

ALLEN CITY COUNCIL

REGULAR MEETING

MAY 9, 2017

Present:

Stephen Terrell, Mayor

Councilmembers:

Gary L. Caplinger, Mayor Pro Tem
Kurt Kizer
Ross Obermeyer
Joey Herald (arrived at 6:46 p.m.)
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 6:25 p.m. on Tuesday, May 9, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update Regarding Fat, Oil, Grease (FOG) and Environmental Health Ordinances.**
- 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 7:01 p.m. on Tuesday, May 9, 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 7:07 p.m. on Tuesday, May 9, 2017, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

1. **Citizen's Comments.**
2. **Presentation of Proclamations by the Office of the Mayor.**
 - Presentation of a Proclamation to Julie Olles, Allen Senior Recreation Center Supervisor, and Stephen Hood, Executive Director of Wellness Center for Older Adults, Proclaiming May 2017 as "Older Americans Month."
 - Presentation of a Proclamation to Stephen Massey, Director of Community Services with the City of Allen, Proclaiming May 21-27, 2017, as "Public Works Week."
3. **Annual Report by Greg Roemer, President of Community Waste Disposal, Inc. (CWD)**

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 items on the Consent Agenda as follows:

4. **Approve Minutes of the April 25, 2017, Regular City Council Meeting.**
5. **Authorize the City Manager to Execute a Contract with Golden State Hockey Rush, LLC, dba GS Ice Sports, for Consulting Services Related to the Repair of the Community Ice Rink Warm Floor System in the Amount of \$49,900.**
6. **Award Bid and Authorize the City Manager to Execute a Contract with O3 Concrete Contractors, LLC., for the Chelsea Boulevard and Allen Commerce Parkway Intersection Improvements in the Amount of \$275,966.11.**
7. **Award Bid and Authorize the City Manager to Execute an Annual Contract for Temporary Personnel for Food and Beverage Service with Salazar Services, LLC, dba F&B Services, as the Primary Vendor and First Class Workforce Solutions as the Secondary Vendor with Options of Two One-Year Renewals for an Estimated Annual Amount of \$461,820.**
8. **Award Bid and Authorize the City Manager to Execute an Annual Contract with D&L Entertainment for Temporary Personnel for Guest Services at the Allen Event Center with Options of Two One-Year Renewals for an Estimated Annual Amount of \$348,660.**
9. **Approve the Recommendation from the Tax Increment Financing (TIF) Reinvestment Zone Number One (Garden District) Board of Directors Relating to Payment to Watters Creek Owner, LLC, from the TIF Fund in the Amount of \$665,709.27 from the City tax increment, \$127,911.97 from the County tax increment, and a Payment to the City from the TIF Fund in the Amount of \$15,000 for Administrative Support.**
10. **Receive the Investment Report for the Period Ending March 31, 2017.**
11. **Receive the Unaudited Financial Report for the Period Ending March 31, 2017.**

The motion carried.

Regular Agenda

12. **Conduct a Public Hearing and Adopt an Ordinance Amending Planned Development No. 54 to Change the Base Zoning from Medium Density Single Family to Single-Family Residential R-6, and Adopt a Concept Plan, Building Elevations, and Development Regulations for a 28.378± Acre Portion of Lot 1, Block Y, Twin Creeks Phase 7A-1, Generally Located at the Southwest Corner of Ridgeview Drive and Exchange Parkway. [Walnut Springs at Twin Creeks - Single-Family Residential]**

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

David Hicks, 1 Woodlake Drive, Allen, Texas, spoke in support of the item.

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

ORDINANCE NO. 3467-5-17: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS AND ZONING MAP, AS PREVIOUSLY AMENDED, RELATING TO THE USE AND DEVELOPMENT OF LOT 1, BLOCK Y, TWIN CREEKS PHASE 7A-1 AND PRESENTLY ZONED PLANNED DEVELOPMENT "PD" NO. 54 FOR MEDIUM DENSITY SINGLE FAMILY "MDSF" BY CHANGING THE BASE ZONING TO SINGLE-FAMILY RESIDENTIAL "R-6" AND ADOPTING DEVELOPMENT REGULATIONS, A 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 Herald and a second by Mayor Pro Tem Caplinger, the Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 3467-5-17, as previously captioned, amending Planned Development No. 54 to Change the Base Zoning from Medium Density Single Family to Single-Family Residential R-6, and Adopt a Concept Plan, Building Elevations, and Development Regulations Relating to a 28.378± Acre Portion of Lot 1, Block Y, Twin Creeks Phase 7A-1, Generally Located at the Southwest Corner of Ridgeview Drive and Exchange Parkway, for Walnut Springs. The motion carried.

13. **Conduct a Public Hearing and Adopt an Ordinance to Establish Planned Development No. 128 and Change the Base Zoning from Agriculture Open Space to PD No. 128 for Data Center Use, and Adopt a Concept Plan, Building Elevations, and Development Regulations Relating to a 65.578± Acre Portion of the George Phillips Survey, Abstract No. 701, Generally Located North of Allen Commerce Parkway and East of Chelsea Boulevard. [Cyrus One Data Center]**

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. 3468-5-17: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS, AND ZONING MAP, AS PREVIOUSLY AMENDED, BY GRANTING

A CHANGE IN ZONING FROM AGRICULTURE OPEN SPACE "AO" TO PLANNED DEVELOPMENT "PD" NO. 128 FOR DATA CENTER RELATED USES ON 65.578± ACRES OUT OF THE GEORGE PHILLIPS SURVEY, ABSTRACT NO. 701, AND ADOPTING DEVELOPMENT REGULATIONS, A 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 Sedlacek and a second by Councilmember Herald, the Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 3468-5-17, as previously captioned, establishing Planned Development No. 128, to change the base zoning from Agriculture Open Space to PD No. 128 for Data Center Use, and adopt a Concept Plan, Building Elevations, and Development Regulations Relating to a 65.578± Acre Portion of land generally located north of Allen Commerce Parkway and west of Chelsea Boulevard for Cyrus One Data Center. The motion carried.

14. Conduct a Public Hearing and Adopt an Ordinance to Establish Planned Development No. 129 for Corridor Commercial for a Data Center Use and Adopt a Concept Plan, Building Elevations, Screening Plan, and Development Regulations for a 12.614± Acre Portion of Lot 2R, Block A, Allen Commerce Center Addition, Generally Located North of Allen Commerce Parkway and West of US Highway 75. [DFW II Data Center - Compass Data Center]

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. 3469-5-17: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS, AND ZONING MAP, AS PREVIOUSLY AMENDED, BY GRANTING A CHANGE IN ZONING FROM CORRIDOR COMMERCIAL "CC" TO PLANNED DEVELOPMENT "PD" NO. 129 CORRIDOR COMMERCIAL "CC" FOR DATA CENTER USES ON A 12.614± ACRE PORTION OF LOT 2R, BLOCK A, ALLEN COMMERCE CENTER ADDITION, BEING FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; ADOPTING DEVELOPMENT REGULATIONS, A CONCEPT PLAN, BUILDING ELEVATIONS, AND A SCREENING PLAN; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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 Ordinance No. 3469-5-17, as previously captioned, to establish Planned Development No. 129 for Corridor Commercial for a Data Center Use and adopt a Concept Plan, Building Elevations, Screening Plan, and Development Regulations for a 12.614± acre portion of Lot 2R, Block A, Allen Commerce Center Addition, generally located north of Allen Commerce Parkway and west of US Highway 75, for DFW II Data Center. The motion carried.

Other Business

15. Calendar.

- May 16, 2017 – Canvass of the General Election; City Hall, 3:00 p.m.
- June 10, 2017 – Run Off Election.

16. Items of Interest.

- Change the World weekend, a 3C Allen event, hosted by the Allen Ministerial Alliance is being held on May 19-21 in Allen, Lucas, and Fairview.
- The Allen Americans Hockey Team play in Game 6 of the 2017 Kelly Cup Playoffs at the Allen Event Center on May 9.
- Councilmember Herald wished all mothers a happy Mother's Day this Sunday.
- Council wished happy birthday to Mayor Pro Tem Caplinger and Teresa Warren, PAMRO Director.
- Council congratulated the Allen Eagles Shooting Team for winning their fifth straight championship title.
- Councilmember Obermeyer congratulated his grandsons and students participating in Destination Imagination for heading to the Global Finals Tournament in Knoxville, Tennessee on May 24.

Executive Session

17 Personnel Pursuant to Section 551.074 of the Texas Government Code —

- **Discuss Appointment to Fill a Vacancy on the Planning and Zoning Commission.**

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

The Executive Session was not held.

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 8:07 p.m. on Tuesday, May 9, 2017. The motion carried.

These minutes approved on the 23rd day of May 2017.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY