

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**JULY 9, 2019**

#### **Present:**

Stephen Terrell, Mayor

#### **Councilmembers:**

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich (arrived at 6:33 p.m.)

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

#### **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 6:21 p.m. on Tuesday, July 9, 2019, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Introduction of Shahmeen Khan, Chairperson of the Library Board.**
- 2. Annual Economic Development Corporation Briefing.**
- 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 6:56 p.m. on Tuesday, July 9, 2019.

#### **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 7:03 p.m. on Tuesday, July 9, 2019, 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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Mayor Terrell moved to Agenda Item 2.

2. **Presentation of the Texas Municipal Library Directors Association (TMLDA) Achievement of Excellence in Libraries Award.**
3. **Presentation of the Library Advisory Board's Annual Report.**
1. **Citizen Comments.**

Ken Byler, 204 Allenwood Drive, Allen, Texas;  
Kyle Therrain, 7951 Collin McKinney Parkway, #3061, McKinney, Texas;  
Deborah O'Reilly, 1963 Fox Glen Drive, Allen, Texas;  
Mark Andrew Zwartynski, 1305 Salado Drive, Allen, Texas;  
Sarah Mitchell, 2121 Ironside Drive, Plano, Texas spoke on behalf of her mother-in-law who lives at 1517 Appalachia Drive, Allen, Texas;  
Richard Bush, 1437 Rollins Drive, Allen, Texas;  
Scott Cote, 710 Rockcrossing Lane, Allen, Texas;  
Alex Evans, 1823 Lake Travis Drive, Allen, Texas;  
Kevin Handy, 1858 Villa Drive, Allen, Texas;  
Mary R Schirmer, 1221 Harvard Lane, Allen, Texas;  
Jon Toney, 514 Oldbridge Drive, Allen, Texas; and,  
Jacqueline Boylan, 1534 Summerfield Drive, Allen, Texas.

**Consent Agenda**

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**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:

4. **Approve Minutes of the June 25, 2019, Regular City Council Meeting.**
5. **Approve Minutes of the June 25, 2019, City Council Workshop Meeting.**
6. **Adopt a Resolution Amending the City's Investment Policy Governing the Investment of Municipal Funds.**

**RESOLUTION NO. 3683-7-19(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING AN AMENDED POLICY FOR THE INVESTMENT OF MUNICIPAL FUNDS; AND PROVIDING AN EFFECTIVE DATE.

7. **Authorize the City Manager to Execute a Contract with Reynolds Asphalt and Construction Company for Construction Services for Various Asphalt Street Rehabilitations in the Total Amount of \$103,050.**
8. **Award Bid and Authorize the City Manager to Execute a Contract with Pavecon Public Works, LP, for Aylesbury Drive Street Repair in the Amount of \$385,978 and Approve a Change Order in the Amount of \$67,722 for a Total Amount of \$453,700.**

9. **Authorize the City Manager to Execute a Contract with GameTime c/o Total Recreation Products for the Construction of Bethany Ridge Park, Dayspring Nature Preserve, and Glendover Park Playground Replacements in the Amount of \$522,930.**

The motion carried.

**Regular Agenda**

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10. **Consider All Matters Incident and Related to the Issuance and Sale of City of Allen, Texas, Tax Notes, Series 2019, Including the Adoption of an Ordinance Authorizing the Issuance of Such Notes, Establishing Parameters for the Sale and Issuance of Such Notes and Delegating Certain Matters to Authorized Officials of the City.**

**ORDINANCE NO. 3684-7-19:** AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF ALLEN, TEXAS, TAX NOTES, SERIES 2019"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID NOTES; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT, AND DELIVERY OF SAID NOTES, INCLUDING ESTABLISHING PARAMETERS THEREFOR AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF THE NOTES TO AUTHORIZED CITY OFFICIALS

**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 adopt Ordinance No. 3684-7-19, as previously captioned, authorizing the issuance of "City of Allen, Texas, Tax Notes, Series 2019"; establishing the parameters for the sale and issuance of such notes; and delegating certain matters to authorized officials of the City. The motion carried.

11. **Conduct a Public Hearing and Adopt an Ordinance to Establish a Planned Development Zoning District with a Base Zoning of Community Facilities and to Adopt Development Regulations, a Concept Plan, and Building Elevations for a Property Generally Located at the Southeastern Corner of the Intersection of Rivercrest Boulevard and Greenville Avenue. [Church Eleven32]**

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 neither in support nor opposition to the item:  
Jacqueline Boylan, 1534 Summerfield Drive, Allen, Texas.

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

**ORDINANCE NO. 3685-7-19:** 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, RELATING TO THE USE AND DEVELOPMENT OF 11.651± ACRES OF LAND SITUATED IN THE PETER WETSEL SURVEY, ABSTRACT NO. 990 AND LEWIS WETSEL SURVEY, ABSTRACT NO. 978, PRESENTLY ZONED AS PLANNED DEVELOPMENT PD NO. 6 SHOPPING CENTER "SC" AND COMMUNITY FACILITIES "CF" BY CHANGING THE ZONING TO CREATE PLANNED DEVELOPMENT "PD" NO. 140 WITH A BASE ZONING OF COMMUNITY FACILITIES "CF"; ADOPTING A CONCEPT PLAN AND BUILDING ELEVATIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING 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.

**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 adopt Ordinance No. 3685-7-19, as previously captioned, to establish Planned Development PD No. 140 with a base zoning of Community Facilities "CF" and adopt a Concept Plan, and Building Elevations for property generally located south of Rivercrest Boulevard and east of Greenville Avenue. The motion carried.

**Other Business**

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**12. Calendar.**

**13. Items of Interest.**

- Council recognized Boy Scouts in attendance from Troops 9168 and 2131.
- Councilmember Doherty wished happy 12th birthday to her son.

**Executive Session**

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The Executive Session was not held.

**Adjournment**

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**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 8:26 p.m. on Tuesday, July 9, 2019. The motion carried.

These minutes approved on the 23<sup>rd</sup> day of July 2019.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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