

ALLEN CITY COUNCIL

REGULAR MEETING

October 10, 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

Peter G. Smith, City Attorney (absent)

Brayden Metcalf, 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 6:35 p.m. on Tuesday, October 10, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update on the Allen Public Library's 50th Celebration.**
- 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 6:57 p.m. on Tuesday, October 10, 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 7:03 p.m. on Tuesday, October 10, 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. **Present Plaques-of-Appealation to Former Members of the Various Boards and Commissions.**
 - Gene Autrey, Board of Adjustment, 2007-2017
 - Cheryl Baez, Keep Allen Beautiful, 2013-2017
 - Susan Barry, Public Art Committee, 2011-2017
 - Dan Metevier, Board of Adjustment, 2014-2017
 - Ross Obermeyer, Community Development Corporation, 2009-2017
 - Mark Schallhorn, Keep Allen Beautiful, 2010-2017
3. **Presentation of Proclamations by the Office of the Mayor:**
 - Presentation of a Proclamation to Mary Vail Grube, Executive Director of the Allen Arts Alliance, Proclaiming October 2017 as "Arts and Humanities Month."
 - Presentation of a Proclamation to Jeff Timbs, Director, Allen Public Library, Proclaiming 2017 as "Allen Public Library Year."

Consent Agenda

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:

4. **Approve Minutes of the September 26, 2017, Regular City Council Meeting.**
5. **Adopt a Resolution Appointing Members to Fill Expiring and Vacant Terms on the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 1 (Garden District).**

RESOLUTION NO. 3520-10-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPOINTING THE BOARD OF DIRECTORS OF THE ALLEN TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1; AND PROVIDING FOR AN EFFECTIVE DATE.
6. **Adopt a Resolution Reappointing Members to Fill Expiring Terms on the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 2 (Central Business District).**

RESOLUTION NO. 3521-10-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPOINTING THE BOARD OF DIRECTORS OF THE ALLEN TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 2; AND PROVIDING FOR AN EFFECTIVE DATE.
7. **Adopt a Resolution Declaring an Expectation to Reimburse Project Expenditures with Proceeds of Future Debt in a Maximum Principal Amount of \$8,500,000.**

RESOLUTION NO. 3522-10-17(R): A RESOLUTION declaring expectation to reimburse expenditures with proceeds of future debt.

8. Award Bid and Authorize the City Manager to Execute a Contract with SYB Construction Company, Inc., for the Hillside Village Water and Sanitary Sewer Replacements Phase 1, Chaparral Road Pavement Repairs, and Sloan Creek Sanitary Sewer Aerial Crossing Project in the Amount of \$3,488,339.
9. Adopt a Resolution to Increase Fees Related to Water Meters for New Construction and the Administrative Fee for On-Line Bill Payment Transactions for Water and Sewer Charges.

RESOLUTION NO. 3523-10-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ESTABLISHING ADMINISTRATIVE AND SERVICE RELATED FEES AND CHARGES FOR WATER AND SEWER; ESTABLISHING AN ADMINISTRATIVE FEE FOR ALL ON-LINE TRANSACTIONS; ESTABLISHING FEES RELATED TO METERS FOR NEW CONSTRUCTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

10. Adopt a Resolution Authorizing a Partial Release of a Tree Preservation Dedication and Restrictive Covenant for the Proposed Village at Twin Creeks Phase III Development.

RESOLUTION NO. 3524-10-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AUTHORIZING A PARTIAL RELEASE OF A TREE PRESERVATION DEDICATION AND RESTRICTIVE COVENANT RELATING TO PROPERTY DESCRIBED AND DEPICTED IN EXHIBIT "A" ATTACHED HERETO LOCATED WITHIN THE PROPOSED VILLAGE AT TWIN CREEKS PHASE III DEVELOPMENT AND OTHER PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

11. Authorize the City Manager to Execute a Contract with Allen Community Outreach to Disburse Community Development Block Grant Funds in the Amount of \$51,433 for Fiscal Year 2017-2018.
12. Authorize the City Manager to Purchase Playground Safety Surface Material with Soil Express, Ltd., through a BuyBoard Cooperative Purchasing Agreement in the Amount of \$57,840.
13. Authorize the City Manager to Execute a Service Agreement with Motorola Solutions for Hardware and Software Maintenance of the P-25 Trunked Radio System Utilized by Public Safety in the Amount of \$185,901.
14. Authorize the City Manager to Purchase Thirty-Eight (38) Vehicles and Two (2) Equipment Replacements for Various Departments from Silsbee Ford, Reliable Chevrolet, Southwest International Trucks and Landmark Equipment through BuyBoard and Tarrant County Cooperative Agreements in the Amount of \$1,573,543.

The motion carried.

