

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**MAY 23, 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 (absent)

Rebecca Vice, Assistant to the City Manager

Kathleen Vaught, Interactive Media 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 6:25 p.m. on Tuesday, May 23, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update Regarding Water and Sewer Fund.**
- 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 23, 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 7:05 p.m. on Tuesday, May 23, 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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**2. Administration of the Oath-of-Office and Presentation of the Certificate-of-Election.**

City Secretary George administered the Oath-of-Office to reelected Mayor Stephen Terrell and Mayor Pro Tem Caplinger presented the Certificate-of-Election to Mayor Terrell and offered his congratulations to him.

**3. Public Recognition of the Keep Allen Beautiful Reuse-A-Shoe Contest Winners.**

- 1st Place Winner: Bolin Elementary, 887 pairs of shoes.
- 2<sup>nd</sup> Place Winner: Evans Elementary, 664 pairs of shoes.
- 3<sup>rd</sup> Place Winner: Anderson Elementary, 504 pairs of shoes.

**1. Citizen's Comments.**

Anthony Trulson, 703 Seminole Trail, Allen, Texas, spoke regarding his property located adjacent to the drainage canal.

Paul Konrad, 1202 Waterdown, Allen, Texas, spoke to the need for expanded transportation options, communication with the community, and term limits for council.

**Consent Agenda**

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**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 May 9, 2017, Regular City Council Meeting.**
- 5. Approve Minutes of the May 16, 2017, Special Meeting for the Canvass of the General Election.**
- 6. Motion to Reappoint Mr. James Kerr to the North Texas Municipal Water District Board as a Representative for the City of Allen for a Two-Year Term Effective June 1, 2017, through May 31, 2019.**
- 7. Adopt an Ordinance Approving a Negotiated Settlement Between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division Regarding the Company's 2017 Rate Review Mechanism (RRM) Filing.**

**ORDINANCE NO. 3472-5-17:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORPORATION, MID-TEX DIVISION REGARDING THE COMPANY'S 2017 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO

REIMBURSE REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

8. **Adopt a Resolution Approving the City of Allen's Participation in the Texas Enterprise Zone Program and Nominating Enforcement Video, LLC d/b/a WatchGuard Video to the Office of the Governor, Economic Development and Tourism as an Enterprise Zone Project.**

**RESOLUTION NO. 3473-5-17(R)**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AUTHORIZING THE NOMINATION OF ENFORCEMENT VIDEO, LLC, AS AN ENTERPRISE PROJECT PURSUANT TO CHAPTER 2303, SUBCHAPTER F OF THE TEXAS ENTERPRISE ZONE ACT, TEXAS GOVERNMENT CODE ("ACT"); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

9. **Adopt a Resolution Establishing the Name "Spirit Park" for the Westside Community Park of the City of Allen.**

**RESOLUTION NO. 3474-5-17(R)**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, BESTOWING THE NAME OF "SPIRIT PARK" UPON THE CITY OF ALLEN WESTSIDE COMMUNITY PARK; AND, PROVIDING AN EFFECTIVE DATE.

10. **Authorize the City Manager to Execute the Purchase of Maintenance, Repair and Operations Supplies and Equipment with Grainger for an Estimated Annual Amount of \$70,000 with the Option for Two One-Year Renewals.**
11. **Authorize the City Manager to Negotiate and Execute Construction Agreements with Trinity Boring Solutions, Inc. d/b/a Texas Directional Boring, Golden State Hockey Rush, LLC d/b/a GS Ice Sports, and Polk Mechanical Company for Repair of the Community Ice Rink Warm Floor System in a Total Construction Amount of \$458,763.**
12. **Authorize the City Manager to Execute a Contract with Scientel Solutions to Supply, Install and Configure a Microwave Network in the Amount of \$413,996.26.**
13. **Authorize the City Manager to Execute a Software License and Maintenance Agreement with Azteca Systems for the Cityworks Asset Management and Work Order Software Platform for an Amount of \$40,000 with the Option for Three One-Year Renewals.**
14. **Authorize the City Manager to Execute a Professional Services Agreement with New Edge Services for Software Implementation Services of the Cityworks Asset Management and Work Order Platform in the Amount of \$59,000.**
15. **Award Bid and Authorize the City Manager to Execute a Contract with Ratliff Hardscape, Ltd for the Allen Public Library Parking Lot Expansion Project in the Amount of \$719,170.58.**
16. **Authorize the City Manager to Execute a Professional Services Contract with Huitt-Zollars, Inc. for the Schematic Design of the Allen Drive/US75 Interchange Improvements in the Amount of \$225,953.**

17. **Authorize the City Manager to Execute a Professional Services Agreement with Pierce Goodwin Alexander & Linville, Inc. d/b/a PGAL, LLC, for Architectural/Engineering Services for Phase I of the Central Fire Station Remodel & Expansion Project in the Amount of \$200,085.**
18. **Authorize the City Manager to Execute a Professional Services Contract with Kimley-Horn for the Design of the Bethany Intersections Improvement Project in the Amount of \$157,980.**
19. **Authorize the City Manager to Execute a Facilities Agreement with Watters Creek Owner, LLC Related to Bethany Intersections Improvements.**
20. **Receive the Summary of Property Tax Collections as of April 2017.**

Councilmember Obermeyer noted that the Council had thoroughly vetted the \$2.4M of items on the consent agenda prior to considering them for adoption at this meeting.

The motion carried.

Council thanked Mr. Kerr for his service on the North Texas Municipal Water District on behalf of the city.

#### **Regular Agenda**

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21. **Adopt a Resolution Establishing Rates and Fees for Commercial and Residential Solid Waste, Recycling, and Household Hazardous Waste Services.**

**RESOLUTION NO. 3475-5-17(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ESTABLISHING FEES AND RATES FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; 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 Resolution No. 3475-5-17(R), as previously captioned, that sets new rates and fees for commercial and residential solid waste, recycling, and household hazardous waste services. The motion carried.

22. **Consider all Matters Incident and Related to the Issuance and Sale of City of Allen, Texas, General Obligation Bonds, Series 2017, Including the Adoption of an Ordinance Authorizing the Issuance of Such Bonds, Establishing Parameters for the Sale and Issuance of Such Bonds and Delegating Certain Matters to Authorized Officials of the City.**

**ORDINANCE NO. 3476-5-17:** AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF ALLEN, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2017", LEVYING A CONTINUING DIRECT ANNUAL AD VALORUM TAX FOR THE PAYMENT OF SAID BONDS; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT, AND DELIVERY OF SAID BONDS, INCLUDING ESTABLISHING PARAMETERS THEREFOR AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AUTHORIZED CITY OFFICIALS.

**MOTION:** Upon a motion made by Councilmember Sedlacek and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 3476-5-17, as previously captioned, authorizing the issuance of “City of Allen, Texas, General Obligation Bonds, Series 2017” establishing parameters for the sale and issuance of such bonds and delegating certain matters to authorized City officials. The motion carried.

#### **Other Business**

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**23. Calendar.**

- May 29 – Memorial Day Holiday
- May 30 – June 6 – City of Allen Runoff Election – Early Voting Period
- June 10 – Run Off Election Day, 7a.m. – 7 p.m.

**24. Items of Interest.**

- Council congratulated Allen High School graduates graduating on June 2.
- Council expressed its appreciation to the First Methodist Church and the volunteers at the Change the World weekend event, hosted by the Allen Ministerial Alliance in Allen, Lucas, and Fairview.
- Council expressed its appreciation to Community Services staff for their work with the Open House and equipment display for Public Works Week. They also encouraged the public to participate in the Summer Reading Program and Keep Allen Beautiful projects this summer.
- Councilmember Obermeyer congratulated his grandchildren, Andrew and Isabella, and all the students participating in the finals in Destination Imagination in Knoxville, Tennessee.
- Councilmember Herald announced the wedding of his daughter Katie on June 9.

The Regular meeting recessed at 7:45 p.m.

#### **Executive Session**

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In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 7:58 p.m. on Tuesday, May 23, 2017, in the Council Conference Room, 305 Century Parkway, Allen, Texas in order to discuss matters pertaining to:

**25. Personnel Pursuant to Section 551.074 of the Texas Government Code — Discuss Appointment to Fill a Vacancy on the Planning and Zoning Commission.**

The Executive Session adjourned at 8:25 p.m. on Tuesday, May 23, 2017.

**26. Reconvene and Consider Action on Items Discussed During Executive Session.**

The Allen City Council reconvened into the Regular Meeting at 8:26 p.m. No action was taken on items discussed during Executive Session.

#### **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 8:26 p.m. on Tuesday, May 9, 2017. The motion carried.

These minutes approved on the 13<sup>th</sup> day of June 2017.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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