

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**JUNE 22, 2021**

#### **Present:**

Kenneth Fulk, Mayor

#### **Councilmembers:**

Baine Brooks, Mayor Pro Tem

Daren Meis

Carl Clemencich

Lauren Doherty

Dave Cornette

Chris Schulmeister

Dave Shafer

#### **City Staff:**

Eric Ellwanger, City Manager

Eric Strong, Deputy City Manager (absent)

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**

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The Workshop Session was not held.

#### **Call to Order and Announce a Quorum is Present**

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With a quorum of the Councilmembers present, the Regular Meeting of the Allen City Council was called to order by Mayor Fulk at 7:00 p.m. on Tuesday, June 22, 2021, in the City Council Chambers of Allen City Hall, 305 Century Parkway, Allen, Texas.

#### **Pledge of Allegiance**

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1. **Members of VFW Post 2195 will Post the Colors and Lead the Pledge of Allegiance.**
2. **Recognition of Outgoing Councilmember Lauren Doherty.**  
Mayor Fulk recognized Councilmember Doherty for her dedicated service to the citizens of Allen and presented her a framed collage of photos commemorating her years of service.

**3. Administration of the Oaths-of-Office and Presentation of the Certificates-of-Election.**

City Secretary George administered the Oaths-of-Office to newly elected Councilmembers Dave Cornette and Dave Shafer. Mayor Fulk presented each newly elected Councilmember a Certificate-of-Election and offered his congratulations. Councilmembers Cornette and Shafer took their place at the Council dais.

**Public Recognition**

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Mayor Fulk moved to Agenda Item 5.

**5. Presentation of a Blue Star Flag to Family Members of Allen Service Personnel Currently Serving in the U.S. Armed Forces.**

- Mr. and Mrs. Stephen McMurray – Parents of Connor McMurry
- Justine Anderson – Parent of Nathaniel and Ashley Anderson
- Stephanie McNair – Parent of Joshua and Justin McNair
- Mr. and Mrs. Arnold Sta Maria – Parents of Jared Sta Maria
- Mr. and Mrs. Haney – Parents of Robert Haney
- Miss Milia Piepenburg – Girlfriend of Edward Xiao, on behalf of Ms. Xiao

Mayor Fulk moved to Agenda Item 4.

**4. Citizen Comments.**

The following individuals, Pickleball enthusiasts, expressed their appreciation to Council for their support of the Stephen G. Terrell Recreation Center:

- Delon Whetten, 917 Blackstone Drive, Allen, Texas;
- Loraine Whetton, 917 Blackstone Drive, Allen, Texas;
- Dianne Lindeman, 1306 Merrimac Drive, Allen, Texas; and
- Mark Lindeman, 1306 Merrimac Drive, Allen, Texas.

**Consent Agenda**

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

- 6. Approve Minutes of the June 8, 2021, Regular City Council Meeting.**
- 7. Approve Minutes of the June 16, 2021, City Council Special Called Meeting to Canvass Election.**
- 8. Adopt an Ordinance Amending the Code of Ordinances, Chapter 9 – Motor Vehicles and Traffic, Section 9-137(b), to Modify the School Zone for Allen High School.**

**ORDINANCE NO. 3834-6-21:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, SECTION 9-137(b), SUBSECTION (1) MODIFYING THE SCHOOL ZONE FOR ALLEN HIGH SCHOOL; PROVIDING FOR A REPEALING CLAUSE; PROVIDING

FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

9. **Adopt a Resolution and Authorize the City Manager or Designee to Apply for, Accept, Reject, Alter or Terminate a Grant Through the Collin County Parks and Open Space Funding Assistance Program for Construction of the Bethany Lakes Loop Trail.**

**RESOLUTION NO. 3835-6-21(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, HEREINAFTER REFERRED TO AS “APPLICANT,” DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE “APPLICANT” IN DEALING WITH COLLIN COUNTY, HERINAFTER REFERRED TO AS “GRANTOR,” FOR THE PURPOSE OF PARTICIPATING IN THE COLLIN COUNTY PARK AND OPEN SPACE PROJECT FUNDING ASSISTANCE PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE “APPLICANT” IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE “APPLICANT” MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED FACILITY FOR PERMANENT PUBLIC PARK AND PEDESTRIAN TRANSPORTATION USES; AND PROVIDING FOR AN EFFECTIVE DATE.

10. **Adopt a Resolution Authorizing the City Manager to Apply For, Accept, Reject, Alter, or Terminate the Bulletproof Vest Partnership Grant Administered by the United States Department of Justice.**

**RESOLUTION NO. 3836-6-21(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, REJECT, ALTER, OR TERMINATE A GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE FOR BULLETPROOF VESTS, IF AWARDED; AND PROVIDING AN EFFECTIVE DATE.

11. **Adopt a Resolution Authorizing the City Manager to Apply For, Accept, Reject, Alter, or Terminate a SWAT Equipment Enhancement Grant Administered by the State of Texas.**

**RESOLUTION NO. 3837-6-21(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, TO APPLY FOR, ACCEPT, REJECT, ALTER, OR TERMINATE GRANT #4229001 FROM THE STATE OF TEXAS, PROVIDING FUNDING TO ENHANCE SWAT EQUIPMENT (THERMAL IMAGER), IF AWARDED; AND PROVIDING FOR AN EFFECTIVE DATE.

12. **Authorize the City Manager to Execute a Contract with Restoration Specialists, LLC, through the Purchasing Cooperative of America for the City Hall Rotunda Repairs in the Amount of \$133,823.**

13. **Authorize the City Manager to Execute a Change Order with KIK Underground, LLC, for the Windridge Estates Phase 1 Water & Sanitary Sewer Replacement Project in the Amount of \$337,005.**

The motion carried.

**Regular Agenda**

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14. **Conduct a Public Hearing and Adopt an Ordinance to Amend the Development Regulations of Planned Development No. 54 with a base zoning of Industrial Technology and to Adopt a Base Zoning of Corridor Commercial, Zoning Exhibit, Concept Plan, and Building Elevations for Lots 5A and 5B, Block F, Bray Central One; Generally Located Directly West of U.S. Highway 75 and North of Village Way. [Home Zone]**

Mayor Fulk allowed the Developers to speak before the Public Hearing.

Michael Clark, 6750 Hillcrest Plaza, #215, Dallas, Texas;  
David Hicks, 401 Woodlake Drive, Allen, Texas.

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. 3838-6-21:** 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 AMENDING THE USE AND DEVELOPMENT REGULATIONS OF PLANNED DEVELOPMENT PD NO. 54 WITH A BASE ZONING OF INDUSTRIAL TECHNOLOGY “IT” RELATING TO THE DEVELOPMENT OF LOTS 5A AND 5B, BLOCK F, BRAY CENTRAL ONE ADDITION, BY CHANGING THE BASE ZONING TO CORRIDOR COMMERCIAL “CC” AND ADOPTING A ZONING EXHIBIT, CONCEPT 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 Schulmeister and a second by Councilmember Meis, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3838-6-21, as previously captioned, to amend the Development Regulations of Planned Development No. 54, with a base zoning of Industrial Technology and to adopt a Base Zoning of Corridor Commercial, Concept Plan, Zoning Exhibit and Building Elevations for Lots 5A and 5B, Block F, Bray Central One with the recommendation that Section 2.F, Lot 5B Concept Plan, be removed from the ordinance. The motion carried.

**Other Business**

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15. **Calendar.**

- June 26 – Market Street Allen USA Celebration Presented by Texas Health | Allen
- July 5 – City facilities closed in observance of Independence Day

16. **Items of Interest.**

- Mayor Fulk announced his charity of the month was Minuteman Disaster Response.

- Mayor Pro Tem Brooks and Councilmember Schulmeister congratulated the Allen Americans on winning in the playoffs and wished them continued success.

**Executive Session**

The Executive Session was not held.

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

**Adjournment**

**MOTION:** Upon a motion made by Councilmember Cornette and a second by Councilmember Shafer, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 7:50 p.m. on Tuesday, June 22, 2021. The motion carried.

These minutes approved on the 13<sup>th</sup> day of July 2021.

**APPROVED:**

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**Kenneth M. Fulk, MAYOR**

**ATTEST:**

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**Shelley B. George, TRMC, CITY SECRETARY**