

ALLEN CITY COUNCIL

REGULAR MEETING

FEBRUARY 14, 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 6:30 p.m. on Tuesday, February 14, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Overview of Proposed Fee Schedule for Ford Pool.**
- 2. Committee Updates from City Council Liaisons.**
- 3. Questions on Current Agenda.**

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 6:55 p.m. on Tuesday, February 14, 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 7:06 p.m. on Tuesday, February 14, 2017, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

1. Citizen's Comments.

Elias Shaikh, 14 Bishop Gate, Allen, Texas, spoke regarding the recent oil spill in Collin County and questioned the potential impact on the City's water supply.

Paula Ross, 917 Autumn Lake, Allen, Texas, invited the City Council and residents to Sam Bass Railroad History Day.

2. Recognition of Arbor Day Poster Contest Winners.

- First Place – Emily Villano, student at Cheatham Elementary School
- Second Place – Eric Yang, student at Cheatham Elementary School
- Third Place – Neha Nayak, student at Olson Elementary School

3. Presentation of a Proclamation by the Office of the Mayor.

- Presentation of a Proclamation to Michael Barringer with The Shoe Bank Proclaiming February 14, 2017 as "*Michael Barringer Day.*"
- Presentation of a Proclamation to Greg Burnham and FRC Team 5417 Eagle Robotics, Proclaiming February 25, 2017 as "*Allen STEM Education Day.*"
- Presentation of a Proclamation to Coach Jason Deitsch and the 2017 State Champion Allen Eagles Varsity Ice Hockey Team Proclaiming 2017 as "*Allen Eagles Varsity Ice Hockey Team Year.*"

Consent Agenda

Mayor Terrell removed Agenda Item #10 from the 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 remaining items on the Consent Agenda as follows:

- 4. Approve the Minutes of the January 24, 2017, City Council Regular Meeting.**
- 5. Approve Minutes of the January 28, 2017, Special Called City Council Workshop for Strategic Planning.**
- 6. Adopt a Resolution Ordering the May 6, 2017, General Election and Authorizing the City Secretary to Enter into a Contract with the Elections Administrator of Collin County to Provide Joint Election Services with the Allen Independent School District.**

RESOLUTION NO. 3451-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 6, 2017, FOR THE PURPOSE OF ELECTING THE MAYOR AND CITY COUNCILMEMBER FOR PLACE NO. 2; DESIGNATING LOCATION OF POLLING PLACE; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AUTHORIZING EXECUTION OF JOINT ELECTION AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

7. **Authorize the City Manager to Purchase Traffic Signal Equipment from Paradigm Traffic Systems, Inc., Through the Buy Board Cooperative Agreement in the Amount of \$90,000.**
8. **Authorize the City Manager to Purchase an Upgrade to the Avaya Telephone System Along with Corresponding Hardware and Software Maintenance with Lantana Communications for Upgrades to Software and Hardware Components of the Telephone System in the Amount of \$102,573.18.**
9. **Authorize the City Manager to Execute a Contract with DCC, Inc., for the Don Rodenbaugh Natatorium Leisure Pool Renovation in the Amount of \$166,937.**
11. **Accept the Resignation of Shirley Mangrum and Declare a Vacancy in Place No. 5 on the Planning and Zoning Commission.**
12. **Receive the Investment Report for the Period Ending December 31, 2016.**

The motion carried.

Mayor Terrell moved to Agenda Item #10.

10. **Appoint Michelle Montemayor and Donald McDermitt as the Alternate Municipal Court Judges and Authorize the City Manager to Execute Employment Agreements Relating to Their Appointments for a Period Ending December 31, 2018.**

MOTION: Upon a motion made by Councilmember Herald and a second by Mayor Pro Tem Caplinger, the Council voted seven (7) for and none (0) opposed, to appoint Michelle Montemayor and Donald McDermitt as the Alternate Municipal Court Judges and authorize the City Manager to execute employment agreements relating to the appointments for a period ending December 31, 2018. The motion carried.

Regular Agenda

13. **Conduct a Public Hearing and Adopt an Ordinance Approving Specific Use Permit No. 152 for a Gymnastics and Sports Training Facility use for a Portion of the Building Located on Lot 1, Block A of Lots 1 & 2, Allen Business Center II; Generally Located North of Bethany Drive and West of Greenville Avenue. [Alliance Cheer at Tech Center One - Gymnastics and Sports Training Facility]**

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

The following individuals spoke in support to the item:
Scott Lapensohn, 1705 Monaco Drive, Allen, Texas; and,
Keith Barclay, 1551 Streams Way, Allen, Texas;

The following individuals spoke in opposition to the item:
Jason Gillespie, 1226 Comanche Drive, Allen, Texas;
Ginger Taub, 135 Buckingham Lane, Allen, Texas;
Matt Sturgis, 21 Prestige Circle, Allen, Texas;
Brian Mazzei, 1410 Sunshine Drive, Allen, Texas; and,

Gil Taub, 135 Buckingham Lane, Allen, Texas.

The following individuals did not wish to speak, but wished to record their support of the item:

Chad Nordberg, 2302 Jackson Drive, Melissa, Texas;
Christine Nordberg, 2302 Jackson Drive, Melissa, Texas;
Cathy Barnette, 4800 Golfside Drive, Frisco, Texas;
Joanie Pike, 1005 Goldenrod Court, McKinney, Texas;
Jim Pike, 1005 Goldenrod Court, McKinney, Texas;
Shelby Gribbin, 7421 Daffodil Way, Frisco, Texas;
Ana Alejandro, 3701 Bermuda Drive, Rowlett, Texas;
Eric Darion Nealy, 4025 Plymouth, McKinney, Texas;
Eric Nealy, 4025 Plymouth, McKinney, Texas;
Raul Diaz, 7001 Parkwood Blvd., Plano, Texas;
Laura Barclay, 1551 Streams Way, Allen, Texas;
Gene Barnette, 4800 Gulfside Drive, Frisco, Texas;
Susan White, 877 Swan Landing Lane, Allen, Texas;
Le Tran, 313 Murray Farm Road, #121, Fairview, Texas;
Steve Lapensohn, 13500 Noel Road, #402, Dallas, Texas;
Janet Meyer, 7824 Laverd, Dallas, Texas;
Marcy D. Ahles, 5917 Wilford Drive, McKinney, Texas;
Lisa C. Bennett, 4896 Corinthian Bay Drive, Frisco, Texas;
Robert Bennett, 4896 Corinthian Bay Drive, Frisco, Texas;
Dr. Blake, 5225 Fleetwood Oak Avenue, #501, Dallas, Texas;
Kim Bohonsky, 2805 Valley Spring Drive, Plano, Texas;
Ana Branstetter, 13331 N. MacArthur, #713, Oklahoma City, Oklahoma;
Jennifer Brennan, 144 Providence Blvd., Providence, Texas;
Brandon Bryce, 717 Wandering Way Drive, Allen, Texas;
Robin Bryce, 717 Wandering Way Drive, Allen, Texas;
Molly Burns, 70 Starview Drive, Malakoff, Texas;
Carissa Carley, 3400 Walnut Lane, Melissa, Texas;
Isadarely Cervantes, 1801 Downing Street, Allen, Texas;
Amber Cole, 695 Wendy Lane, Allen, Texas;
Jane Dean, 307 Watson Drive, Allen, Texas;
Juan Diaz, 1605 White Way Drive, Arlington, Texas;
Roxann DiFloria, 53 Trail Ridge, Melissa, Texas;
David Ditzenberger, 1915 Edgehill Drive, Allen, Texas;
Michelle Ditzenberger, 1915 Edgehill Drive, Allen, Texas;
Huong Do, 1701 Mammoth Drive, Allen, Texas;
Lara Favella, 2111 Chambers Drive, Allen, Texas;
Matthew Feldman, 9315 Hunters Creek, Dallas, Texas;
Marisol Flores-Garza, 4300 Fox Trail Lane, McKinney, Texas;
Antoine Fotre, 7912 Blacktail Trail, McKinney, Texas;
Lizzie Furlong, 2320 Castle Rock Road, Carrollton, Texas;
Brandon Tyler Hale, 14555 Tamerisk Lane, Farmers Branch, Texas;
Erin Hanks, 6300 Castle Rock Circle, McKinney, Texas;
Russell Hastings, 5621 Emerson Court, Fairview, Texas;
Kresta Herrin, 10187 Camino Ruiz, #128, San Diego, California;
Shelley Hrapkiewicz, 945 W. Stacy Road, Allen, Texas;
Joey Huerta, 5005 Galleria Drive, Farmers Branch, Texas;
Black Jackson, 4025 Huffines Blvd., #1315, Carrollton, Texas;

Megan Johnson, 7728 Alderwood Place, Plano, Texas;
Alyssa Kaschak, 500 Spinnaker Drive, Allen, Texas;
Daniel Maes, 2040 Clubview Drive, Rockwall, Texas;
Vivian Martinez, 933 Excalibur Drive, Highland Village, Texas;
Malin Maurice, 21520 W. 99th Street, Lenexa, Kansas;
Cara McGarry, 7304 Palmdale Drive, Frisco, Texas;
David McGarry, 7304 Palmdale Drive, Frisco, Texas;
Kelly McMahan, 8208 Castine Drive, McKinney, Texas;
Kevin McMahan, 8208 Castine Drive, McKinney, Texas;
Tanya Melendez, 2817 Rush Creek Road, McKinney, Texas;
Andrew Mixon, 6504 Brownstone Drive, McKinney, Texas;
Gina Mixon, 6504 Brownstone Drive, McKinney, Texas;
Kristina Pangan, 2040 Clubview Drive, Rockwall, Texas;
Colleen Pfitzenreuter, 2601 W. Point, McKinney, Texas;
Kendall Pfitzenreuter, 2601 W. Point, McKinney, Texas;
Dylan Pierpont, 603 W. Elm Street, Celina, Texas;
Roland Pollard, 15904 Dorrington Drive, Frisco, Texas;
Laurie Resch, 25607 150th Street, SE, Monroe, Washington;
Sidney Richmond, 1103 Italy Drive, Allen, Texas;
Stephanie C. Richmond, 1103 Italy Drive, Allen, Texas;
Vanessa Robertson, 10065 Plainsman Lane, Frisco, Texas;
Karen Sennikoff, 15175 Markout Central, Forney, Texas;
Julia Settle, P.O. Box 4789, Mississippi State, Mississippi;
Kelly Sheriff, 1 Meadowcreek Drive, Melissa, Texas;
Yana Skoblionok, 7633 Glasshouse Walk, Frisco, Texas;
Courtney Taylor, 17671 Addison Road, #2307, Dallas, Texas;
Penny Tracy, 2309 Sheldon Drive, McKinney, Texas;
Mima Walley, 1130 Millers Creek Drive, Prosper, Texas;
Teresa Wert, P.O. Box 3223, Sherman, Texas;
Fred White, 877 Swan Landing Lane, Allen, Texas; and
Susan White, 877 Swan Landing Lane, Allen, Texas.

The following individuals did not wish to speak, but wished to record their opposition of the item:

Heather Adams, 1715 Terrell Drive, Allen, Texas;
Kristi Baker, 1814 Northbrook Court, Allen, Texas;
Amanda Baugh, 2701 E. Plano Parkway, Plano, Texas;
Gracie Bien, 801 Cottonwood Drive, Allen, Texas;
Brooke Brian, 3120 Blue Sage Drive, McKinney, Texas;
Jennifer Brungardt, 1819 Caprock Road, Allen, Texas;
Betty Carter, 921 Scotia Drive, Allen, Texas;
Dede Coats, 4413 Beck Drive, Richardson, Texas;
Stan Coats, 4413 Beck Drive, Richardson, Texas;
Kim Collier, 2738 Timber Trail, Lucas, Texas;
Christi Davidson, 218 Lago Grande Trail, Lucas, Texas;
Michelle DeBosier, 2235 Country Club Road, Lucas, Texas;
Michele Dickerson, 105 N. Alder Drive, Allen, Texas;
Brad Ely, 21 Prestige Circle, Allen, Texas;
Wendy Gunn, 805 Rainier Court, Allen, Texas;
Kimberly Haggard, 6804 Allegiance Drive, McKinney, Texas;
Jennifer Hamby, 411 Long Cove Court, Allen, Texas;

Kathy Harder, 2254 Enchantment Lane, Allen, Texas;
Shelia Hurst, 1840 Trinidad Lane, Allen, Texas;
David Hightower, 1621 Pecan Creek Lane, Allen, Texas;
Lynda Huynh, 5005 Galleria Drive, Farmers Branch, Texas;
Polly Iovinelli, 251 Estelle Lane, Allen, Texas;
Dionna Jeffrey, 1010 Morningside Lane, Allen, Texas;
Pamela Keenan, 311 Highland Park Lane, Wylie, Texas;
Holly Kiernicki, 13077 Snow Lake Drive, Frisco, Texas;
Karl Kiernicki, 13077 Snow Lake Drive, Frisco, Texas;
Pamela Kirby, 602 Willow Oak Drive, Allen, Texas;
Jodi Koppold, 1519 Winding Trail Drive, Allen, Texas;
Steven G. Lawrence, 103 N. Alder Drive, Allen, Texas;
Holly Lawrence-Wageman, 1211 Pinkerton Lane, Allen, Texas;
Deanna Michalewicz, 1401 Sweet Gum Drive, Allen, Texas;
Grady Moore, 706 S. Jupiter Road, #1006, Allen, Texas;
Hanh Nguyen, 1333 Dove Brook Drive, Allen, Texas;
Michael Oswald, 905 Biltmoore Court, Allen, Texas;
Luan Pham, 1333 Dove Brook Drive, Allen, Texas;
Susan Phillips, 613 Bryan Blvd., Allen, Texas;
Shannon Pickard, 5807 Corinth Chapel Road, Parker, Texas;
Kristie Pinion, 522 Niagara Falls Drive, Anna, Texas;
Ann Pipitone, 1607 Thoroughbred Lane, Allen, Texas;
Marie Quintanilla, 1523 Redeemer Road, Allen, Texas;
Staci A. Ruppert, 1025 Honeysuckle Lane, Lucas, Texas;
Ryan Ryan, 1320 Glendover, Allen, Texas;
Art and Lorie Seals, 909 Eagle Creek Trail, McKinney, Texas;
Jennifer A. Selby, 1611 Nestledown Drive, Allen, Texas;
Melanie Shotwell, 7912 Roaring Ridge Drive, Plano, Texas;
Desiray Taylor, 7324 Stoney Point Drive, Plano, Texas;
Kim Turney, 1309 Lamar Lane, Allen, Texas;
Kayla Ussery Knotts, 106 Sierra Court, Allen, Texas;
Jane Whitmore, 820 Edmonton Drive, Plano, Texas;
Jessica Williams, 6548 Copperfield Lane, Plano, Texas;
Nicole Williams, 1114 Italy Drive, Allen, Texas; and
Tracy Wilson, 709 Ridgemont Drive, Allen, Texas.

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

ORDINANCE NO. 3452-2-17: 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. 152 TO ALLOW A 13,095 SQUARE FOOT PORTION OF THE BUILDING LOCATED ON LOT 1, BLOCK A OF LOTS 1 AND 2, ALLEN BUSINESS CENTER II (ALSO KNOWN AS 718 S. GREENVILLE AVENUE) PRESENTLY ZONED PLANNED DEVELOPMENT NO. 3 LIGHT INDUSTRIAL “LI” TO BE USED FOR A GYMNASTIC AND SPORTS TRAINING FACILITY 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 Mayor Pro Tem Caplinger and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 3452-2-17, as previously captioned, to grant Specific Use Permit SUP No. 152 for a Gymnastics and Sports Training Facility Use for a portion of the building Lot 1, Block A of Lots 1 and 2, Allen Business Center II which is generally located north of Bethany Drive and west of Greenville Avenue. The motion carried.

Other Business

14. Calendar.

15. Items of Interest.

- The Annual Fire and Police Hockey game is on Saturday, February 18 at the Allen Event Center.
- The WOGA Classic International Gymnastics Competition is on Saturday, February 18 in Frisco.
- The Allen Special Olympics 19th Annual “Special Angels Among Us” Benefit Dinner and Auction is on Saturday, February 18 at the Courtyard Marriott in Allen.
- Council wished Councilmember Herald’s daughter, Sara, a happy birthday.

The Regular Session was recessed at 8:38 p.m.

Executive Session

In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 8:52 p.m. on Tuesday, February 14, 2017, in the Council Conference Room, 305 Century Parkway, Allen, Texas, in order to discuss matters pertaining to:

16. Personnel Pursuant to Section 551.074 of the Texas Government Code — Annual Performance Review of the City Manager

The Executive Session adjourned at 10:01 p.m. on Tuesday, February 14, 2017.

17. Reconvene and Consider Action on Items Discussed During Executive Session.

The Allen City Council reconvened into the Regular Meeting at 10:05 p.m. on Tuesday, February 14, 2017. The following action was taken on items discussed during Executive Session.

MOTION: Upon a motion made by Councilmember Herald and a second by Councilmember Obermeyer, the Council voted seven (7) for and none (0) opposed to increase the City Manager’s base salary by 2%, increase the car allowance to \$9,000 per year, and provide a lump sum amount equal to 2% of his base salary to be applied at his discretion. The motion carried.

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 10:08 p.m. on Tuesday, February 14, 2017. The motion carried.

These minutes approved on the 28th day of February 2017.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY