

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**AUGUST 8, 2017**

#### **Present:**

Stephen Terrell, Mayor

#### **Councilmembers:**

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich

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 (absent)

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 6:24 p.m. on Tuesday, August 8, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update from the North Texas Municipal Water District.**
- 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 6:59 p.m. on Tuesday, August 8, 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, August 8, 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.**

**Consent Agenda**

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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 adopt all items on the Consent Agenda as follows:

3. **Approve Minutes of the July 25, 2017, Regular City Council Meeting.**
4. **Approve Minutes of the August 2, 2017, City Council Joint Workshop Meeting with the Allen Economic Development Corporation.**
5. **Adopt a Resolution Supporting the Development of a Comprehensive Public Transportation Plan for Collin County.**

**RESOLUTION NO. 3503-8-17(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, PROPOSING THE DEVELOPMENT OF A COMPREHENSIVE PUBLIC TRANSPORTATION PLAN FOR COLLIN COUNTY; AND PROVIDING AN EFFECTIVE DATE.

6. **Authorize the City Manager to Execute a Contract with Reynolds Asphalt and Construction Company for the Central Business District (CBD) Street Rehabilitation Project in the Amount of \$147,488.**
7. **Award Bid and Authorize the City Manager to Execute a Contract with North Rock Construction, LLC, or Construction of the Beverly Elementary and Olsen Elementary Sidewalk Project in the Amount of \$131,096.**
8. **Accept Resignations and Declare Vacancies in Place No. 1 on the Parks and Recreation Board and Place No. 4 on the Planning and Zoning Commission.**

The motion carried.

**Regular Agenda**

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9. **Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 155 for a Fitness and Health Center Use for an Approximately 4,144± Square Foot Portion of a Building Generally Located South of McDermott Drive and West of Century Parkway, 503 W. McDermott Drive, Suite 100. [Title Boxing Club - 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. 3504-8-17:** 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 SPECIFIC USE PERMIT NO. 155 AUTHORIZING AN APPROXIMATELY 4,144± SQUARE FOOT PORTION OF THE BUILDING LOCATED ON LOT 7R, GREENWAY-ALLEN RETAIL ADDITION (AND COMMONLY KNOWN AS 503 W. MCDERMOTT DRIVE, SUITE 100), PRESENTLY ZONED 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 Brooks and a second by Mayor Pro Tem Caplinger, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3504-8-17, as previously captioned, granting Specific Use Permit No. 155 for a Fitness and Health Center use for Title Boxing Club. The motion carried.

**10. Conduct a Public Hearing on the Fiscal Year 2017-2018 Budget as Required by Article IV, Section 4.04 of the Allen City Charter.**

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

Linda Rubin, 1607 Navarro Court, Allen, Texas, asked a question regarding the wording in the notice of the public hearing and expressed concerns about the increase in appraisal values.

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

Mayor Terrell announcing that the City Council will vote on the FY2018 budget at the September 12, 2017, City Council meeting at 7:00 PM at Allen City Hall, 305 Century Parkway, Allen, Texas.

**11. Conduct a Public Hearing Regarding the Fiscal Year 2017-2018 City Tax Rate.**

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.

**MOTION:** Upon a motion made by Councilmember Clemencich and a second by Councilmember Herald, the Council voted seven (7) for and none (0) opposed to set the City Council meeting date of September 12, 2017, at 7:00 PM at Allen City Hall, 305 Century Parkway, Allen, Texas, to vote on the proposed tax rate of 51.5 cents per \$100 of the certified appraised value for the Fiscal Year 2017-2018 budget. The motion carried.

**12. Motion to Confirm City Council Appointments to the Council Nominating Committee for the Annual Appointment of Boards and Commissions.**

**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 confirm the appointments of

Councilmembers Sedlacek, Brooks, Kizer and Clemencich to the Council Nominating Committee as recommended by Mayor Terrell. The motion carried.

Mayor Terrell moved to Other Business.

**Other Business**

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**14. Calendar.**

- August 18-20 - City Council Budget Workshop, Tanglewood Resort and Conference Center
- August 22 - Second Public Hearing Date Regarding the Fiscal Year 2017-18 City Tax Rate and FY 2017-18 City Budget

**15. Items of Interest.**

- Council recognized a Boy Scout from Troop 531 in attendance as a requirement for earning a merit badge.
- Council encouraged support for the Allen Escadrille March-A-Thon this Saturday, August 12, 2017.
- Councilmember Brooks mentioned his daughter returning to college this week.
- Council wished happy birthday to Council Clemencich.

Mayor Terrell recessed the Regular Agenda at 7:30 p.m. and announced the Executive Session.

**Executive Session**

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In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 7:44 p.m. on Tuesday, August 8, 2017, in the Council Conference Room, 305 Century Parkway, Allen, Texas, in order to discuss matters pertaining to:

**16. As Authorized by Section 551.074 of the Texas Government Code, for Personnel Matters:**

- Discussion Regarding Election of Mayor Pro Tem

The Executive Session adjourned at 7:49 p.m. on Tuesday, August 8, 2017.

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

The Allen City Council reconvened into the Regular Meeting at 7:51 p.m. on Tuesday, August 8, 2017. The following action was taken on items discussed during Executive Session.

**13. Election of Mayor Pro Tem.**

Mayor Terrell called for nominations from the Council for the position of Mayor Pro Tem.

Councilmember Brooks nominated Councilmember Caplinger.

With no other nominations offered, Mayor Terrell closed the call for nominations.

**MOTION:** Upon a motion made by Councilmember Brooks and a second by Councilmember Kizer, the Council voted seven (7) for and none (0) opposed to elect Councilmember Caplinger as Mayor Pro Tem. The motion carried.

**Adjournment**

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**MOTION:** Upon a motion made by Councilmember Brooks and a second by Councilmember Kizer, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 7:53 p.m. on Tuesday, August 8, 2017. The motion carried.

These minutes approved on the 8<sup>th</sup> day of August 2017.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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