

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**OCTOBER 23, 2018**

#### **Present:**

Stephen Terrell, Mayor

#### **Councilmembers:**

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich

Lauren Doherty

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

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 6:34 p.m. on Tuesday, October 23, 2018, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Presentation by the Allen Fire and Police Associations.**
- 2. Update Regarding the North Texas Municipal Water District Rate Case at the Public Utility Commissions of Texas.**
- 3. Committee Updates from City Council Liaisons.**
- 4. Questions on Current Agenda.**

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 7:01 p.m. on Tuesday, October 23, 2018.

#### **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 7:05 p.m. on Tuesday, October 23, 2018, 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. Citizens' Comments.**

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

- Present a Proclamation to Jesse Simmons, City Forester, Proclaiming October 27, 2018, as "*Arbor Day.*"
- Present a Proclamation to Representatives of the Keep Allen Beautiful Board Proclaiming October 27, 2018, as "*Allen Recycles Day.*"
- Present a Proclamation to Municipal Court Judge Cynthia Gore Proclaiming November 5-9, 2018, as "*Municipal Court Week.*"

**Consent Agenda**

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**MOTION:** Upon a motion made by Councilmember Clemencich 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 9, 2018, Regular City Council Meeting.**

**4. Adopt an Ordinance Amending Chapter 14 of the Code of Ordinances to Automatically Refund Utility Account Deposits and Update the Current Language Concerning Furnishing Proof of Customer Identity.**

**ORDINANCE NO. 3620-10-18:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 14 "UTILITIES" BY AMENDING SECTION 14-1(d) REGARDING REFUNDS OF UTILITY ACCOUNT DEPOSITS; BY AMENDING SECTION 14-1(e) TO REQUIRE PROOF OF IDENTIFICATION FOR UTILITY SERVICES; PROVIDING FOR A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**5. Adopt a Resolution Establishing the 2019 State Legislative Program for the City of Allen.**

**RESOLUTION NO. 3621-10-18(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ADOPTING A STATE LEGISLATIVE PROGRAM; AND, PROVIDING AN EFFECTIVE DATE.

**6. Award Bid and Authorize the City Manager to Execute a Contract with KT Contracting Concrete Series, LLC, in the Estimated Total Annual Amount of \$2,200,000 for On-Call Concrete Repair and Trail Maintenance with the Option for Two One-Year Renewals.**

**7. Award Bid and Authorize the City Manager to Execute the Purchase of Housekeeping Services with Starwood Staffing, LLC, as the Primary Vendor in the Amount of \$329,000 with the Option**

**for Two, One-Year Renewals, and Award an Alternative Annual Contract with Regent Services to be Utilized in the Event the Primary Vendor is Unable to Fulfill Their Contractual Obligations.**

8. **Authorize the City Manager to Purchase Replacement Hydraulic Rescue Tools and Associated Equipment for the Fire Department from Advanced Rescue Systems in the amount of \$153,140.**
9. **Authorize the City Manager to Purchase Upgraded Parts and Services for Storm Sirens from Acoustic Technologies, Inc., in the Amount of \$140,000.**
10. **Receive the Capital Improvement Program (CIP) Status Report.**
11. **Receive the Investment Report for the Period Ending September 30, 2018.**
12. **Receive the Financial Report for Period Ending September 30, 2018.**

The motion carried.

#### **Regular Agenda**

13. **Authorize the City Manager to Execute a Third Amendment to the Contract for Solid Waste Collection, Disposal and Recycling Services with Community Waste Disposal (CWD) by Extending the Contract Period through May 31, 2024, and Incorporating other Contract Modifications.**

**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 authorize the City Manager to extend the current contract term for Solid Waste Collection, Disposal and Recycling Services with Community Waste Disposal for five years. The motion carried

14. **Adopt a Resolution Establishing Rates and Fees for Commercial and Residential Solid Waste, Recycling, and Household Hazardous Waste Services.**

**RESOLUTION NO. 3622-10-18(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ESTABLISHING FEES AND RATES FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**MOTION:** Upon a motion made by Councilmember Sedlacek and a second by Councilmember Doherty, the Council voted seven (7) for and none (0) opposed to adopt Resolution 3622-10-18(R), as previously captioned, establishing rates and fees for commercial and residential solid waste, recycling, and household hazardous waste services. The motion carried

Mayor Terrell moved to Agenda Item 17.

#### **Other Business**

17. **Calendar.**

- October 22 - November 2 - Early Voting Period for the General Election

- October 27 - Arbor Day Celebration, Country Meadows Park, 9 a.m.
- November 3 - Allen Recycles Day, Allen City Hall, 8 a.m. - 12 p.m.
- November 6 - Election Day, 7 a.m. - 7 p.m.

**18. Items of Interest.**

- Council recognized Boy Scouts from Troops 496 and 225 in attendance as a requirement for earning a Merit Badge.

Mayor Terrell announced the Executive Session then recessed the Regular Agenda at 8:02 p.m.

**Executive Session**

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In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 8:18 p.m. on Tuesday, October 23, 2018, in the Council Conference Room, 305 Century Parkway, Allen, Texas, in order to discuss matters pertaining to:

**19. Personnel Pursuant to Section 551.074 of the Texas Government Code —**

Discuss Appointments to the Community Development Corporation and Economic Development Corporation.

The Executive Session adjourned at 8:45 p.m. on Tuesday, October 23, 2018

**20. Reconvene and Consider Action on Items Resulting from Executive Session.**

The Allen City Council reconvened into the Regular Meeting at 9:07 p.m. on Tuesday, October 23, 2018. The following action was taken on items discussed during Executive Session.

**16. Confirm Appointments of Councilmembers to Place No. 7 on the Allen Community Development Corporation and Place No. 1 on the Allen Economic Development Corporation as Nominated by Mayor Terrell.**

**MOTION:** Upon a motion made by Mayor Terrell and a second by Councilmember Clemencich, the Council voted seven (7) for and none (0) opposed to confirm the appointment of Councilmember Robin Sedlacek to Place No. 7 on the Allen Community Development Corporation and Councilmember Brooks to Place No. 1 on the Allen Economic Development Corporation as Nominated by Mayor Terrell. The motion carried.

Mayor Terrell moved to Agenda Item 15.

**15. 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 and Zoning Commission, Council Liaison Public Art Committee, Council Liaison
Councilmember Clemencich	Council Nominating Committee, Member Council Finance/Audit Committee, Member Convention and Visitors Bureau Advisory Board, Member Parks and Recreation Board, Council Liaison Board of Adjustment, Council Liaison Building and Standards Commission, Council Liaison Sign Control Board, Council Liaison
Councilmember Doherty	Keep Allen Beautiful, Council Liaison Library Board, Council Liaison Council Nominating Committee, 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	Economic Development Corporation, Member Council Nominating Committee, Member Allen USA Advisory Committee, Member

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

### **Adjournment**

**MOTION:** Upon a motion made by Councilmember Doherty 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 9:10 p.m. on Tuesday, October 23, 2018. The motion carried.

These minutes approved on the 13<sup>th</sup> day of November 2018.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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