

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**OCTOBER 24, 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(absent)

Eric Ellwanger, Assistant City Manager(absent)

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

#### **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 6:37 p.m. on Tuesday, October 24, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Presentation Regarding State Highway 121 Streetscape Requirements.**
- 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 7:03 p.m. on Tuesday, October 24, 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 7:10 p.m. on Tuesday, October 24, 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.**

- Charleen Donelson, 142 West Way Drive, Allen, Texas, addressed the Council regarding the recent cleanup efforts on an alleyway in Hillside Village. She commended staff members, Erin Jones, Shelli Siemer, and Lee Battle, on their efforts. She also addressed the need for regulations of broken, bent, and rusted mailboxes.

**2. Presentation of Proclamations by the Office of the Mayor:**

- Presentation of a Proclamation to Jesse Simmons, City Forester, Proclaiming October 28, 2017, as "Arbor Day."
- Presentation of a Proclamation to Representatives of the Keep Allen Beautiful Board, Proclaiming November 4, 2017, as "Allen Recycles Day."

**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 October 10, 2017, Regular City Council Meeting.**

**4. Adopt an Ordinance Amending the Code of Ordinances, Chapter 9, 'Motor Vehicles and Traffic', Amending the Maximum Prima Facie Speed Limit on US75 (Frontage Roads and Main Lanes) and Chaparral Road.**

**ORDINANCE NO. 3527-10-17:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, "MOTOR VEHICLES AND TRAFFIC," ARTICLE V, "OPERATION OF VEHICLES," DIVISION 2, "SPEED REGULATIONS," SECTION 9-135(a) TO AMEND THE MAXIMUM PRIMA FACIE SPEED LIMIT ON A SEGMENT OF CHAPARRAL ROAD BETWEEN MALONE ROAD AND ANGEL PARKWAY AND REMOVE REFERENCES TO SPEED LIMITS ON U.S. 75 MAIN LANES AND FRONTAGE ROADS, AND AMEND SECTION 9-136, TO AMEND THE MAXIMUM PRIMA FACIE SPEED LIMIT FOR U.S. 75 MAIN LANES AND FRONTAGE ROADS WITHIN THE CORPORATE LIMITS OF THE CITY OF ALLEN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE;; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**4. Adopt a Resolution Amending Chapter Eleven, "Standards of Conduct" by Adding a Section Titled "Ethics Hotline" as 11.01 F to the City's Personnel Policies and Procedures Manual.**

**RESOLUTION NO. 3528-10-17(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CITY OF ALLEN PERSONNEL POLICIES AND PROCEDURES MANUAL BY AMENDING CHAPTER ELEVEN, ADDING

SECTION 11.01 F "ETHICS HOTLINE"; PROVIDING FOR A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

6. **Authorize the City Manager to Execute the Purchase of Fifty Patrol Rifles and Associated Equipment, Ammunition, Firearm Training Kits, and Replacement Parts for Police Issued Duty Weapons, and Miscellaneous Items Related to Firearms and Firearms Training with GT Distributors, Inc., in the Amount of \$142,627.**
7. **Authorize the City Manager to Execute a Payment to PST Services, Inc., a McKesson Company, for Supplemental Payment Recovery Assistance Services in the Amount of \$66,695.**
8. **Approve an Assignment of Tax Abatement Agreement with Respect to the Plant Building and Test Tower Formerly Owned by Allen Place Office Building I, LLC, to Century PW Global Investors, LLC.**
9. **Receive the Capital Improvement Program (CIP) Status Report.**
10. **Receive the Summary of Property Tax Collections as of September 2017.**
11. **Receive the Financial Report for Period Ending September 30, 2017.**
12. **Receive the Investment Report for the Period Ending September 30, 2017.**

The motion carried.

#### **Regular Agenda**

13. **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 October 10, 2017 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:

Leon Backes, 10210 N. Central Expressway, Dallas, Texas;  
Brian Glazer, 4619 Insurance Lane, Dallas, Texas;  
Chris Degan, 15660 N. Dallas Expressway, Dallas, Texas;  
Tim Terrell, 2001 Ross Avenue, Dallas, Texas;  
Troy Griffis, 839 Bear Crossing Drive, Allen, Texas;  
Pepi Wucher, 1200 Amy Drive, Allen, Texas;  
Angela Martinez, 1825 Valencia Drive, Allen, Texas;  
Mark McCormack, 853 Llano Drive, Allen, Texas;  
Won Best, 925 McKamy Drive, Allen, Texas; and,  
Madeline Lampart, 605 Bellmeade Court, Allen, Texas.

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

Terri Pason, 883 Caballero, Allen, Texas;

Susan Littlefield, 1847 Villa Drive, Allen, Texas; and,  
Jim Brown, 1812 Villa Drive, Allen, Texas.

The following individuals spoke in opposition to the item:  
David Neil Fonville, 411 Woodbridge Drive, Allen, Texas;  
Roberto Pineda, 913 White River 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:  
Erika Wall, 883 Starcreek Parkway, Allen, Texas;  
Leslie Sheffield, 852 Blackwood Drive, Allen, Texas;  
Parker Primrose, 623 Driftwood Court, 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.

**ORDINANCE NO. 3529-10-17:** 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, RELATING TO THE USE AND DEVELOPMENT OF A 79± ACRE TRACT OF LAND OUT OF THE L.K. PIGUES SURVEY, ABSTRACT NO. 702, THE FRANCIS C. WILMETH SURVEY, ABSTRACT NO. 999, AND THE HENRY WETSEL SURVEY, ABSTRACT NO. 1026 DESCRIBED IN EXHIBIT "A" HERETO AND PRESENTLY ZONED PLANNED DEVELOPMENT "PD" NO. 45 FOR CORRIDOR COMMERCIAL "CC" BY CHANGING THE BASE ZONING TO SHOPPING CENTER "SC" AND ADOPTING DEVELOPMENT REGULATIONS, A CONCEPT PLAN, BUILDING ELEVATIONS, OPEN SPACE PLAN, SUB-AREA PLAN, PHASING PLAN, SIGN PLAN, FIRE LANE PLAN, CROSS SECTIONS, AND RENDERINGS; 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 Councilmember Kizer and a second by Councilmember Sedlacek, the Council voted four (4) for and three (3) opposed, with Mayor Terrell, Mayor Pro Tem Caplinger, and Councilmember Brooks casting the negative votes, to adopt Ordinance No. 3529-10-17 as previously captioned, amending the Planned 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 the intersection of Stacy Road and US Highway 75, for Stacy Green. The motion carried.

- 14. Conduct a Public Hearing and Adopt an Ordinance Amending the Development Regulations of a Portion of District D-1 of Planned Development No. 108 for all of The Village at Twin Creeks Phase Two and a 23.067± Acre Tract of Land Generally Located South of Exchange Parkway and East of Bray Central Drive. [Village at Twin Creeks Ph. 2 & 3 - Ordinance Text Amendment]]**

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. 3530-10-17:** 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 BY AMENDING THE DEVELOPMENT REGULATIONS OF A PORTION OF DISTRICT D-1 OF PLANNED DEVELOPMENT “PD” NO. 108 AS ADOPTED IN ORDINANCE NO. 3044-10-11 AND AMENDED BY ORDINANCE NO. 3200-1-14; 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 Councilmember Herald and a second by Mayor Pro Tem Caplinger, the Council voted seven (7) for and none (0) opposed to adopt Ordinance 3530-10-17, as previously captioned, amending the development regulations of a portion District D-1 of Planned Development No. 108 for all of The Village at Twin Creeks Phase Two and a 23.067± acre tract of land generally located south of Exchange Parkway and east of Bray Central Drive. The motion carried.

#### **Other Business**

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**15. Calendar.**

- October 28 - Arbor Day Celebration, Twin Creeks Park, 9 a.m.
- November 4 - Allen Recycles Day, Allen City Hall, 8 a.m. – 1 p.m.

**16. Items of Interest.**

- Council announced registrations for the Rudolph Run on December 2, 2017, are now open.

#### **Executive Session**

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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 seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 9:41 p.m. on Tuesday, October 24, 2017. The motion carried.

These minutes approved on the 14<sup>th</sup> day of November 2017.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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