

ALLEN CITY COUNCIL

REGULAR MEETING

NOVEMBER 13, 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

With a quorum of the Councilmembers present, the Workshop Session of the Allen City Council was called to order by Mayor Terrell at 6:45 p.m. on Tuesday, November 13, 2018, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Taping of the Christmas Message.**
- 2. Briefing Regarding the West Allen Recreation Center of Feasibility Study.**
- 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 7:06 p.m. on Tuesday, November 13, 2018.

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 7:09 p.m. on Tuesday, November 13, 2018, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

1. **Citizens' Comments.**
2. **Presentation of Proclamations by the Office of the Mayor.**
 - Present a Proclamation to Allen Area Service Groups Proclaiming November 11-19, 2018, as "*Live. Love. Allen. Week.*"
 - Present a Proclamation to Representatives of the Collin County Homeless Coalition Proclaiming November 11-19, 2018, as "*Hunger and Homelessness Awareness Week.*"
 - Present a Proclamation to Allen Area Small Business Owners Proclaiming November 24, 2018, as "*Small Business Saturday.*"
3. **Recognition of Matt McGee, Former Member of the Animal Shelter Advisory Committee, and Kimberly Harrison, Former Member of the Board of Adjustment / Building and Standards Commission / Sign Control Board.**

Consent Agenda

Mayor Terrell removed the following agenda item from the Consent Agenda.

10. **Authorize the City Manager to Execute a Professional Service Contract with Binkley & Barfield, Inc., in the Amount of \$582,994, and Authorizing the City Manager to Execute Change Orders up to 25% of the Contract Amount, for the Design of the Windridge No. 1 and No. 2 Water and Sanitary Sewer Rehabilitation Project.**

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 adopt all remaining items on the Consent Agenda as follows:

4. **Approve Minutes of the October 23, 2018, Regular City Council Meeting.**
5. **Approve Minutes of the October 29, 2018, TRIAD Meeting.**
6. **Adopt an Ordinance Amending the Code of Ordinances, Chapter 9, 'Motor Vehicles and Traffic,' Amending the Maximum Prima Facie Speed Limit on Segments of Exchange Parkway, Malone Road, and Ridgeview Drive.**

ORDINANCE NO. 3623-11-18: 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 SEGMENTS OF EXCHANGE PARKWAY, SEGMENTS OF MALONE ROAD, AND SEGMENTS OF RIDGEVIEW DRIVE 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.

7. **Adopt an Ordinance Amending the Code of Ordinances, Chapter 9, 'Motor Vehicles and Traffic,' Amending the School Zone Limits for Lowery Freshman Center.**

ORDINANCE NO. 3624-11-18: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, SECTION 9-137(b), BY AMENDING SUBSECTION (16) FOR LOWERY FRESHMAN CENTER; 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.

8. **Adopt a Resolution Authorizing the City Manager to Negotiate and Execute Sanitary Sewer Easements with North Texas Municipal Water District (NTMWD) Regarding Sanitary Sewer Improvements.**

RESOLUTION NO. 3625-11-18(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ON BEHALF OF THE CITY VARIOUS SANITARY SEWER EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENTS TO, AND A TEMPORARY ACCESS AGREEMENT WITH, THE NORTH TEXAS MUNICIPAL WATER DISTRICT REGARDING THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A SANITARY SEWER LINE AND RELATED IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE.

9. **Authorize the City Manager to Negotiate and Execute a License Agreement with Dallas Area Rapid Transit (DART) Regarding Allenwood Drainage Improvements.**

11. **Authorize the City Manager to Execute a Trail Development Agreement with Stacy 75 Partners, LP, for the Construction of Trails and Dedication of Certain Properties for Trail Development, Park Dedication Fee Credits, and the Exchange of Other Considerations Between the Parties.**

12. **Adopt a Resolution Appointing Mayor Stephen Terrell to Serve on the Initial North Central Texas 9-1-1 Emergency Communications District Board.**

RESOLUTION NO. 3626-11-18(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPOINTING MAYOR STEPHEN TERRELL AS A MEMBER OF THE INITIAL BOARD FOR THE NORTH CENTRAL TEXAS, REGIONAL 9-1-1 EMERGENCY COMMUNICATIONS DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

13. **Motion to Set Saturday, January 19, 2019, as the Date for the Strategic Planning Session with City Council.**

14. **Accept the Resignations of Matt McGee and Kimberly Harrison and Declare a Vacancy in Place No. 5 on the Animal Shelter Advisory Committee and Place No. 5 of the Board of Adjustment / Building and Standards Commission / Sign Control Board.**

15. **Declare a Vacancy in Place No. 2 on the Animal Shelter Advisory Committee and Appoint Gail Smallin to Fill the Unexpired Term in Place No. 2 on the Animal Shelter Advisory Committee.**

The motion carried.

10. **Authorize the City Manager to Execute a Professional Service Contract with Binkley & Barfield, Inc., in the Amount of \$582,994, and Authorizing the City Manager to Execute Change Orders up to 25% of the Contract Amount, for the Design of the Windridge No. 1 and No. 2 Water and Sanitary Sewer Rehabilitation Project.**

MOTION: Upon a motion made by Councilmember Clemencich and a second by Mayor Pro Tem Caplinger, the Council voted seven (7) for and none (0) opposed to authorize the City Manager to execute a Professional Service Contract with Binkley & Barfield, Inc., in the amount of \$582,994, and authorizing the City Manager to execute change orders up to 25% of the contract amount not to exceed \$100,000, for the design of the Windridge No. 1 and No. 2 Water and Sanitary Sewer Rehabilitation Project. The motion carried.

Regular Agenda

16. **Conduct a Public Hearing and Adopt a Resolution Approving the 2017-2018 Comprehensive Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program and Authorize Submission to the U.S. Department of Housing and Urban Development.**

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. 3627-11-18(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING THE 2017-2018 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 Brooks and a second by Councilmember Doherty, the Council voted seven (7) for and none (0) opposed to adopt Resolution 3627-11-18(R), as previously captioned, approving the 2017-2018 Comprehensive Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant program and authorizing submission to the U.S. Department of Housing and Urban Development. The motion carried.

17. **Approve an Agreement with Peter Vargas for Interim City Management.**

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 approve an agreement with Peter Vargas for Interim City Management. The motion carried.

Other Business

18. **Calendar.**

- November 22-23 - City Facilities Closed in Observance of Thanksgiving Holiday

- November 30 - Holly Jolly Celebration featuring the Annual Christmas Tree Lighting, North of the Allen Library, 5:00 p.m.
- December 1- Rudolph Run, Downtown Allen, 8 a.m.
- December 2 - Annual Rotary Christmas Parade, Downtown Allen, 2 p.m.

19. Items of Interest.

- Council thanked Collin County area firefighters traveling to fight the California fires.
- Council congratulated Chief Financial Officer Eric Cannon for being honored as a finalist for CFO of the Year by the Dallas Business Journal.

Executive Session

The Executive Session was not held.

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

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 8:09 p.m. on Tuesday, November 13, 2018. The motion carried.

These minutes approved on the 27th day of November 2018.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY