

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**JULY 11, 2017**

#### **Present:**

Stephen Terrell, Mayor

#### **Councilmembers:**

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich

Joey Herald

Robin L. Sedlacek (absent)

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 6:31 p.m. on Tuesday, July 11, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Presentation Regarding Updates to the City's Land Use Assumptions, Capital Improvements Plan, and Impact Fees**
- 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 7:06 p.m. on Tuesday, July 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 7:09 p.m. on Tuesday, July 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.**
2. **Presentation of Proclamations by the Office of the Mayor.**
  - Presentation of a Proclamation to Brian Bristow, Assistant Director of Parks and Recreation, Proclaiming July 2017, as "Parks and Recreation Month."
4. **Recognition of Michael Freiburger, Former Member of the Allen Community Development Corporation.**
3. **Recognition of Keep Texas Beautiful Award Winners.**
  - Electronic Media Award – First Place – City of Allen Public and Media Relations Office
  - Ruthe Jackson Youth Leadership Award – First Place – Allen High School Marine Corps Junior Reserve Officers' Training Corps (MCROTC)
  - City Award, Population 50,000-149,000 – First Place – City of Allen Community Services Department
  - Gold Star Affiliate – Keep Allen Beautiful
  - Sustained Excellence – Keep Allen Beautiful

**Consent Agenda**

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Mayor Terrell remove the following items from the Consent Agenda at the request of Councilmember Clemencich.

11. **Award Bid and Authorize the City Manager to Execute a Contract with North Rock Construction, LLC, for Construction of the Watters Trail Connection Project in the Amount of \$595,143.**
12. **Award Bid and Authorize the City Manager to Execute a Contract with North Rock Construction, LLC, for the Construction of the Windridge Park Project in the Amount of \$413,879.**
17. **Receive the Capital Improvement Program (CIP) Status Report.**

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

5. **Approve Minutes of the June 27, 2017, Regular City Council Meeting.**
6. **Adopt a Resolution Amending Authorized City Representatives to Conduct Transactions and Inquiries with TexPool.**

**RESOLUTION NO. 3492-7-17(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING PRIOR DESIGNATIONS OF INVESTMENT

OFFICERS OF THE CITY AND AUTHORIZING INDIVIDUALS TO INVEST, TRANSFER, WITHDRAW, DEPOSIT, GIVE INSTRUCTIONS ON BEHALF OF THE ORGANIZATION, OR MANAGE FUNDS FOR THE CITY OF ALLEN; AND PROVIDING AN EFFECTIVE DATE.

7. **Adopt a Resolution Amending Authorized City Representatives to Conduct Transactions and Inquiries with TexSTAR.**

**RESOLUTION NO. 3493-7-17(R)**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING PRIOR DESIGNATIONS OF INVESTMENT OFFICERS OF THE CITY AND AUTHORIZING INDIVIDUALS TO INVEST FUNDS JOINTLY WITH OTHER TEXAS LOCAL GOVERNMENTS IN TEXSTAR; AND PROVIDING AN EFFECTIVE DATE.

8. **Adopt a Resolution Amending the City's Investment Policy Governing the Investment of Municipal Funds.**

**RESOLUTION NO. 3494-7-17(R)**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING AN AMENDED POLICY FOR THE INVESTMENT OF MUNICIPAL FUNDS; AND PROVIDING AN EFFECTIVE DATE.

9. **Adopt a Resolution Dedicating Twenty-Five (25) Acres of Wooded Parkland in Spirit Park as Open Space for Perpetuity.**

**RESOLUTION NO. 3495-7-17(R)**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DEDICATING TWENTY-FIVE (25) ACRES OF WOODED PARKLAND IN SPIRIT PARK AS OPEN SPACE FOR PERPETUITY, AS REQUIRED BY THE TEXAS PARKS AND WILDLIFE DEPARTMENT; APPROVING THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER AND MAYOR; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

10. **Authorize the City Manager to Execute an Arena License Agreement with Allen Hockey Team, LLC, dba Allen Americans, to Base a Professional ECHL Hockey Team at the Allen Event Center.**

