

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**NOVEMBER 28, 2017**

#### **Present:**

Stephen Terrell, Mayor

#### **Councilmembers:**

Gary L. Caplinger, Mayor Pro Tem  
Kurt Kizer  
Carl Clemencich (arrived 6:39 p.m.)  
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

#### **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 6:31 p.m. on Tuesday, November 28, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update Regarding Allen's National Recognition as a Digital City.**
- 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 7:00 p.m. on Tuesday, November 28, 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 7:05 p.m. on Tuesday, November 28, 2017, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

#### **Pledge of Allegiance**

---

**Public Recognition**

---

**1. Citizen's Comments.**

- David Egan, 2006 Candlewyck Crossing, Allen, Texas, spoke regarding the Public Utility Commission proceeding regarding the proposed Brazos Electric Cooperative Transmission Line.

**Consent Agenda**

---

**MOTION:** Upon a motion made by Councilmember Brooks and a second by Councilmember Herald, 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 November 14, 2017, Regular City Council Meeting.**

**3. Adopt an Ordinance Amending Section 5-2 of the Code of Ordinances, Adopting a Revised Personnel Policy for the City of Allen Fire Department Regarding Records Retention.**

**ORDINANCE NO. 3535-11-17:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING SECTION 5-2 OF THE CODE OF ORDINANCES ADOPTING REVISED PERSONNEL POLICY FOR THE CITY OF ALLEN FIRE DEPARTMENT, REGARDING RECORDS RETENTION; PROVIDING A REPEALING CLAUSE; PROVIDING A CONFLICT PROVISION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**4. Adopt a Resolution Authorizing the City Manager to Execute an Interlocal Agreement with the Allen Independent School District to Develop and Implement a Law Enforcement Internship Program.**

**RESOLUTION NO. 3536-11-17(R):** A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE ATTACHED INTERLOCAL AGREEMENT WITH THE ALLEN INDEPENDENT SCHOOL DISTRICT FOR THE DEVELOPMENT AND IMPLEMENTATION OF A LAW ENFORCEMENT INTERNSHIP PROGRAM; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

**5. Authorize the City Manager to Purchase Three (3) Vehicles for the Fire Department from Siddons-Martin, Sterling McCall and Silsbee Ford Through Buyboard and H-GAC Cooperative Agreements in the Amount of \$922,317 and One (1) Equipment Replacement for the Parks and Recreation Department from Professional Turf Products Through Buyboard in the Amount of \$57,290 for a Total Amount of \$979,607.**

**6. Award Bid and Authorize the City Manager to Execute the Purchase of Tires for Fleet Vehicles with Goodyear, Graham Truck & Tire Center, McKinney Tire, and Southern Tire Mart in the Estimated Annual Amount of \$150,000 with the Option for Two One-Year Renewals.**

**7. Motion to Cancel the December 26, 2017, City Council Meeting.**

**8. Receive the Summary of Property Tax Collections as of October 2017.**

The motion carried.

**Regular Agenda**

---

**9. Conduct a Public Hearing and Adopt an Ordinance to Establish a Planned Development with a Base Zoning of Corridor Commercial, and to Adopt Development Regulations, a Concept Plan, and Building Elevations Relating to the Use and Development of a 1.61± Acre Tract of Land Generally Located at the Southwest Corner of Curtis Lane and US Highway 75. [Texas Legends Gun Range]**

The City Secretary verified four (4) zoning protest petitions from property owners (of 10 properties) located within 200 feet of the subject project by the Noon deadline of Monday, November 27, 2017. The City Secretary and the GIS Division computed the percentage of the protest area within 200 feet of the zoning request to be 36.86%.; therefore, a favorable vote of the three-fourths (3/4) of the entire City Council will be required for any motion made to approve this proposed change in zoning.

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

The following individuals spoke in opposition of this item:

Chong Zhou, 707 Callaway Drive, Allen, Texas;  
Anamika Das, 715 Callaway Drive, Allen, Texas;  
Stephanie Peterson, 614 Ansley Way, Allen, Texas;  
Alan Peterson, 614 Ansley Way, Allen, Texas;  
Li Jiang, 707 Callaway Drive, Allen, Texas;  
Bobby Patel, 1408 Luckenbach Drive, Allen, Texas;  
Yasar Awan, 1414 Guthrie Lane, Allen, Texas;  
Heera Khan, 1414 Guthrie Lane, Allen, Texas;  
Gita Mani, 823 Birdie Drive, Allen, Texas;  
Debbie Cosgrove, 1309 Lighthouse Lane, Allen, Texas;  
Rupesh, Muttial, 720 Birdie Drive, Allen, Texas; and,  
Maddy Harikumar, 820 Birdie Drive, Allen, Texas.

The following individuals did not wish to speak, but wished their opposition to this item be recorded:

Dennis Adelman, 1413 San Mateo Drive, Allen, Texas;  
Veera Mokkapati, 707 Hawk Drive, Allen, Texas;  
Vineela Mummaneni, 707 Hawk Drive, Allen, Texas;  
Vijay Bellamkonda, 825 Birdie Drive, Allen, Texas;  
Anvrag Mahajan, 721 Callaway Drive, Allen, Texas;  
Vikas Damodaran, 839 Birdie Drive, Allen, Texas;  
Michelle Massi Tanner, 1216 Cordova Drive, Allen, Texas;  
Usha Madhavan, 820 Birdie Drive, Allen, Texas;  
Zhi Pei, 716 Callaway Drive, Allen, Texas;  
Ruiliang Yan, 716 Callaway Drive, Allen, Texas;  
Prasad Gaikwad, 705 Callaway Drive, Allen, Texas;  
Amey Deshpande, 1444 Pebble Way, Allen, Texas;  
Sridhar Ramakrishnan, 807 Callaway Drive, Allen, Texas;  
Supriya Iyer, 807 Callaway Drive, Allen, Texas;  
Bill Stephens, 734 Bush Drive, Allen, Texas;  
Isabel Stephens, 734 Bush Drive, Allen, Texas;

Richard Richardson, 8840 Cypress Waters Blvd., Dallas, Texas, on behalf of Meritag Homes of Texas, LLC;

Priya Sivaraj, 919 Hawk Drive, Allen, Texas;

Surendran Nagaray, 719 Hawk Drive, Allen, Texas;

Yuanyuan Chen, 814 Birdie Drive, Allen, Texas;

Li Lu, 814 Birdie Drive, Allen, Texas; and,

Rahul Nimbarui, 1415 Guthrie Lane, Allen, Texas.

The following individuals spoke in favor of this item:

Jim Longley, 209 Exchange Place, Allen, Texas;

Craig Carroll, 804 Heritage Parkway, Allen, Texas;

Aaron Ludwig, 54 N. Powell Road, Elk Ridge, Utah;

James Zorban, 13423 Shahan Drive, Farmers Branch, Texas;

John Dewey, 1708 E. Northgate Drive, No. 2015, Irving, Texas;

Stacy Travis, 605 Windsor Drive, Allen, Texas;

Garry Dale, 1402 Legend Court, Allen, Texas;

Heather Hale, 814 Soapberry Drive, Allen, Texas; and,

Elisabeth Travis, 7609 Spring Valley, Dallas, Texas.

The following individuals did not speak, but wished their support for this item be recorded:

J.A. Thomas, 7301 Paul Calle, Plano, Texas;

John Stevens, 501 Spur Drive, Allen, Texas;

Roger Levin, 2318 Jackson Drive, Melissa, Texas;

Kelly Cunningham, 705 Bray Central Drive, Apt. 7207, Allen, Texas;

William Ward, 1106 Grimsworth Lane, Allen, Texas;

Mike Reagan, 1108 Grimsworth Lane, Allen, Texas;

David Knoop, 1219 Pinkerton Lane, Allen, Texas;

Joe Fockler, 1100 Grimsworth Lane, Allen, Texas;

Will Travis, 7609 Spring Valley Road, Dallas, Texas;

John Travis, 605 Windsor Drive, Allen, Texas;

William Westphol, 1321 Woodmoor Drive, Allen, Texas;

David Barnes, 1436 Suzanne Drive, Allen, Texas;

Wayne Boline, 1922 Natchez Trace, Allen, Texas;

Angie Levin, 2318 Jackson Drive, Melissa, Texas; and,

Louise Lynn, 1851 Holford, Garland, Texas.

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

**ORDINANCE NO. 3537-11-17:** 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 1.610± ACRES OUT OF THE L.K. PEGUES SURVEY, ABSTRACT NO. 702, PRESENTLY ZONED AS CORRIDOR COMMERCIAL “CC” BY CHANGING THE ZONING TO CREATE PLANNED DEVELOPMENT “PD” NO. 132 WITH A BASE ZONING OF CORRIDOR COMMERCIAL “CC” AND ADOPTING DEVELOPMENT REGULATIONS, A CONCEPT PLAN, AND BUILDING ELEVATIONS; 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 six (6) for and one (1) opposed with Councilmember Sedlacek casting the negative vote, to adopt Ordinance 3537-11-17, as previously captioned, to establish Planned Development No. 132 with a base zoning of Corridor Commercial and to adopt Development Regulations, a Concept Plan, and Building Elevations for the Texas Legends Gun Range, generally located at the southwest corner of Curtis Lane and US Highway 75, and requiring the sound study be signed and sealed by an engineer. The motion carried.

**10. Conduct a Public Hearing and Adopt an Ordinance for a Specific Use Permit for a Gymnastics and Sports Training Facility Use for an Approximately 5,300± Square Foot Portion of a Building Generally Located South of Main Street and West of Allen Heights Drive. [CrossFit Ammo - Gymnastics and Sports Training Facility]**

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. 3538-11-17:** 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. 159 AUTHORIZING AN APPROXIMATELY 5,300± SQUARE FOOT PORTION OF THE BUILDING LOCATED ON LOT 2, BLOCK A, GREENWOOD VALLEY COMMERCIAL ADDITION (AND COMMONLY KNOWN AS 1210 EAST MAIN STREET), PRESENTLY ZONED FOR SHOPPING CENTER “SC” TO BE USED FOR A GYMANSTICS AND SPORTS TRAINING FACILITY 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 Sedlacek and a second by Councilmember Herald, the Council voted seven (7) for and none (0) opposed to adopt Ordinance 3538-11-17, as previously captioned, for Specific Use Permit No. 159 for a Gymnastics and Sports Training Facility use for CrossFit Ammo. The motion carried.

**11. Conduct a Public Hearing and Adopt a Resolution Approving and Authorizing the Submission of the 2016-2017 Comprehensive Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program.**

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. 3539-11-17(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING THE 2016-2017 COMPREHENSIVE ANNUAL PERFORMANCE EVALUATION REPORT (CAPER); AUTHORIZING ITS SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(HUD); REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY 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 3538-11-17(R), as previously captioned, approving the 2016-2017 Comprehensive Annual Performance Evaluation Report for the Community Development Block Grant program and authorizing submission to the U.S. Department of Housing and Urban Development. The motion carried.

**Other Business**

---

**12. Calendar.**

- December 1- Christmas Tree Lighting, Allen Civic Plaza, 6:00 p.m.
- December 2- Rudolph Run, Downtown Allen, 8:00 a.m.
- December 3- Annual Rotary Christmas Parade, Downtown Allen, 2 p.m.
- December 6- WFFA Good Morning One Tank Trip Segment, Allen Event Center, 8:45 a.m.

**13. Items of Interest.**

- The Annual Nativity Exhibit will be held on December 1 and 2 at the Church of Jesus Christ of Latter Day Saints on Exchange Parkway.
- The Allen Eagles Football playoff game is on Friday, December 1, at Southlake Carroll.
- The Kiwanis Pancake Breakfast with Santa will be held Saturday, December 2 at the First Baptist Church in Allen starting at 7 a.m.

**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 10:03 p.m. on Tuesday, November 28, 2017. The motion carried.

These minutes approved on the 12<sup>th</sup> day of December 2017.

**APPROVED:**

---

**Stephen Terrell, MAYOR**

**ATTEST:**

---

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