

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**MARCH 10, 2020**

#### **Present:**

Stephen Terrell, Mayor (absent)

#### **Councilmembers:**

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich

Lauren Doherty

Chris Schulmeister

Baine Brooks

#### **City Staff:**

Eric Ellwanger, City Manager (absent)

Eric Strong, Deputy City Manager

Tim Dentler, Assistant City Manager

Rebecca Vice, Assistant City Manager

Shelley B. George, City Secretary (absent)

Teresa Warren, Director, Public and Media Relations

Lauren Field, Deputy City Secretary

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 Pro Tem Caplinger at 6:16 p.m. on Tuesday, March 10, 2020, in the Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update on the Strategic Services Review of the Utility Billing Process.**
- 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 6:49 p.m. on Tuesday, March 10, 2020.

#### **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 Pro Tem Caplinger at 7:00 p.m. on Tuesday, March 10, 2020, 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. Citizen Comments.**

**Consent Agenda**

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**MOTION:** Upon a motion made by Councilmember Clemencich and a second by Councilmember Brooks, the Council voted six (6) for and none (0) opposed to adopt all items on the Consent Agenda as follows:

**2. Approve Minutes of the February 25, 2020, Regular City Council Meeting.**

The motion carried.

**Regular Agenda**

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**3. Conduct a Public Hearing and Adopt an Ordinance Establishing Standards of Care Necessary of a Day Care Licensing Exemption for Youth Camp Programs Operated by the Allen Parks and Recreation Department.**

Mayor Pro Tem Caplinger 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 Pro Tem Caplinger closed the public hearing.

**ORDINANCE NO. 3734-3-20:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ESTABLISHING STANDARDS OF CARE NECESSARY FOR A DAY CARE LICENSING EXEMPTION FOR YOUTH CAMP PROGRAMS OPERATED BY THE CITY OF ALLEN PARKS AND RECREATION DEPARTMENT; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION:** Upon a motion by Councilmember Doherty and a second by Councilmember Brooks, the Council voted six (6) for and none (0) opposed to adopt Ordinance No. 3734-3-20, as previously captioned, establishing Standards of Care necessary for a Day Care Licensing exemption for Youth Camp Programs operated by the Allen Parks and Recreation Department. The motion carried.

**4. Conduct a Public Hearing and Adopt an Ordinance to Amend the Development Regulations of Planned Development PD No. 53 Shopping Center and to Amend a Portion of Exhibit B “Building Elevations” for a Property Generally Located West of Alma Drive and North of Exchange Parkway. [Spanish Schoolhouse – Elevations]**

Mayor Pro Tem Caplinger 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 Pro Tem Caplinger closed the public hearing.

**ORDINANCE NO. 3735-3-20:** 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 BUILDING ELEVATIONS OF STRUCTURES TO BE CONSTRUCTED ON LOT 5, BLOCK A, KIDS R KIDS ADDITION, BEING A PORTION OF “TRACT 5” IN “PD” PLANNED DEVELOPMENT NO. 53 AS PREVIOUSLY ADOPTED IN ORDINANCE NO. 3672-5-19; 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 by Councilmember Schulmeister and a second by Councilmember Brooks, the Council voted six (6) for and none (0) opposed to adopt Ordinance No. 3735-3-20, as previously captioned, to amend the Development Regulations of Planned Development PD No. 53 Shopping Center and to amend a portion of Exhibit B “Building Elevations” for a property generally located west of Alma Drive and north of Exchange Parkway. The motion carried.

**5. Conduct a Public Hearing and Adopt an Ordinance to Establish a Planned Development Zoning District with a Base Zoning of Light Industrial “LI” and to Adopt Sign Elevations for Allen Tech Center Addition, Lot 6, Block 1, Generally Located Directly North of W. Bethany Drive and West of Century Parkway. [D1 Training – Signage]**

Mayor Pro Tem Caplinger 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 Pro Tem Caplinger closed the public hearing.

**ORDINANCE NO. 3736-3-20:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING REGULATIONS RELATING TO THE USE AND DEVELOPMENT OF LOT 6, BLOCK 1 OF ALLEN TECH CENTER ADDITION, LOT 6, BLOCK 1, FROM LIGHT INDUSTRIAL “LI” TO PLANNED DEVELOPMENT NO 143 (“PD-143”) FOR LIGHT INDUSTRIAL USES; ADOPTING DEVELOPMENT REGULATIONS AND SIGN ELEVATIONS; 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 by Councilmember Kizer and a second by Councilmember Brooks, the Council voted six (6) for and none (0) opposed to adopt Ordinance No. 3736-3-20, as previously captioned, to establish Planned Development PD No. 143 with a base zoning of Light Industrial LI and to adopt Sign Elevations for Allen Tech Center Addition, Lot 6, Block 1, generally located directly north of W. Bethany Drive and west of Century Parkway. The motion carried.

**6. Conduct a Public Hearing and Adopt an Ordinance for a Specific Use Permit SUP for Fitness and Health Center use on Lot 1A, Block A, Cottonwood Creek Village Phase 2, Generally Located North of East Main Street and West of Greenville Avenue (and commonly known as 117 N. Greenville Ave.). [Planet Fitness]**

Mayor Pro Tem Caplinger 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 Pro Tem Caplinger closed the public hearing.

**ORDINANCE NO. 3737-3-20:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY GRANTING SPECIFIC USE PERMIT NO. 173 FOR A FITNESS AND HEALTH CENTER USE RELATING TO THE USE AND DEVELOPMENT OF LOT 1A, BLOCK A, COTTONWOOD CREEK VILLAGE PHASE 2, PRESENTLY LOCATED WITHIN A SHOPPING CENTER “SC” ZONING DISTRICT; PROVIDING 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 by Councilmember Brooks and a second by Councilmember Clemencich, the Council voted six (6) for and none (0) opposed to adopt Ordinance No. 3737-3-20, as previously captioned, for Specific Use Permit No. 173 for a Fitness and Health Center use. The motion carried.

#### **Other Business**

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**7. Calendar.**

- March 16 – Census Information Day, Allen Senior Center
- March 20-21 – Better Block Event

**8. Item of Interest.**

- Council wished happy birthday to Councilmember Doherty.

Mayor Pro Tem Caplinger announced the Executive Session then recessed the Regular Agenda at 7:29 p.m.

#### **Executive Session**

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In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 7:35 p.m. on Tuesday March 10, 2020, in the Council Conference Room, 305 Century Parkway, Allen, Texas, in order to discuss matters pertaining to:

**9. Personnel Pursuant to Section 551.074 of the Texas Government Code –  
Discuss Vacancy in the Position of Mayor on the Allen City Council.**

The Executive Session adjourned at 7:52 p.m. on Tuesday, March 10, 2020.

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

The Allen City Council reconvened into the Regular Meeting at 7:54 p.m. on Tuesday, March 10, 2020. No action was taken on items discussed during the Executive Session.

**Adjournment**

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**MOTION:** Upon a motion made by Councilmember Doherty and a second by Councilmember Brooks, the Council voted six (6) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 7:54 p.m. on Tuesday, March 10, 2020. The motion carried.

These minutes approved on the 24<sup>th</sup> day of March 2020.

**APPROVED:**

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**Gary L. Caplinger, MAYOR PRO TEM**

**ATTEST:**

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