13. **Authorize the City Manager to Execute a Software Support Agreement with TriTech Software Systems for the Renewal of Software Support for the Computer Aided Dispatch System Utilized by Public Safety in the Amount of \$151,844.**

14. **Authorize the City Manager to Execute a Contract Amendment with TB2 Services, dba Aire Dynamics, Inc., for the Annual HVAC Preventative Maintenance and Repair Services for City Facilities by Increasing the Contract \$48,665 to an Estimated Annual Amount of \$140,000.**

15. **Authorize the City Manager to Purchase One Bucket Truck from Grande Truck Center through the Buyboard Cooperative Purchasing Agreement in the Amount of \$107,019.**

16. **Accept the Resignation of Michael Freiburger and Declare a Vacancy in Place No. 3 on the Allen Community Development Corporation.**

The motion carried.

11. **Award Bid and Authorize the City Manager to Execute a Contract with North Rock Construction, LLC, for Construction of the Watters Trail Connection Project in the Amount of \$595,143.**

**MOTION:** Upon a motion made by Councilmember Herald and a second by Councilmember Brooks, the Council voted six (6) for and none (0) opposed to award bid and authorize the City Manager to execute a contract with North Rock Construction, LLC, for construction of the Watters Trail Connection Project in the amount of \$595,143. The motion carried.

12. **Award Bid and Authorize the City Manager to Execute a Contract with North Rock Construction, LLC, for the Construction of the Windridge Park Project in the Amount of \$413,879.**

**MOTION:** Upon a motion made by Councilmember Brooks and a second by Councilmember Herald, the Council voted six (6) for and none (0) opposed to award bid and authorize the City Manager to execute a contract with North Rock Construction, LLC, for the construction of the Windridge Park Project in the Amount of \$413,879. The motion carried.

17. **Receive the Capital Improvement Program (CIP) Status Report.**

**MOTION:** Upon a motion made by Councilmember Brooks and a second by Councilmember Herald, the Council voted six (6) for and none (0) opposed to receive the Capital Improvement Program (CIP) Status Report. The motion carried.

#### **Regular Agenda**

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18. **Conduct a Public Hearing and Adopt an Ordinance Amending the Development Regulations and Adopting a Concept Plan, Building Elevations, and Open Space Exhibit for a portion of Planned Development No. 121; Generally Located North of Montgomery Boulevard and West of US Highway 75. [Davis at Montgomery Ridge - Urban Residential Development]**

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. 3496-7-17:** 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 AMENDING THE DEVELOPMENT REGULATIONS, ADOPTING A CONCEPT PLAN, BUILDING ELEVATIONS, AND OPEN SPACE EXHIBIT FOR THE MIXED USE EMPLOYMENT AREA OF PLANNED DEVELOPMENT "PD" NO. 121; 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 four (4) for and two (2) opposed, with Councilmembers Herald and Clemencich casting the opposing votes, to adopt Ordinance No. 3496-7-17, as previously captioned, amending the development regulations and adopting a concept plan, building

elevations, and open space exhibit for a portion of Planned Development No. 121; generally located north of Montgomery Boulevard and west of US Highway 75. The motion carried.

**19. Motion to Confirm City Council Appointments to the Council Nominating Committee as Recommended by Mayor Terrell.**

No action was taken on this item.

**20. Election of Mayor Pro Tem.**

No action was taken on this item.

**Other Business**

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**21. Calendar.**

- Councilmember Herald announced his daughter Sarah's wedding.

**22. Items of Interest.**

- Council acknowledged college students in attendance at the meeting.

**Executive Session**

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**23. Executive Session**

As Authorized by Section 551.074 of the Texas Government Code, for Personnel Matters –

- Discussion Regarding Election of Mayor Pro Tem

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

The 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 six (6) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 8:26 p.m. on Tuesday, July 11, 2017. The motion carried.

These minutes approved on the 25<sup>th</sup> day of July 2017.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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