

ALLEN CITY COUNCIL

REGULAR MEETING

JANUARY 12, 2021

Present:

Kenneth Fulk, Mayor

Councilmembers:

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich (arrived at 6:18 p.m.)

Lauren Doherty

Chris Schulmeister

Baine Brooks

City Staff:

Eric Ellwanger, City Manager

Eric Strong, Deputy City Manager

Tim Dentler, Assistant City Manager

Rebecca Vice, Assistant City Manager

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations

Rocio Gonzalez, Deputy City Secretary

Pete Smith, Attorney

Workshop Session

With a quorum of the Councilmembers present, the Workshop Session of the Allen City Council was called to order by Mayor Fulk at 6:00 p.m. on Tuesday, January 12, 2021, in the Basement Meeting Rooms of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update and Discussion Regarding Community Assistance Programs in Response to COVID-19.**
- 2. Update on Department of Community Enhancement Activities and Implementation of the 5-Year Community Enhancement Plan.**

Mayor Fulk moved this item to a future workshop meeting.
- 3. Questions on Current Agenda.**
- 4. Committee Updates from City Council Liaisons.**

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 6:50 p.m. on Tuesday, January 12, 2021.

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 Fulk at 7:01 p.m. on Tuesday, January 12, 2021, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

1. Citizen Comments.

Stephanie Cook, 713 Bel Air Drive, Allen, Texas, spoke regarding development impacting residential properties along Bethany and Alma.

Consent Agenda

MOTION: Upon a motion made by Councilmember Clemencich 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:

2. Approve Minutes of the December 8, 2020, Regular City Council Meeting.

3. Adopt a Resolution Establishing the 2021 State Legislative Program for the City of Allen.

RESOLUTION NO. 3794-1-21(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ADOPTING A STATE LEGISLATIVE PROGRAM; AND, PROVIDING AN EFFECTIVE DATE.

4. Adopt a Resolution Appointing the Tax Increment Finance (TIF) Board of Directors for Tax Increment Financing Reinvestment Zone Number Three (Farm District Zone).

RESOLUTION NO. 3795-1-21(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPOINTING THE INITIAL BOARD OF DIRECTORS OF THE ALLEN TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 3; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Adopt a Resolution Suspending the January 23, 2021 Effective Date of CoServ Gas, Ltd.'s, Requested Increase to Permit City Time to Study the Request and to Establish Reasonable Rates; Approving Cooperation with Other Cities in the CoServ Gas, Ltd. Service Area; Hiring Legal and Consulting Services to Negotiate with the Company and Direct Any Necessary Litigation and Appeals; Authorizing Intervention in Docket OS-20-00005136 at the Railroad Commission; Requiring Reimbursement of Cities' Rate Case Expenses.

RESOLUTION NO. 3796-1-21(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, SUSPENDING THE JANUARY 23, 2021, EFFECTIVE DATE OF COSERV GAS, LTD.'S, REQUESTED INCREASE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH OTHER CITIES IN THE COSERV GAS, LTD., SERVICE AREA; HIRING

LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; AUTHORIZING INTERVENTION IN DOCKET OS-20-00005136 AT THE RAILROAD COMMISSION; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; AND PROVIDING AND EFFECTIVE DATE.

6. **Authorize the City Manager to Execute a Contract with Aqua Backflow for Software Maintenance and Management Services for the Cross Connection Control and Commercial Irrigation Programs in the City of Allen.**
7. **Authorize the City Manager to Execute a Service Agreement with Motorola Solutions for Hardware and Software Maintenance of the P-25 Trunked Radio System Utilized by Public Safety For a Total 5-Year Amount of \$1,434,073.**
8. **Authorize the City Manager to Purchase Irrigation Equipment and Supplies from Interspec, LLC, through the Texas Buy Board Local Government Purchasing Cooperative for an amount of \$148,109.**
9. **Accept the Resignation of Cristie Johnson and Declare a Vacancy in Place No. 5 on the Public Art Committee.**
10. **Motion to Set Saturday, January 23, 2021, as the Date for the Strategic Planning Session with City Council.**
11. **Receive the Investment Report for Period Ending September 30, 2020.**
12. **Receive the Financial Report for Period Ending September 30, 2020.**

The motion carried.

Regular Meeting

13. **Conduct a Public Hearing and Adopt an Ordinance for a Specific Use Permit SUP for a Restaurant (drive-in or through) Use Located on Lot 2, Block A, Greenville Center Addition; Generally Located South of Stacy Road and East of Andrews Parkway (and commonly known as 350 E. Stacy Road). [Chick-Fil-A (Stacy)]**

Mayor Fulk 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 Fulk closed the public hearing.

ORDINANCE NO. 3797-1-21: 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. 178 AUTHORIZING LOT 2, BLOCK A, GREENVILLE CENTER ADDITION, PRESENTLY ZONED AS CORRIDOR COMMERCIAL "CC" ZONING DISTRICT, TO BE USED FOR A RESTAURANT (DRIVE-IN OR THROUGH) USE; PROVIDING 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 Caplinger and a second by Councilmember Schulmeister, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3797-1-21, as previously captioned, granting Specific Use Permit No. 178 for a restaurant (Drive-in or through) use. The motion carried.

Other Business

14. Calendar.

- January 23, 2021 – City Council Strategic Planning Session, Allen Senior Recreation Center

15. Items of Interest.

- The Allen City Council expressed its appreciation to the men and women of the Allen Fire Department and Allen Police Department for their handling of the COVID-19 pandemic and the successful process established for administering the vaccine.

Mayor Fulk recessed the Regular Agenda at 7:26 p.m. and announced the Executive Session.

Executive Session

In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 7:30 p.m. on Tuesday, January 12, 2021, in the Basement Meeting Rooms of the Allen City Hall, 305 Century Parkway, Allen, Texas, in order to discuss matters pertaining to:

16. Economic Development Deliberation Pursuant to Section 551.087 of the Texas Government Code:

- Discussion of Potential Economic Incentives for Properties Along the 121 Corridor.

The Executive Session adjourned at 8:41 p.m. on Tuesday, January 12, 2021.

17. Reconvene and Consider Action on Items Resulting from Executive Session.

The Allen City Council reconvened into the Regular Meeting at 8:46 p.m. on Tuesday, January 12, 2021. No action was taken on items discussed during Executive Session.

Adjournment

Mayor Fulk adjourned the Regular Meeting of the Allen City Council at 8:46 p.m. on Tuesday, January 12, 2021. The motion carried.

These minutes approved on the 26th day of January 2021.

APPROVED:

Kenneth M. Fulk, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY