

ALLEN CITY COUNCIL

REGULAR MEETING

DECEMBER 10, 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

Tim Dentler, Assistant City Manager

Rebecca Vice, Assistant City Manager

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations

Lauren Field, Deputy City Secretary

Pete 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 6:28 p.m. on Tuesday, December 10, 2019, in the Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Presentation Related to Community Relations Technology Enhancements for Public Safety Communications and Performance.**
- 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 7:02 p.m. on Tuesday, December 10, 2019.

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 7:06 p.m. on Tuesday, December 10, 2019, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

1. **Citizen Comments.**
2. **Presentation of Proclamations by the Office of the Mayor.**
 - Presentation of a Proclamation to TUBACHRISTMAS Coordinators Proclaiming December 15, 2019, as TUBACHRISTMAS Day.
 - Presentation of a Proclamation to Boy Scout Troop 1299 Celebrating the Troop's 20th Anniversary in Allen, Texas.

Consent Agenda

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 November 26, 2019, Regular City Council Meeting.**
4. **Authorize the City Manager to Execute the Purchase of Nine (9) Additional Outdoor Warning Sirens from Acoustic Technologies, Inc., as the Sole Source Provider in the Amount of \$375,355.**
5. **Authorize the City Manager to Execute a Five-Year Contract with Axon Enterprise, Inc., for the Purchase of One Hundred Forty (140) TASER 7 Conducted Electrical Weapons and Associated Equipment, Training, and Training Equipment Warranties through an Interlocal Agreement with the National Purchasing Partners (NPP) in the Total Amount of \$448,939.**
6. **Adopt an Ordinance Amending the Code of Ordinances Chapter 14, "Utilities," Article II, "Sewers Generally," Section 14-56, "Management of Fat, Oil, and Grease," Amending Section 14-56 Regulating the "Management of Fat, Oil, and Grease."**

ORDINANCE NO. 3720-12-19: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 14 "UTILITIES," ARTICLE II "SEWERS GENERALLY," SECTION 14-56 "MANAGEMENT OF FAT, OIL, AND GREASE" BY AMENDING SECTION 14-56 REGULATING THE MANAGEMENT OF FAT, OIL AND GREASE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY 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.

7. **Adopt an Ordinance Amending Code of Ordinances Chapter 6, "Health and Environment," Article VII, "Storm Water Management," Amending the City's Storm Water Management Regulations.**

ORDINANCE NO. 3721-12-19: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING IN ITS ENTIRETY CODE OF ORDINANCES CHAPTER 6 "HEALTH AND ENVIRONMENT," ARTICLE VII "STORM WATER

MANAGEMENT” AMENDING THE CITY’S STORM WATER MANAGEMENT REGULATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY 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.

The motion carried.

Regular Agenda

8. **Adopt an Ordinance Amending Chapter 14, “Utilities,” of the Code of Ordinances by Retitling and Amending Section 14-8, “Reconnection Fee.”**

ORDINANCE NO. 3722-12-19: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 14 “UTILITIES” RETITLING AND AMENDING SECTION 14-8 “RECONNECTION FEE”; 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.

MOTION: Upon a motion by Councilmember Schulmeister and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3722-12-19, as previously captioned, amending Chapter 14 “Utilities” of the Code of Ordinances by retitling and amending Section 14-8 “Reconnection Fee.” The motion carried.

9. **Adopt a Resolution Amending the City of Allen Fee Schedule Relating to Water Service Charges by Amending the Initial Deposit for Water Service, Establishing Fees for Disconnection and Re-establishment of Service, and Eliminating Certain Obsolete Fees.**

RESOLUTION NO. 3723-12-19(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CITY OF ALLEN FEE SCHEDULE RELATING TO WATER SERVICE CHARGES BY AMENDING THE INITIAL DEPOSIT FOR WATER SERVICE, ESTABLISHING FEES FOR DISCONNECTION AND REESTABLISHMENT OF SERVICE, AND ELIMINATING CERTAIN OBSOLETE FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion by Councilmember Schulmeister and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adopt Resolution No. 3723-12-19(R), as previously captioned, amending the City of Allen fee schedule relating to water service charges by amending the initial deposit for water service, establishing fees for disconnection and re-establishment of service, and eliminating certain obsolete fees. The motion carried.

10. **Conduct a Public Hearing and Adopt an Ordinance to Amend the Development Regulations of a Portion of District H of Planned Development No. 108, Mixed Use, to Allow “Daycare” as a Permitted Use and Adopt a Concept Plan, Landscape Plan, and Building Elevations for a Property Generally Located at the Northeast Corner of Bossy Boots Drive and Stockton Road. [Goddard School]**

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 did not speak, but wished to record their support of the item:
David Hicks, 401 Woodlake Drive, Allen, Texas; and,
Kevin Patel, 1784 W. McDermott Drive, Allen, Texas.

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

ORDINANCE NO. 3724-12-19: 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 AMENDING THE REGULATIONS RELATING TO THE DEVELOPMENT AND USE OF 1.168± ACRES OUT OF THE JOHN FYKE SURVEY, ABSTRACT NO. 325, LOCATED IN DISTRICT H OF PLANNED DEVELOPMENT “PD” NO. 108 MIXED USE “MIX” AND ADOPTING A CONCEPT PLAN, LANDSCAPE PLAN, AND BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR 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.

MOTION: Upon a motion by Councilmember Doherty and a second by Councilmember Clemencich, the council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3724-12-19, as previously captioned, amending the Development Regulations of a portion of District H of Planned Development No. 108, Mixed Use, and adopt a Concept Plan, Landscape Plan, and Building Elevations for Goddard School. The motion carried.

11. Adopt a Resolution Naming the Proposed Exchange Parkway Community Park and Recreation Center.

RESOLUTION NO. 3725-12-19(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, BESTOWING THE NAME OF “STEPHEN G. TERRELL COMMUNITY PARK AND RECREATION CENTER” UPON THE EXCHANGE PARKWAY COMMUNITY PARK AND EXCHANGE PARKWAY RECREATION CENTER; AND, PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion by Councilmember Kizer and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adopt Resolution No. 3725-12-19(R), as previously captioned, establishing the name “Stephen G. Terrell Community Park and Recreation Center” for the Exchange Parkway Community Park and Exchange Parkway Recreation Center of the City of Allen. The motion carried.

Other Business

12. Calendar.

- December 24 – Council Meeting Canceled
- December 24 and 25 – City Hall Closed for Christmas Eve and Christmas Day Holidays
- January 1, 2020 – City Hall closed for New Year’s Day Holiday
- January 14, 2020 – Next Regular Council Meeting

13. Items of Interest.

- Council recognized Boy Scouts from Troops 306 and 1299 in attendance.

Mayor Terrell announced the Executive Session then recessed the Regular Agenda at 7:56 p.m.

Executive Session

In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 8:10 p.m. on Tuesday December 10, 2019, in the Council Conference Room, 305 Century Parkway, Allen, Texas, in order to discuss matters pertaining to:

**14. Personnel Pursuant to Section 551.074 of the Texas Government Code –
Six Month Performance Review of the City Manager.**

The Executive Session adjourned at 9:10 p.m. on Tuesday, December 10, 2019.

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

The Allen City Council reconvened into the Regular Meeting at 9:12 p.m. on Tuesday, December 10, 2019. No action was taken on items discussed during the 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 9:13 p.m. on Tuesday, December 10, 2019. The motion carried.

These minutes approved on the 14th day of January 2020.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY