

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
January 13, 2003**

**COUNCIL MEMBERS**

Pat Evans, Mayor  
Phil Dyer, Mayor Pro tem  
Steve Stovall, Deputy Mayor Pro tem  
Shep Stahel  
Scott Johnson  
Sally Magnuson  
Jim McGee  
Ken Lambert

**STAFF**

Thomas H. Muehlenbeck, City Manager  
Frank Turner, Executive Director  
Bruce Glasscock, Executive Director  
Rod Hogan, Executive Director  
Diane C. Wetherbee, City Attorney  
Elaine Bealke, City Secretary

Mayor Evans called the meeting to order at 5:02 p.m., Monday, January 13, 2003, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Mayor Evans then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071, for which a certified agenda is not required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 5:42 p.m. in the Council Chambers for which the following matters were discussed:

**Consideration and Action Resulting From Executive Session Discussion**

No action was brought forward.

**DART Status Report**

DART Board of Directors representative Robert Pope advised the Council regarding the decrease in sales tax receipts, stated that there is no new sales tax to assist non-member cities in joining DART, and that parking issues are settling out at the Parker Road Station.

Mr. Pope stated that the issue of busses coming into the station from other cities is being addressed and that the Trinity Railway Express (TRE), Regional Council of Governments, and Regional Transportation Council have put together a program for the mid-cities to participate in the operating costs of the TRE.

Mr. Pope spoke to problems regarding trains filled to capacity, looking at adding more trains during peak hours, and the limitation of three-car trains due to the length of the blocks in downtown Dallas. Council Member Lambert spoke to trains stopping at every other station rather than at every station. Mr. Pope spoke to different ways of starting trains, stated that sales tax issues will delay HOV progress on Central Expressway, and further spoke to a transportation committee meeting in Dallas and to a review of a proposal regarding the Love Field connection.

### **Acknowledge Receipt of Greater Dallas Planning Council Urban Design Award**

Mayor Evans spoke to Urban Design Awards bestowed upon the City of Plano from the Greater Dallas Planning Council.

Planning Director Jarrell spoke to recognition in the Built Design Projects award category for work in revitalizing Downtown Plano as a mixed-use, transit-oriented town center and private/public partnerships and recognized DART Chairman Robert Pope, Robert Shaw of Amicus Partners, Center City Association Past President and downtown business owner Nikki Tuttle, and Mr. Tuttle as participants in the project.

Park Services Manager Fox spoke to recognition in the Dream/Study (Vision) award category for participation in the Six Cities' Trail Plan, an example in regional cooperation. He stated that this is a step in the right direction to encourage alternative transportation and thanked the Council for supporting the plan.

### **Emergency Management Plan Review**

Fire Chief Peterson spoke to the Radiological Protection Program and to the susceptibility of the City to radioactive accidents, firefighting concepts for organizational and operating arrangements, establishment of Hazmat policies and procedures for operating in the event of a hazardous materials emergency, Search and Rescue operational concepts for search and rescue efforts, and further defined the roles of the City Council to provide policy guidance and monitor response in emergency management. Deputy Mayor Pro tem Stovall requested a copy of the plan.

Chief Peterson spoke to interaction with the Federal Emergency Management Agency on a regular basis as being about every 6 months to 1 year for training resources and programs, and stated that the Fire Department is still waiting on delivery of the Phase 1 emergency equipment from the state. He stated that Phase 2 of the process includes web site activation sign-in process and is due to be live January 27.

## **Discussion and Direction Regarding Council Recommendation for Planning and Zoning Commission to Consider Tightening Up Arcade and Accessory Uses**

Mayor Pro tem Dyer spoke to his communication with the City Attorney regarding latitude and flexibility allowed the City with regard to arcade and accessory use zoning and stated that he has a high degree of comfort following the information received. The Council discussed modifying existing zoning, the Specific Use Permit (SUP) going with the land and circumstances for removal. City Attorney Wetherbee advised the Council regarding hardships that might be conveyed in placing additional restrictions on an SUP, SUP conditions that “flow” to all subsequent owners of the property, and further advised that if limitations are going to be placed with an SUP, that determinations need to be made with regard to the concerns related to the property. Planning Director Jarrell stated that conditions for SUP removal require the property to be dormant to qualify for non-conforming use. The Council concurred to look at arcade permits presently not being used. Ms. Jarrell stressed that the Council consider the appropriateness of the location when doing this.

## **Council Items for Discussion/Action on Future Agendas**

Mayor Evans recommended that the Council look again at the overall Historic Preservation Plan and to possibly the adjustment of the map and coverage. With regard to the same topic, Council Member Stahel recommended looking at the tax implication both short and long term.

## **Consent Agenda**

Council Member Lambert stated that he will be stepping down from Consent Item “F,” resolution to amend an interlocal agreement with the City of Frisco, and Consent Item “G,” resolution to amend a boundary adjustment agreement with the City of Frisco due to a conflict of interest.

City Engineer Upchurch advised Council Member Lambert regarding Consent Item “P,” approval of a change order for Belleview Addition – Street and Water Reconstruction of a miscalculation regarding the street length.

City Manager Muehlenbeck advised that Regular Item “3,” resolution to approve a roadway assessment agreement and Regular Item “4,” Public Hearing to consider paving and improvement assessments would be tabled. He further advised that Regular Items “5, 7, 8, and 11,” all Public Hearings and ordinances to amend the Comprehensive Zoning Ordinance are removed from the agenda at this time.

## **Council Reports**

No reports were made.

Nothing further was discussed. Mayor Evans recessed the meeting at 6:25 p.m.

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Pat Evans, **MAYOR**

ATTEST:

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Elaine Bealke, City Secretary