

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**SEPTEMBER 12, 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(absent)

Whitt Wyatt, 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 6:32 p.m. on Tuesday, September 12, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update on Stacy Green Development.**
- 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 7:05 p.m. on Tuesday, September 12, 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, September 12, 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.**

**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:

2. **Approve Minutes of the August 22, 2017, Regular City Council Meeting.**
3. **Approve Minutes of the August 18-20, 2017, City Council Budget Workshop.**
4. **Adopt an Ordinance Approving and Enacting Supplement No. 14 to the Allen Land Development Code.**

**ORDINANCE NO. 3508-9-17:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ADOPTING SUPPLEMENT NO. 14 TO THE ALLEN LAND DEVELOPMENT CODE; PROVIDING FOR THE PRINTING THEREOF, AUTHENTICATION BY THE MAYOR AND ATTESTATION BY THE CITY SECRETARY; PROVIDING A REPEAL OF CERTAIN ORDINANCES; PROVIDING EXCEPTIONS TO REPEAL; PROVIDING A PENALTY FOR SUCH VIOLATION THEREOF; AND PROVIDING AN EFFECTIVE DATE.

5. **Adopt a Resolution Amending the City Council's Rules of Order and Procedure.**

**RESOLUTION NO. 3509-9-17(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, REVISING CERTAIN SECTIONS OF THE CITY COUNCIL RULES OF ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

6. **Adopt a Resolution Designating *The Allen American* and *The Dallas Morning News* as Official Newspapers of the City of Allen for Fiscal Year 2017-2018.**

**RESOLUTION NO. 3510-9-17(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DESIGNATING *THE ALLEN AMERICAN* AND *THE DALLAS MORNING NEWS* AS THE OFFICIAL NEWSPAPERS OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, FOR FISCAL YEAR 2017-2018; AND PROVIDING AN EFFECTIVE DATE.

7. **Adopt a Resolution Amending the Board Appointment Policy.**

**RESOLUTION NO. 3511-9-17(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING RESOLUTION NO. 3003-4-11(R) TO AMEND THE BOARD APPOINTMENT POLICY; AND PROVIDING AN EFFECTIVE DATE.

8. **Authorize the City Manager to Execute a Renewal of the Interlocal Agreement with Dallas Area Rapid Transit (DART) for the Provision of Demand Response Transportation Services for the Elderly and Disabled.**

9. Authorize the City Manager to Execute a Professional Services Agreement with Berry Dunn McNeil & Parker, LLC, for Consulting Services on the Implementation of the Administrative Systems Software for an Amount of \$75,000.
10. Award Bid and Authorize the City Manager to Purchase the Installation and Deployment of Editorial Storage and Asset Management Software with Archival Tape Backup from Halbrook and Miller, Inc., dba TM Television, in the Amount of \$110,802.
11. Award Bid and Authorize the City Manager to Execute a Contract with North Rock Construction, LLC, for Construction of the Cottonwood Creek / Heritage Village Hike & Bike Trail Connection in the Amount of \$720,627.
12. Award Bid and Authorize the City Manager to Execute a Contract with Wall Enterprises for the Construction of the Reed Park East Renovations in the Amount of \$352,435.
13. Award Bid and Authorize the City Manager to Execute a Contract with RLM EarthCo, Inc., for the Green Park Improvements Project in the Amount of \$213,567.
14. Award Bid and Authorize the City Manager to Execute a Contract with Mario Sinacola & Sons Excavating, Inc., for the Construction of Ridgeview Drive from Cottonwood Creek to Chelsea Boulevard in the Amount of \$4,431,951.
15. Accept Required Certifications from the Tax Assessor/Collector's Office Including the Certifications Rate for the 2017 Tax Year, the Certification of Excess Debt Collections for the 2016 Tax Year and the 2017 Appraisal Roll.
16. Receive the Summary of Property Tax Collection as of July 2017.

The motion carried.

#### **Regular Agenda**

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17. Conduct a Public Hearing and Adopt an Ordinance Amending the Development Regulations and Adopting a Concept Plan, Landscape Plan, and Building Elevations for Planned Development No. 53 Shopping Center, Generally Located at the Northwest Corner of Alma Drive and Exchange Parkway. [Lidl Grocery Store - Shopping 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. 3512-9-17:** 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, AND ADOPTING A CONCEPT PLAN, LANDSCAPE PLAN, AND BUILDING ELEVATIONS FOR LOT 1R, BLOCK A, KIDS R KIDS ADDITION, WHICH PROPERTY IS LOCATED IN AND SUBJECT TO THE REGULATIONS OF PLANNED DEVELOPMENT "PD" NO. 53 FOR SHOPPING CENTER "SC"; 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 seven (7) for and none (0) opposed to adopt Ordinance No. 3512-9-17, as previously captioned, amending the Development Regulations and adopting a Concept Plan, Landscape Plan, and Building Elevations for Planned Development No. 53 Shopping Center, generally located at the northwest corner of Alma Drive and Exchange Parkway. The motion carried.

