

ALLEN CITY COUNCIL

REGULAR MEETING

JUNE 25, 2019

Present:

Stephen Terrell, Mayor

Councilmembers:

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich

Lauren Doherty

Chris Schulmeister

Baine Brooks

City Staff:

Eric Ellwanger, City Manager

Rebecca Vice, Acting Assistant City Manager

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations Office

Pete Smith, City Attorney

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 7:00 p.m. on Tuesday, June 25, 2019, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

1. Citizen Comments.

The following individuals addressed Council regarding Council's vote on Ally Outfitters agenda item at June 11, 2019 Council meeting.

Dr. Richard Bush, 1437 Rollins Drive, Allen, Texas.

David Shafer, 351 Chaparral #104, Allen, Texas.

Dave Cornette, 310 Willow Brook Drive, Allen, Texas.

2. Presentation of Ceremonial Check from Happy State Bank Commemorating their Continued Partnership with the City's Property Improvement Program.

3. Presentation of Proclamations by the Office of the Mayor.

- Present a Proclamation to the Parks and Recreation Department Proclaiming July 2019 as "Parks and Recreation Month."

- Present a Proclamation to Gail Donaldson, Water Conservation Manager, Proclaiming July 2019 as “Smart Irrigation Month.”
- 4. **Presentation of the Parks and Recreation Board’s Annual Report by Chairperson Michael Smiddy.**
- 5. **Presentation of the Public Art Committee’s Annual Report by Chairperson Tod Raines.**
- 6. **Presentation of the Convention and Visitor’s Bureau Advisory Board’s Annual Report by Chairperson Karen Simpson.**

Consent Agenda

MOTION: Upon a motion made by Councilmember Clemencich and a second by Councilmember Doherty, the Council voted seven (7) for and none (0) opposed to adopt all items on the Consent Agenda as follows:

- 7. **Approve Minutes of the June 11, 2019, Regular City Council Meeting.**
- 8. **Adopt a Resolution Authorizing the City Manager to Apply for, Accept, Reject, Alter or Terminate a Grant Through Collin County Parks and Open Space Funding Assistance Program for Design of the Exchange Parkway Community Park Hike and Bike Trails.**

RESOLUTION NO. 3679-6-19(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, HEREINAFTER REFERRED TO AS “APPLICANT,” DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE “APPLICANT,” IN DEALING WITH COLLIN COUNTY, HERINAFTER REFERRED TO AS “GRANTOR,” FOR THE PURPOSE OF PARTICIPATING IN THE COLLIN COUNTY PARK AND OPEN SPACE PROJECT FUNDING ASSISTANCE PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM;” CERTIFYING THAT THE “APPLICANT” IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE “APPLICANT” MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED FACILITY FOR PERMANENT PUBLIC PARK AND PEDESTRIAN TRANSPORTATION USES; AND PROVIDING FOR AN EFFECTIVE DATE.

- 9. **Adopt a Resolution Authorizing the City Manager to Apply for, Accept, Reject, Alter or Terminate a Grant Through Collin County Parks and Open Space Funding Assistance Program for Design of the Eugene McDermott Park / Rowlett Trail.**

RESOLUTION NO. 3680-6-19(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, HEREINAFTER REFERRED TO AS “APPLICANT,” DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE “APPLICANT,” IN DEALING WITH COLLIN COUNTY, HERINAFTER REFERRED TO AS “GRANTOR,” FOR THE PURPOSE OF PARTICIPATING IN THE COLLIN COUNTY PARK AND OPEN SPACE PROJECT FUNDING ASSISTANCE PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM;” CERTIFYING THAT THE “APPLICANT” IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE “APPLICANT” MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED FACILITY FOR PERMANENT PUBLIC PARK AND PEDESTRIAN TRANSPORTATION USES; AND PROVIDING FOR AN EFFECTIVE DATE.

10. **Authorize the City Manager to Execute a Professional Services Agreement with MHS Planning for the Preparation of a Major Update to the Allen Parks, Recreation and Open Space Master Plan in the Amount of \$105,400.**
11. **Authorize the City Manager to Purchase Three (3) Chevrolet Tahoes from Freedom Chevrolet and Police Package Equipment from Priority Public Safety for the Replacement of Three Police Department Vehicles in the Total Amount of \$128,952.**
12. **Authorize the City Manager to Execute the Purchase of Hardware, Licensing and Services for Cisco Wired and Wireless Equipment from Presidio through an Interlocal Agreement with the State of Texas Department of Information Resources ("DIR") in the Amount of \$173,067.**
13. **Authorize the City Manager to Execute an Annual Contract for the City's Security Camera System with Securadyne System to Provide Product, Service, Preventative Maintenance, Replacement and Repair through Interlocal Agreements with OMNIA Partners and Department of Information Technology Contracts in the Amount of \$360,000 with the Option for Four, One-Year Renewals.**
14. **Award Bid and Authorize the City Manager to Execute a Contract with RBR Infrastructure and Road, LLC, for the Construction of the 2019 Street and Alley Rehabilitation Project in the Amount of \$891,479.**
15. **Receive the Summary of Property Tax Collections as of April 2019.**

The motion carried.

Regular Agenda

16. **Conduct a Public Hearing and Adopt an Ordinance Continuing and Readopting Chapter 10, Article II, Curfew for Juveniles, of the Code of Ordinances of the City of Allen, Texas.**

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 individual spoke in opposition to the item:
June Jenkins, 5421 Palace Drive, Richardson, Texas.

The mayor received two letters of opposition to the item.

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

ORDINANCE NO. 3681-6-19: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, CONTINUING AND READOPTING CHAPTER 10, ARTICLE II, CURFEW FOR JUVENILES, OF THE CODE OF ORDINANCES OF THE CITY OF ALLEN, TEXAS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500) FOR EACH OFFENSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion made by Mayor Pro Tem Caplinger and a second by Councilmember Schulmeister, the Council voted six (6) for and one (1) opposed, with Councilmember Doherty

casting the negative vote, to adopt Ordinance No. 3681-6-19, as previously captioned, continuing and readopting Chapter 10, Article II, Curfew for Juveniles, of the Code of Ordinances of the City of Allen, Texas. The motion carried.

17. Conduct a Public Hearing and Adopt an Ordinance to Establish a Planned Development Zoning District with a Base Zoning of Mixed Use and Adopt Development Regulations, Regulating Plan, Parks and Open Space Plan, Public and Private Street Exhibit, Street Cross Sections, Illustrative Concept Plan, Zoning Exhibit, and On-Site Traffic Movement Exhibit for a Property Generally Located South of State Highway 121 and West of U.S. Highway 75. [Monarch City]

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 individual addressed the Council asking questions related to the item:
Kevin Handy, 1858 Villa Drive, Allen, Texas.

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

ORDINANCE NO. 3682-6-19: 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 CHANGING THE ZONING REGULATIONS RELATING TO THE DEVELOPMENT AND USE OF 260.94± ACRES IN THE JONATHAN PHILLIPS SURVEY, ABSTRACT NO. 719 DESCRIBED IN EXHIBIT “A,” HERETO FROM AGRICULTURAL-OPEN SPACE “AO,” PLANNED DEVELOPMENT NO. 24 OFFICE/LIGHT INDUSTRIAL “O/LI,” PLANNED DEVELOPMENT NO. 24 OFFICE “O,” PLANNED DEVELOPMENT NO. 24 LIGHT INDUSTRIAL “LI,” PLANNED DEVELOPMENT NO. 24 SHOPPING CENTER “SC,” PLANNED DEVELOPMENT NO. 24 LOCAL RETAIL “LR,” AND PLANNED DEVELOPMENT NO. 94 MIXED USE “MIX,” TO PLANNED DEVELOPMENT NO. 139 (“PD-139”) FOR URBAN RESIDENTIAL, TOWNHOUSE, HOTEL, COMMERCIAL, OFFICE, AND RETAIL USES; ADOPTING DEVELOPMENT REGULATIONS; 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 Schulmeister and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3682-6-19, as previously captioned, to establish a Planned Development Zoning District with a Base Zoning of Mixed Use and adopt Development Regulations, Regulating Plan, Parks and Open Space Plan, Public and Private Street Exhibit, Street Cross Sections, Illustrative Concept Plan, Zoning Exhibit, and On-Site Traffic Movement Exhibit for a property generally located south of State Highway 121 and west of U.S. Highway 75. [Monarch City]. The motion carried.

Other Business

18. Calendar.

- June 29 – Market Street Allen USA Celebration, Celebration Park, 4 p.m.

19. Items of Interest.

Councilmember Schulmeister recognized Chris Flanigan, Director of Engineering, for receiving the Distinguished Engineer of the Foundation for 2019 from the Texas Engineering Foundation.

Executive Session

The Executive Session was not held.

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 8:33 p.m. on Tuesday, June 25, 2019. The motion carried.

These minutes approved on the 9th day of July 2019.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY