

ALLEN CITY COUNCIL

REGULAR MEETING

FEBRUARY 28, 2017

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

Eric Ellwanger, Assistant City Manager

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations Office

Rebecca Vice, Assistant to the City Manager

Pete Smith, 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 6:32 p.m. on Tuesday, February 28, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Introduction of Dr. Susan Ponder, Chairperson of the Keep Allen Beautiful Board**
- 2. Update Regarding the City's Legislative Agenda**
- 3. Committee Updates from City Council Liaisons.**
- 4. Questions on Current Agenda.**

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 7:01 p.m. on Tuesday, February 28, 2017.

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 7:07 p.m. on Tuesday, February 28, 2017, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

Mayor Terrell moved to agenda item #3.

3. Recognition of Former Members of the Various Boards and Commissions.

- Tabassum Ahmad, Keep Allen Beautiful Board, October 2016-February 2017
- Shirley Mangrum, Planning and Zoning Commission, 2007-2017

1. Citizen's Comments.

2. Presentation of the Keep Allen Beautiful Board's Annual Report by Chairperson, Dr. Susan Ponder.

Council recognized the family of former Keep Allen Beautiful Board Chair Mardy Brown for the announcement of the Keep Allen Beautiful Mardy Brown Memorial Scholarship.

Consent Agenda

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

- 4. Approve Minutes of the February 14, 2017, Regular City Council Meeting.**
- 5. Accept the Resignation of Tabassum Ahmad and Declare a Vacancy in Place No. 4 on the Keep Allen Beautiful Board.**
- 6. Adopt a Resolution in Support of the Introduction and Adoption of Legislation in the Regular Session of the 85th Legislature of Texas that Provides a Fair and Equitable Distribution of the Sporting Goods Sales Tax Revenue for Local and State Parks.**

RESOLUTION NO. 3453-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, REQUESTING THE MEMBERS OF THE 85TH LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES A FAIR AND EQUITABLE DISTRIBUTION OF THE SPORTING GOODS SALES TAX REVENUE FOR LOCAL AND STATE PARKS; AND PROVIDING AN EFFECTIVE DATE.

- 7. Adopt a Resolution Authorizing the City Manager to Apply For, Accept, Reject, Alter, or Terminate a Three-Year Grant From the State of Texas, Office of the Governor, Criminal Justice Division to Fund a Third Child Abuse Investigator.**

RESOLUTION NO. 3454-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, TO APPLY FOR, ACCEPT, REJECT, ALTER, OR TERMINATE GRANT #33396-01 FROM THE STATE OF TEXAS, OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION PROVIDING FUNDING FOR A CHILD ABUSE INVESTIGATOR POSITION TO BE ASSIGNED TO THE COLLIN COUNTY CHILDREN'S ADVOCACY CENTER, IF AWARDED.

8. **Adopt a Resolution Abandoning a Public Access, Fire Lane, and Utility Easement on Undeveloped Property for the Proposed CHC Allen Professional Building Development.**

RESOLUTION NO. 3455-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ABANDONING A PUBLIC ACCESS, FIRE LANE, AND UTILITY EASEMENT; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS RESOLUTION FOR RECORDING IN THE REAL PROPERTY RECORDS OF COLLIN COUNTY, TEXAS, AS A QUITCLAIM DEED; PROVIDING FOR THE INDEMNIFICATION OF THE CITY OF ALLEN, TEXAS, AGAINST DAMAGES ARISING OUT OF THE ABANDONMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY TO COMPLETE ABANDONMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

9. **Adopt a Resolution Delegating Authority to the City Manager to Release and Abandon Certain Easements Previously Conveyed and/or Dedicated to the City by Plat or Separate Instrument Under Certain Conditions.**

RESOLUTION NO. 3456-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DELEGATING THE AUTHORITY TO RELEASE AND ABANDON CERTAIN EASEMENTS PREVIOUSLY CONVEYED AND/OR DEDICATED TO THE CITY BY PLAT OR SEPARATE INSTRUMENT UNDER CERTAIN CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

10. **Approve a First Amendment to the Tax Abatement Agreement with One Bethany Development Partners, LP, to Establish February 20, 2017 as the Required Date for Commencement of Construction of an Approximately 125,000 Square Foot Class A Office Building Located North of Watters Creek at Montgomery Farm on Bethany Drive. [Kaizen]**
11. **Authorize the City Manager to Purchase a Milo Range Advanced Training Simulator along with Accessories and Warranty from FAAC, Inc., dba Milo Range Advanced Systems through the General Services Administration (GSA) Cooperative Purchasing Program in the Amount of \$57,131.25.**
12. **Authorize the City Manager to Execute a Contract with Nile Business Trust, dba FleetBoss, for the Purchase and Installation of Global Positioning Satellite Tracking Systems for the City's GPS Fleet Management System for an Amount of \$80,000, with Three Optional One-Year Renewals for Annual Maintenance and Service Costs in an Amount of \$45,000.**
13. **Authorize the City Manager to Execute a Four (4) Year Lease Agreement with Dell Financial Services for Computer Equipment with a Total Principal and Interest Amount of \$145,239.50.**
14. **Authorize the City Manager to Execute a Contract with Mission Critical Partners to Develop a Request for Proposal, Select a Vendor and Negotiate a Contract for the Replacement of the Police Department's Records Management System and the Public Safety Communications Center Computer Aided Dispatching Software System in the Amount of \$94,623.**
15. **Authorize the City Manager to Execute a Contract Amendment with Tyler Technologies for Incode Court Case Management and Document Management Software and Services for an Amount of \$290,844.**

16. Receive the Capital Improvement Program (CIP) Status Reports.
17. Receive the Summary of Property Tax Collections as of January 2017.

The motion carried.

Regular Agenda

18. Adopt a Resolution Amending Resolution No. 3051-12-11(R) by Amending Fees and Charges for Ford Pool.

Although this item was not a public hearing, Mayor invited those wishing to speak on this item to do so at this time.

Tommy Baril, 1015 Rockefeller Lane, Allen, Texas, along with Mike Freiburger, 1007 Morningside Lane, Allen, Texas, spoke in opposition of the item regarding the proposed limitation of family numbers at four.

RESOLUTION NO. 3457-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING RESOLUTION NO. 3051-12-11(R) BY AMENDING FEES AND CHARGES FOR FORD POOL; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion made by Councilmember Herald and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed, to adopt Resolution No. 3457-2-17(R), as previously captioned, amending Resolution No. 3051.12-11(R) by amending fees and charges for Ford Pool and further amending the section for Season Passes by deleting the cap of four for family members and the fee for each additional family member. The motion carried.

19. CONTINUED ITEM - Conduct a Public Hearing and Adopt an Ordinance Approving Specific Use Permit No. 151 for a Fueling Station Use for 0.999± Acres Generally Located North of Main Street and West of Angel Parkway. [East Allen Retail - Fueling Station] *Item Continued from the January 24, 2017 Regular Meeting.*

MOTION: Upon a motion made by Councilmember Obermeyer and a second by Councilmember Herald, the Council voted seven (7) for and none (0) opposed, to remove this item from the table and continue the public hearing. The motion carried.

Mayor Terrell announced that the Public Hearing was still open 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. 3458-2-17: 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. 151 AUTHORIZING 0.999± ACRES SITUATED IN THE WITSAUL FISHER SURVEY, ABSTRACT NO. 323, PRESENTLY ZONED PLANNED DEVELOPMENT NO. 42 FOR SHOPPING CENTER "SC" TO BE DEVELOPED AND USED FOR A FUELING STATION; ADOPTING DEVELOPMENT REGULATIONS, 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 Councilmember Herald, the Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 3458-2-17, as previously captioned, approving Specific Use Permit No. 151 for a Fueling Station use for 0.999± acres generally located north of Main Street and west of Angel Parkway. The motion carried.

Other Business

20. Calendar.

21. Items of Interest.

- Allen Eagles Basketball Regional Semifinal Playoffs vs. Keller are this Friday, March 3 in Fort Worth.
- The Lone Star Conference Championship will be held March 2-5 at the Allen Event Center.
- Council wished Councilmember Herald's son, Andy, a happy birthday.

Executive Session

Executive Session was not held.

Adjournment

MOTION: Upon a motion made by Councilmember Herald and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 7:53 p.m. on Tuesday, February 28, 2017. The motion carried.

These minutes approved on the 14th day of March 2017.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY