

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**MARCH 14, 2017**

#### **Present:**

Stephen Terrell, Mayor

#### **Councilmembers:**

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Ross Obermeyer

Joey Herald (absent)

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**

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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, March 14, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Introduction of Devita Widmer, Chair of the Library Board.**
- 2. Update Regarding Water and Electric Transmission Cases at the Public Utility Commission of Texas.**
- 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 6:59 p.m. on Tuesday, March 14, 2017.

#### **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 Terrell at 7:04 p.m. on Tuesday, March 14, 2017, in the Council Chambers of the Allen City

Hall, 305 Century Parkway, Allen, Texas. Mayor Terrell announced Councilmember Herald was not in attendance as he was representing the City at the National League of Cities Congressional City Conference.

**Pledge of Allegiance**

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**Public Recognition**

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1. **Citizen's Comments.**
2. **Presentation of a Blue Star Flag to a Family of Allen Service Personnel Currently Deployed by the U.S. Armed Forces.**

Mayor Terrell presented the family of Staff Sergeants Amanda Jones and Shanelle Jimenez a Blue Star Flag in recognition of their dedicated service to the United States and the City of Allen.

3. **Recognition of the Parks and Recreation Department for Awards Received at the Texas Recreation and Park Society (TRAPS) Conference.**
  - 2017 Jerry D. Garrett Memorial Young Professional Award – Travis Cuniff, Recreation Services Manager.
  - 2017 TRAPS Academy of Leadership Development graduates – Billy Diaz, Youth Programs Supervisor and Heidi Miller, Center Supervisor at Joe Farmer Recreation Center.
4. **Presentation of the Texas Municipal Library Directors Association (TMLDA) Achievement of Library Excellence Award.**
5. **Presentation of the Library Board's Annual Report by Chairperson Devita Widmer.**

**Consent Agenda**

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**MOTION:** Upon a motion made by Councilmember Obermeyer and a second by Councilmember Brooks, the Council voted six (6) for and none (0) opposed to adopt all items on the Consent Agenda as follows:

6. **Approve Minutes of the February 28, 2017, Regular City Council Meeting.**
7. **Adopt a Resolution Establishing the 2017 State Legislative Program for the City of Allen.**

**RESOLUTION NO. 3459-3-17:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ADOPTING A STATE LEGISLATIVE PROGRAM; AND, PROVIDING AN EFFECTIVE DATE.

8. **Adopt a Resolution Authorizing the City Manager to Apply for, Accept, Reject, Alter, or Terminate a Grant Through the Government Transportation Alternative Set-Aside Program, Administered by the North Central Texas Council of Governments (NCTCOG).**

**RESOLUTION NO. 3460-3-17:** 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 THE REGIONAL TRANSPORTATION

COUNCIL ASSOCIATED WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS, HERINAFTER REFERRED TO AS "GRANTOR," FOR THE PURPOSE OF PARTICIPATING IN THE 2017 CALL FOR PROJECTS THROUGH THE TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM, HEREINAFTER REFERRED TO AS THE "PROGRAM"; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT DESIRES TO SUBMIT A PROJECT; CERTIFYING THAT THE APPLICANT CAN FUND ALL PROJECT COSTS; AND PROVIDING AN EFFECTIVE DATE.

9. **Authorize the City Manager to Amend the Contract for the Purchase of Medical Supplies with Bound Tree Medical, Henry Schein Matrix Medical, Life Assist, and Midwest Medical Supply to a Total Annual Amount of \$158,500.**
10. **Authorize the City Manager to Execute a Contract with T-Mobile USA, Inc. for Cellular Equipment and Service for an Average Annual Amount of \$79,800 with Three (3) Optional One-Year Renewals through the State of Texas Department of Information Resources (DIR) Purchasing Program.**
11. **Authorize the City Manager to Execute an Economic Development Incentive Agreement with Cyrus One, LLC.**
12. **Receive the Unaudited Financial Report for the Period Ending December 31, 2016.**

The motion carried.

#### **Regular Agenda**

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13. **Motion to Accept the Fiscal Year 2015-2016 Comprehensive Annual Financial Report (CAFR).**

**MOTION:** Upon a motion made by Councilmember Kizer and a second by Councilmember Obermeyer, the Council voted six (6) for and none (0) opposed, to accept the 2015-2016 Comprehensive Annual Financial Report. The motion carried.

14. **Conduct a Public Hearing and Adopt an Ordinance Establishing Standards of Care Necessary for a Day Care Licensing Exemption for Youth Camp Programs Operated by the Allen Parks and Recreation Department.**

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. 3461-3-17:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ESTABLISHING STANDARDS OF CARE NECESSARY FOR A DAY CARE LICENSING EXEMPTION FOR YOUTH CAMP PROGRAMS OPERATED BY THE CITY OF ALLEN PARKS AND RECREATION DEPARTMENT; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION:** Upon a motion made by Councilmember Sedlacek and a second by Councilmember Brooks, the Council voted six (6) for and none (0) opposed, to adopt Ordinance No. 3461-3-17, as previously captioned, establishing standards of care necessary for a day care licensing exemption for youth camp programs operated by the Allen Parks and Recreation Department. The motion carried.

**15. Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 153 for a Minor Automotive Repair Use for an Approximately 1,400± Square Foot Portion of a Building Generally Located South of Allen Drive and East of US Highway 75. [North Dallas Auto Tint - Minor Automotive Repair]**

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. 3462-3-17:** 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. 153 AUTHORIZING AN APPROXIMATELY 1,400± SQUARE FOOT PORTION OF A BUILDING LOCATED ON LOT 2, WILLIAM F. CHESTER ADDITION (ALSO KNOWN AS 605 N. CENTRAL EXPY.) PRESENTLY ZONED FOR SHOPPING CENTER "SC" TO BE USED FOR A MINOR AUTOMOTIVE REPAIRS USE; 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 Mayor Pro Tem Caplinger and a second by Councilmember Brooks, the Council voted six (6) for and none (0) opposed, to adopt Ordinance No. 3462-3-17, as previously captioned, for Specific Use Permit No. 153 for Minor Automotive Repair use for North Dallas Auto Tint. The motion carried.

**16. Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 154 for Fitness and Health Center Use for an Approximately 2,130± Square Foot Portion of a Building Generally Located South of Stacy Road and West of Curtis Lane. [Circuit 31 Fitness - Fitness and Health Studio]**

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. 3463-3-17:** 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. 154 AUTHORIZING AN APPROXIMATELY 2,130± SQUARE FOOT PORTION OF THE BUILDING LOCATED ON LOT 1R3, BLOCK A, WATTERS VILLAGE (ALSO KNOWN AS 939 STACY RD.), PRESENTLY ZONED PLANNED DEVELOPMENT NO. 86 FOR SHOPPING CENTER "SC" TO BE USED FOR A FITNESS AND HEALTH CENTER 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 Obermeyer and a second by Mayor Pro Tem Caplinger, the Council voted six (6) for and none (0) opposed, to adopt Ordinance No. 3463-3-17, as previously captioned, for Specific Use Permit No. 154 for Fitness and Health Center use for Circuit 31 Fitness. The motion carried.

**Other Business**

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**17. Calendar.**

- March 28 - City Council Meeting Cancelled
- March 28-29 - Collin County Days in Austin
- April 3 - TRIAD Meeting
- April 1 @ 11 a.m. – Ribbon Cutting for Allen Historic Water Station Interpretive Trail

**18. Items of Interest.**

- Council wished happy birthday to Councilmember Brooks' wife, Juli, and extended congratulations to his daughter, Brenna, as she commits to the University of Washington.

**Executive Session**

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Executive Session was not held.

**Adjournment**

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**MOTION:** Upon a motion made by Councilmember Brooks and a second by Councilmember Kizer, the Council voted six (6) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 7:56 p.m. on Tuesday, March 14, 2017. The motion carried.

These minutes approved on the 11<sup>th</sup> day of April 2017.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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