**18. Adopt a Resolution Implementing the Water and Sewer Rate Increases Recommended for Fiscal Year 2017-2018.**

**RESOLUTION NO. 3513-9-17(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ESTABLISHING SANITARY SEWER CHARGES AND WATER SERVICE CHARGES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**MOTION:** Upon a motion made by Councilmember Sedlacek and a second by Councilmember Clemencich, the Council voted seven (7) for and none (0) opposed to adopt Resolution No. 3513-9-17(R), as previously captioned, setting new rates for residential and commercial water and sewer services. The motion carried.

**19. Adopt an Ordinance Approving the Fiscal Year 2017-2018 Budget, Amending the Fiscal Year 2016-2017 Budget, and Approving the 2018-2022 Capital Improvement Program.**

**ORDINANCE NO. 3514-9-17:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS OF THE CITY; APPROPRIATING THE VARIOUS AMOUNTS REQUIRED FOR SUCH BUDGET; PROVIDING FOR RECORDING OF THE ORDINANCE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**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. 3514-9-17, as previously captioned, approving the Fiscal Year 2017-2018 budget, amending the Fiscal Year 2016-2017 budget, and approving the 2018-2022 Capital Improvement Program. The motion carried.

**MOTION:** Upon a motion made by Councilmember Herald and a second by Councilmember Clemencich, the Council voted seven (7) for and none (0) opposed, to ratify the increase in property tax revenues reflected in the Fiscal Year 2017-2018 budget. The motion carried.

**20. Adopt an Ordinance Setting the Tax Rate for the Fiscal Year 2018-2019 Budget.**

**ORDINANCE NO. 3515-9-17:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE TAX YEAR 2017 (FISCAL YEAR 2017-2018) AT A RATE OF \$0.510000 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ALLEN AS OF JANUARY 1, 2017, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING FOR AN INTEREST AND SINKING FUND FOR ALL OUTSTANDING DEBT OF THE CITY OF ALLEN; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; 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 with Mayor Terrell, Mayor Pro Tem Caplinger, Councilmembers Kizer, Clemencich, Herald, Sedlacek and Brooks casting votes for and none (0) opposed that the property tax rate be increased by the adoption of a tax rate of 0.510000 which is effectively a 5.47 percent increase in the tax rate and to adopt Ordinance No. 3515-9-17, as previously captioned, setting that tax rate for the 2017-2018 Fiscal Year. The motion carried.

Mayor Terrell moved to Agenda Item 23.

**Other Business**

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**23. Calendar.**

**24. Items of Interest.**

- The Parks Foundation Tailgate fundraiser is Saturday, September 16, 2017, at Alliance Cheer.
- The Toast and Toss for a Cure fundraiser is Saturday, September 16, 2017, at Nine Band Brewing Co.
- Council expressed appreciation to our public safety officials and citizens for helping those impacted by Hurricane Harvey.
- Council wished happy birthday to Mayor Terrell, Councilmember Kizer and City Attorney Smith.

The Regular Meeting recessed at 8:22 p.m.

**Executive Session**

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In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 8:34 p.m. on Tuesday, September 12, 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 Appointments to the Board of Adjustment, Building and Standards Commission, Community Development Corporation, Economic Development Corporation, and Planning and Zoning Commission.**

The Executive Session adjourned at 9:38 p.m. on Tuesday, September 12, 2017.

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

The Allen City Council reconvened into the Regular Meeting at 9:40 p.m. on Tuesday, September 12, 2017. The following action was taken on items discussed during Executive Session.

**21. Confirm Appointments of Councilmembers as Liaisons to City Boards and Commissions as Nominated by Mayor Terrell.**

Mayor Terrell made the following nominations:

Mayor Terrell	Mayor's Committee NCTCOG Regional 9-1-1 Advisory Committee, Member Dallas Regional Mobility Coalition, Member Regional Transportation Committee, Member County Planning Board, Member Allen Chamber of Commerce, Ex-Officio Member Meals on Wheels of Collin County Advisory Board, Ex-Officio Member
Mayor Pro Tem Caplinger	Mayor's Committee, Member CBD Design Review Committee, Council Liaison North Texas Municipal Water District, Council Liaison
Councilmember Kizer	Council Finance/Audit Committee, Member Council Nominating Committee, Member Planning & Zoning Commission, Council Liaison Public Art Committee, Council Liaison
Councilmember Clemencich	Council Nominating Committee, Member Council Finance/Audit Committee, Member Board of Adjustment, Council Liaison Building & Standards Commission, Council Liaison Sign Control Board, Council Liaison
Councilmember Herald	Keep Allen Beautiful, Council Liaison Library Board, Council Liaison Economic Development Corporation, Member
Councilmember Sedlacek	ACO Advisory Council, Member Council Finance/Audit Committee, Member Council Nominating Committee, Member Community Development Corporation, Member Animal Shelter Advisory Committee, Council Liaison Allen Ministerial Alliance, Lay Representative
Councilmember Brooks	Convention and Visitors Bureau Advisory Board, Member Council Nominating Committee, Member Allen USA Advisory Committee, Member Parks and Recreation Board, Council Liaison

**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 appointments of Councilmembers as Board Liaisons as recommended by Mayor Terrell. The motion carried.

**22. Confirm Appointments of Councilmembers as Liaisons to City Boards and Commissions as Nominated by Mayor Terrell. 22. Appoint to Fill Expiring Terms and Vacancies on the Following Boards, Commissions, Committees and Corporations: Animal Shelter Advisory Committee, Board of Adjustment/Building and Standards Commission/Sign Control Board, Central Business District Design Review Committee, Community Development Corporation Board, Convention and Visitors Bureau Advisory Board, Economic Development Corporation Board, Keep Allen Beautiful Board, Library Board, Parks and Recreation Board, Planning and Zoning Commission, and Public Art Committee.**

**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 nominate the following individuals as recommended by the Council Nominating Committee to the designated places on the respective Boards, Commissions, Committees and Corporations:

<u>Animal Shelter Advisory Committee</u>		<u>Expiration Date</u>
Place No. 1	Alan Coffman	September 30, 2019
Place No. 3 (staff)	Angela Hall	September 30, 2019
Place No. 5	Matt McGee	September 30, 2019

<u>Board of Adjustment/Building &amp; Standards Commission/ Sign Board</u>		<u>Expiration Date</u>
Place No. 1	Jason Shepard	September 30, 2019
Place No. 3	Craig Gillis	September 30, 2019
Place No. 5	Kimberly Clarkson-Harrison	September 30, 2019
Alt. Place No. 1	Brian Doherty	September 30, 2019

<u>Central Business District Design Review Committee</u>		<u>Expiration Date</u>
Place No. 1	Beverly Pruitt	September 30, 2019

<u>Community Development Corporation</u>		<u>Expiration Date</u>
Place No. 1	Kristina Brevard	September 30, 2019
Place No. 3	Antoinette Vincent	September 30, 2019
Place No. 5	Stacey Gonzales	September 30, 2019
Place No. 7	Robin Sedlacek	September 30, 2019

<u>Convention and Visitors Bureau Advisory Board</u>		<u>Expiration Date</u>
Place No. 1	Kirk Arnold	September 30, 2019
Place No. 3	Carson Doss	September 30, 2019
Place No. 5	Baine Brooks	September 30, 2019

<u>Economic Development Corporation</u>		<u>Expiration Date</u>
Place No. 1	Joey Herald	September 30, 2020
Place No. 3	Jeff Burkhardt	September 30, 2020

<u>Keep Allen Beautiful</u>		<u>Expiration Date</u>
Place No. 1	Susan Ponder	September 30, 2019

Place No. 3	Troy Webre	September 30, 2019
Place No. 4	Sommer Bernard	September 30, 2018
Place No. 5	Ryan Smith	September 30, 2019
Place No. 7	Susan Kacines	September 30, 2019

<u>Library Board</u>		<u>Expiration Date</u>
Place No. 1	Michelle Perry	September 30, 2019
Place No. 3	Shahmeen Khan	September 30, 2019
Place No. 4	Scott Phillips	September 30, 2018
Place No. 5	Kimberly Hinton	September 30, 2019
Place No. 7	Rekha Mathai	September 30, 2019

<u>Parks and Recreation Board</u>		<u>Expiration Date</u>
Place No. 1	Michael Smiddy	September 30, 2019
Place No. 3	Tricia Losavio	September 30, 2019
Place No. 5	Tom Cowart	September 30, 2019
Place No. 7	Paul Davidson	September 30, 2019

<u>Planning and Zoning Commission</u>		<u>Expiration Date</u>
Place No. 1	Ben Trahan	September 30, 2019
Place No. 3	Stephen Platt, Jr.	September 30, 2019
Place No. 4	Gene Autrey	September 30, 2018
Place No. 5	Dan Metevier	September 30, 2019
Place No. 7	John Ogrizovich	September 30, 2019

<u>Public Art Committee</u>		<u>Expiration Date</u>
Place No. 1	Tod Raines	September 30, 2019
Place No. 3	Ann Carroll	September 30, 2019
Place No. 5	Cristie Johnson	September 30, 2019
Place No. 7	Denise Gilbert	September 30, 2019

The motion carried.

**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 9:47 p.m. on Tuesday, September 12, 2017. The motion carried.

These minutes approved on the 26<sup>th</sup> day of September 2017.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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