

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**APRIL 11, 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**

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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 6:33 p.m. on Tuesday, April 11, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Introduction of Matt McGee, Vice-Chairperson of the Animal Shelter Advisory Committee.**
- 2. Update Regarding Funding for Watters Branch Community Park.**
- 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 6:54 p.m. on Tuesday, April 11, 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, April 11, 2017, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

**Pledge of Allegiance**

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**Public Recognition**

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**1. Citizen's Comments.**

Joseph Wattigney, 1315 Normandy Lane, Allen, Texas, honored the firefighters of Shift C at Station #2 for saving his life after his motorcycle accident in December 2016.

Phillip Williams, 621 Stephanie Drive, Dallas, Texas, spoke regarding the history of his family and the City, and the impact of the donation of parkland by Emerson Farm Company, Ltd., on the Allen community.

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

Mayor Terrell presented the family of PFC Brandon Tate a Blue Star Flag in recognition of his dedicated service to the United States and the City of Allen.

**3. Introduction and Presentation of Miss Allen 2017, Spencer Davis, and Miss Allen's Outstanding Teen 2017, Annie Lu.**

**4. Presentation of Proclamations by the Office of the Mayor.**

- Presentation of a Proclamation to Coach Jerry Best and the Allen High School Wrestling Team, Proclaiming 2017, as "Allen Eagles Wrestling Team Year."
- Presentation of a Proclamation to Wendy Hanna, Executive Director of The Turning Point, Proclaiming April 2017, as "Sexual Assault Awareness and Prevention Month."
- Presentation of a Proclamation to Shellie Taylor, City of Allen Public Safety Communication Manager, Proclaiming April 9-15, 2017, as "Public Safety Telecommunicators Week."
- Presentation of a Proclamation to the Keep Allen Beautiful Board Proclaiming April 15, 2017, as "Great American Cleanup Day."
- Presentation of a Proclamation to Allison Harper, City of Allen Animal Control Supervisor, Proclaiming April 9-15, 2017, as "Bite Prevention Week."
- Presentation of a Proclamation to Allison Harper, City of Allen Animal Control Supervisor, Proclaiming April 9-15, 2017, as "Animal Control Officer Appreciation Week."

**5. Presentation of the Animal Shelter Advisory Committee's Annual Report by Vice Chairperson Matt McGee.**

**Consent Agenda**

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**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 all items on the Consent Agenda as follows:

**6. Approve Minutes of the March 14, 2017, Regular City Council Meeting.**

**7. Approve the Minutes of the April 3, 2017, Triad Meeting of the Allen City Council, Allen ISD Board of Trustees, and Allen-Fairview Chamber of Commerce Executive Board.**

8. **Adopt a Resolution Suspending the Effective Date of Oncor Electric Delivery Company's Request to Increase Electric Utility Rates for 90 Days.**

**RESOLUTION NO. 3464-4-17(R)**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, SUSPENDING THE APRIL 21, 2017, EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; 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 FOR THE STEERING COMMITTEE.

9. **Adopt an Ordinance Amending the Code of Ordinances Chapter 9, "Motor Vehicles and Traffic," in Order to Amend the Speed Limit on the Main Lanes of US75, Within the Corporate Limits of the City, to 70 miles per hour.**

**ORDINANCE NO. 3465-4-17**: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, "MOTOR VEHICLES AND TRAFFIC," ARTICLE V, "OPERATION OF VEHICLES," DIVISION 2, "SPEED REGULATIONS," SECTION 9-135(a), TO AMEND THE MAXIMUM PRIMA FACIE SPEED LIMIT FOR U.S. 75 MAIN LANES WITHIN THE CORPORATE LIMITS OF THE CITY OF ALLEN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS 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.

10. **Authorize the City Manager to Execute an Addendum to the Master Facilities Agreement with Emerson Farm Company, Ltd., and Darling Homes of Texas, LLC, Relating to Montgomery Farms Development and Dedication of 7+/- acres of Park Land.**
11. **Authorize the City Manager to Execute a Consent to the Assignment and Assumption of Entry License Agreement by Montgomery Improvement District West, Ltd., to Darling Homes of Texas, LLC.**
12. **Authorize the City Manager to Execute a Contract with David's Auto Body Repair for Automotive Paint and Body Repair Services for One Year with the Option to Renew Annually for Four Additional Terms for an Annual Amount of \$75,000.**
13. **Authorize the City Manager to Execute a Contract with Griffith Roofing Company and RL Murphey Commercial Roof Systems, LP, for Various Roof Repairs as Needed for One Year with the Option to Renew Annually for Two Additional Terms for an Annual Amount of \$75,000.**
14. **Authorize the City Manager to Execute a Contract with Intermountain Slurry Seal, Inc., for Micro-Surfacing Seal Treatment in the Fountain Park Phase 2 and Walden Park Estates Subdivisions in the Amount of \$123,637.02.**
15. **Authorize the City Manager to Execute a Contract with Identity Management Consultants, LLC, for the Conception, Procurement and Installation of LED Scrolling Message Monument Signs at**

Various Locations Through an Interlocal Agreement with Buy Board in the Amount of \$149,298.98.

16. Authorize the City Manager to Award the Annual Contract for Park Equipment and Furnishings with The Playwell Group through an Interlocal Agreement with Buy Board for an Annual Amount of \$150,000.
17. Authorize the City Manager to Execute a Purchase and Sales Agreement with Mildred Ottaway, for the Purchase of Property at 714 N. Federal Drive, Allen, Texas 75013 in the Amount of \$510,000.
18. Award Bid and Authorize the City Manager to Execute a Contract with Field Turf USA, Inc., for the Construction and Installation of Artificial Turf at Watters Branch Community Park Softball Complex, Fields 1 - 4 in the Amount of \$2,517,596.
19. Award Bid and Authorize the City Manager to Execute a Contract with Schmoldt Construction, Inc., for Construction of the Watters Branch Community Park Phase 1 Project in the Amount of \$7,372,895.72.
20. Receive the Summary of Property Tax Collections as of February 2017.

The motion carried.

Councilmember Obermeyer noted that the Council had thoroughly vetted these agenda items prior to placing them on the Consent Agenda for consideration at this meeting.

#### **Regular Agenda**

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21. Conduct a Public Hearing and Adopt an Ordinance Establishing Planned Development No. 127 for Corridor Commercial and Adopt Development Regulations, a Concept Plan, Building Elevations, and a Sign Plan for a 60± acres of Land Generally Located at the Southeast Corner Custer Road and Sam Rayburn Tollway. [Cornerstone Village at Allen - Mixed-Use]

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. 3466-4-17:** 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, RELATING TO THE USE AND DEVELOPMENT OF A 59.629± ACRE TRACT OF LAND IN THE CHADRICK JACKSON SURVEY, ABSTRACT NO. 489, PRESENTLY ZONED AS “CC” CORRIDOR COMMERCIAL BY CHANGING THE ZONING TO CREATE “PD” PLANNED DEVELOPMENT NO. 127 WITH A BASE ZONING OF CORRIDOR COMMERCIAL “CC” AND MULTIFAMILY RESIDENTIAL “MF-18” AND ADOPTING DEVELOPMENT REGULATIONS, A CONCEPT PLAN, BUILDING ELEVATIONS, AND A SIGN PLAN; 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 Herald and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 3466-4-17, as previously captioned, establishing Planned Development No. 127 for Corridor Commercial and adopting development regulations, a concept plan, building elevations, and a sign plan for a 60± acres of land generally located at the Southeast Corner Custer Road and Sam Rayburn Tollway with the following amendments: 1) replace 8 foot screening wall adjacent to City Park with a natural landscape screening to be approved by the Parks and Recreation Director, and 2) move the location of the 100 foot setback to the existing fence line of the residential properties. The motion carried.

#### **Other Business**

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**22. Calendar.**

- April 24 - May 2, 2017 - City of Allen General Election Early Voting Period
- May 6, 2017 - Election Day, 7 a.m. - 7 p.m.

**23. Items of Interest.**

- Allen Americans ECHL Kelly Cup Playoffs begin April 12 at 7:05 p.m.
- Council congratulated Councilmember Herald on the upcoming marriages of his daughters, Katie and Sara.
- Council congratulated the Allen Colorguard for their outstanding performance at the WGI Color Guard World Championships in Dayton, Ohio.
- Council congratulated Councilmember Obermeyer's grandchildren and other Allen ISD students participating in the Destination Imagination Program for earning a spot in the Global Finals in Knoxville, Tennessee.
- Council congratulated Councilmember Brooks' daughter, Brenna, for qualifying for the National Junior Olympics.
- Council invited college student, Karina Raga, to ask one question of the council which was '*What is the single most important issue facing the city.*' Council's response was managing growth.

#### **Executive Session**

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Executive Session was not held.

#### **Adjournment**

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**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 8:48 p.m. on Tuesday, April 11, 2017. The motion carried.

These minutes approved on the 25<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**