Regular Agenda

15. CONTINUED ITEM: Conduct a Public Hearing and Adopt an Ordinance to Amend Planned Development No. 45 to a Base Zoning of Shopping Center and Adopt Development Regulations,

a Concept Plan, Open Space Plan, Sub-Area Plan, Phasing Plan, Sign Plan, Fire Lane Plan, and Building Elevations for a 79± Acre Tract of Land Generally Located at the Southwest Corner of Stacy Road and US Highway 75. [Stacy Green - Mixed Use Development]

Mayor Terrell stated the public hearing was continued from the September 26 meeting and asked anyone wishing to speak for or against this item to do so at this time.

The following individuals spoke in support of the item:

Brian Glaser, 6106 Woodland Drive, Allen, Texas;
Leon Backes, 10210 N. Central Expressway, Dallas, Texas;
Richard L. Brooks, 926 Lairds Lane, Allen, Texas;
David Hicks, 401 Woodlake Drive, Allen, Texas;
Pepi Wucher, 1200 Amy Drive, Allen, Texas;
Larry Good, 2808 Fairmount Street #300, Dallas, Texas; and,
Michelle Weaver, 403 San Mateo Drive, Allen, Texas.

The following individuals did not speak but wished to record their support of the item:

Terri Pason, 883 Caballero, Allen, Texas;
Mark McCormack, 853 Llano Drive, Allen, Texas;
Chris Anderson, 10210 N. Central Expressway, Dallas, Texas; and,
Jay Hawes, 10210 N. Central Expressway, Dallas, Texas.

The following individuals spoke in opposition to the item:

Dr. Richard Bush, 1437 Rollins Drive, Allen, Texas;
Marianne Lewis, 877 Cinnamon Court, Allen, Texas;
Dr. Kim Gerber, 858 Blackwood Drive, Allen, Texas;
Edwin Shivers, 900 Greystone Drive, Allen, Texas; and,
Katie Allsup, 859 Blackwood Drive, Allen, Texas.

The following individuals did not speak but wished to record their opposition to the item:

Dave and Felicia Schmitz, 885 Clear Water Drive, Allen, Texas;
Taylor and Jennifer Sanborn, Clear Water Drive, Allen, Texas;
Laurie Bush, 1437 Rollins Drive, Allen, Texas;
Erika and Sean Wall, 883 Starcreek Parkway, Allen, Texas;
Jill Kelly, 1233 Greenway Drive, Allen, Texas;
Lisa Primrose, 623 Driftwood Court, Allen, Texas; and,
John Primrose, 623 Driftwood Court, Allen, Texas.

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

MOTION: Upon a motion made by Councilmember Herald and a second by Councilmember Brooks, as amended, the Council voted seven (7) for and none (0) opposed to reopen and continue the public hearing to the October 24, 2017, Regular Meeting. The motion carried.

16. **Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 156 for a Minor Automotive Repair Use for an Approximately 4,744± Square Foot Portion of a Building Generally Located South of Allen Drive and East of US Highway 75, 600 N. Central Expressway. [Allen Car Care Center – Minor Automotive Repair]**

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. 3525-10-17: 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. 156 AUTHORIZING AN APPROXIMATELY 4,744± SQUARE FOOT PORTION OF A BUILDING LOCATED ON LOT 3, WILLIAM F. CHESTER ADDITION, (COMMONLY KNOWN AS 600 N. CENTRAL EXPRESSWAY) PRESENTLY ZONED FOR SHOPPING CENTER "SC" TO BE USED FOR A MINOR AUTOMOTIVE REPAIRS USE; 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 Sedlacek, the Council voted seven (7) for and none (0) opposed to adopt Ordinance 3525-10-17, as previously captioned, for Specific Use Permit No. 156 for a Minor Automotive Repair use for Allen Car Care Center. The motion carried.

17. Conduct a Public Hearing and Adopt a Resolution Establishing Commercial and Residential Drainage Fees.

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.

RESOLUTION NO. 3526-10-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ESTABLISHING A SCHEDULE OF CHARGES FOR DRAINAGE SERVICE FOR THE MUNICIPAL DRAINAGE UTILITY SYSTEM; 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 3526-10-17, as previously captioned, establishing commercial and residential drainage fees. The motion carried.

Other Business

17. Calendar.

18. Items of Interest.

- Council wished happy birthday to City Manager Vargas, Councilmember Herald, and Councilmember Sedlacek's grandson.

- Council encouraged the public to attend the Allen Public Library's 50th anniversary celebration, Saturday, October 14.
- Council encouraged the public to attend the Gutenberg Press Exhibit at Christ the Servant Lutheran Church on October 13-16.

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 9:13 p.m. on Tuesday, October 10, 2017. The motion carried.

These minutes approved on the 24th day of October 2017.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY