, September 27, 2016. The following action was taken on items discussed during Executive Session.

15. **Consider Appointments to Fill Expiring Terms and Vacancies on the Following Boards, Commissions, Committees and Corporations: Animal Shelter Advisory Committee, Board of Adjustment/Building and Standards Commission/Sign Control Board, Central Business District Design Review Committee, Community Development Corporation Board, Convention and Visitors Bureau Advisory Board, Economic Development Corporation Board, Keep Allen Beautiful Board, Library Board, Parks and Recreation Board, Planning and Zoning Commission, Public Art Committee, and Health Officer.**

MOTION: Upon a motion made by Councilmember Sedlacek and a second by Councilmember Herald,

the Council voted seven (7) for and none (0) opposed to nominate the following individuals as recommended by the Council Nominating Committee to the designated places on the respective Boards, Commissions, Committees and Corporations:

<u>Animal Shelter Advisory Committee</u>		<u>Expiration Date</u>
Place No. 2 (staff)	Kathryn May	September 30, 2018
Place No. 4	Sheila Brauning	September 30, 2018

<u>Board of Adjustment/Building & Standards Commission/ Sign Board</u>		<u>Expiration Date</u>
Place No. 2	Ken Barry	September 30, 2018
Place No. 4	Deborah Angell-Smith	September 30, 2018
Alt. Place No. 2	Bruce Howard	September 30, 2018

<u>Central Business District Design Review Committee</u>		<u>Expiration Date</u>
Place No. 2	Dwight Burns	September 30, 2018

<u>Community Development Corporation</u>		<u>Expiration Date</u>
Place No. 1	Kristina Brevard	September 30, 2017
Place No. 2	George Chrisman	September 30, 2018
Place No. 4	Ron Alexander	September 30, 2018
Place No. 6	Tommy Baril	September 30, 2018

<u>Convention and Visitors Bureau Advisory Board</u>		<u>Expiration Date</u>
Place No. 2	Rhonda Staples	September 30, 2018
Place No. 4	Karen Simpson	September 30, 2018

<u>Economic Development Corporation</u>		<u>Expiration Date</u>
Place No. 4	Chris Schulmeister	September 30, 2019
Place No. 5	Tim Litinas	September 30, 2019

<u>Keep Allen Beautiful</u>		<u>Expiration Date</u>
Place No. 2	Chris Wallace	September 30, 2018
Place No. 6	Elias Shaikh	September 30, 2018

<u>Library Board</u>		<u>Expiration Date</u>
Place No. 2	Diane Knaack	September 30, 2018
Place No. 4	Vatsa Ramanathan	September 30, 2018
Place No. 6	Devita Widmer	September 30, 2018

<u>Parks and Recreation Board</u>		<u>Expiration Date</u>
Place No. 2	Goeben Johnson	September 30, 2018
Place No. 4	Rodrigo Vizcaino	September 30, 2018
Place No. 6	John Holley	September 30, 2018

<u>Planning and Zoning Commission</u>		<u>Expiration Date</u>
Place No. 2	Luke Hollingsworth	September 30, 2018
Place No. 4	Jeff Cocking	September 30, 2018
Place No. 6	Michael Orr	September 30, 2018

<u>Public Art Committee</u>		<u>Expiration Date</u>
Place No. 2	Sandy Wittsche	September 30, 2018
Place No. 4	Jane Bennett	September 30, 2018
Place No. 6	Steve Benson	September 30, 2018
<u>Health Officer</u>		<u>Expiration Date</u>
John Connolly		September 30, 2018

The motion carried.

Other Business

16. Calendar.

- October 4, 2016 – National Night Out 2016

17. Items of Interest.

- Council wished happy birthday to Mayor Terrell's granddaughter, Maisie Laine.
- Council wish happy birthday to Councilmember Herald's daughter, Katie.
- Nine Band Brewing hosting Octoberfest festivities on October 1, 2016.
- The Foundation for Allen Schools hosting a benefit evening on October 1, 2016.

Adjournment

MOTION: Upon a motion made by Councilmember Brooks and a second by Councilmember Herald, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 10:53 p.m. on Tuesday, September 27, 2016. The motion carried.

These minutes approved on the 11th day of October 2016.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY