

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
August 17, 2004**

**COUNCIL MEMBERS**

Pat Evans, Mayor  
Shep Stahel, Mayor Pro Tem  
Ken Lambert, Deputy Mayor Pro Tem  
Scott Johnson  
Phil Dyer  
Sally Magnuson  
Steve Stovall  
Jean Callison

**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 5:07 p.m., Tuesday, August 17, 2004, 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 6:10 p.m. in the Council Chambers for which the following matters were discussed:

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

No items were brought forward.

**DART Status Report**

No report was given.

## **Mobility Report**

Transportation Engineering Manager Neal spoke to a future agenda item next month to replace traffic signal controllers throughout the City and further spoke to modifying the northbound left-turn signal at Jupiter Road and Spring Creek Parkway for the protected arrow phase only. He responded to City Manager Muehlenbeck regarding a flickering green light at Custer Road and Crossbend Road and stated that some of the older traffic signals do this and that he will look into this intersection.

Mr. Neal spoke to consideration of Continuous Flow Intersections (CFI) and to this being an at-grade intersection concept which provides solutions for congested turn lane intersections, more turn lanes and through lanes, removes the "left-turners" from the main intersection, and addresses signalization issues. He stated that CFI may reduce delays and congestion, save money, and that it fits into existing reserved overpass rights-of-ways. Mr. Neal reviewed typical traffic configurations and presented an animation of CFI traffic flow. He responded to the Council regarding CFI providing significantly less waiting time at intersections and spoke to there being a CFI location in Maryland. Mr. Neal responded to the Council that the Preston Road and Plano Parkway intersection improvements are presently under design, and that Spring Creek Parkway and Preston Road, and Legacy Boulevard and Preston Road intersections have yet to be funded. He stated that he does not have installation cost at this time but that pavement would be the primary cost. Deputy Mayor Pro Tem Lambert spoke to finding the easiest place in the City to make this work. Mr. Neal stated that Staff is looking into this and further advised Council Member Stovall that he will provide copies of the animation to the Council and will also look into providing the information and animation on the City web page.

## **Receive Recommendation on Current Regulations Which Allow Solicitation on Certain Major Intersections in Plano; Council Discussion and Direction on Continuing to Allow Solicitation at Major Intersections**

Paul Atkinson, citizen of the City, stated he is representing the Plano Shriners Club and that he is in favor of street solicitation as was developed previously but that loopholes have been found. He spoke to the Shriners collecting only on one weekend each year and to placing limitations without burdening anyone.

Robert Meine stated he has muscular dystrophy, spoke to attending camp and to the firemen helping out at camp and raising dollars for this camp. He requested that the firemen be allowed to continue.

Tracy Coker, District Director for the Muscular Dystrophy Association, spoke to existing ordinance, and stated that the five corners allowed firemen to solicit funds in order to continue research. She spoke to clinics, counseling and support groups, and stated that research facilities are provided as a result of funds collected.

Sue Meyne, citizen of the City, spoke to being blessed by funding given to the muscular dystrophy organization and to the funding of needed benefits. She asked that organizations be allowed to continue solicitation on the five intersections in question stating that funding is important.

Mathew Nichter, Plano Firefighters Association, MDA Division, spoke to funds raised, 50 years of tradition for firefighters, showing the public their involvement, and to positive testimony of the children. Mayor Evans inquired regarding standing on the outside street corners as opposed to the medians. Mr. Nichter stated that he feels this would be as effective and that street intersections/corners provide better funding as opposed to retail parking lots and spoke to requiring a permit for a legitimate cause once each year. Mayor Evans spoke to there being legal constraints in treating groups differently and stated that the safety issues of having persons out on the medians and looking for solutions to this problem is where the answer exists.

Carmen Holmes, Muscular Dystrophy Association spokesperson, spoke to working with fire fighters in this effort, the positive impact, funds raised, ordinances in existence in the Metroplex, use of permits, and to protecting citizens.

Council Member Stovall spoke to sub-committee recommendations regarding not allowing solicitation at the five intersections in question, not knowing the particulars of where the contributions go whether in or out of Plano, and to the bottom line being that it is dangerous. He stated there have been close calls. Council Member Magnuson spoke to meeting with the Police Chief, Police Administrator, City Attorney and the attorney assigned to the Police Department to discuss this issue and to finding ways to allow legitimate organizations to be out there while addressing the safety issues. She stated that other considerations may be initiated in the future but that the recommendation today is to add the five remaining intersections to the prohibited list.

Mr. Stovall responded to Mayor Evans that no actual discussion occurred regarding removing the solicitors from the medians but that it was the feeling that the medians were the most dangerous. He spoke to the danger of solicitors stepping into the roadway when approaching vehicles. City Attorney Wetherbee responded to the Council that at intersections where it is prohibited it is completely prohibited and spoke to not distinguishing what the solicitor's message is on public property or who is soliciting and that adding these requirements does not address the safety issue.

Mayor Evans spoke to trying to permit solicitation at the five intersections only on the outside portion of the intersection (not in the median). Ms. Wetherbee stated that this would be possible and spoke to determining what would be appropriate and to sending this information to the Police and Engineering Departments for a recommendation. Mr. Stovall spoke to the sub-committee studying this along with the Police and Engineering Departments and to temporarily prohibiting solicitation at the five intersections until such time as this issue can be reviewed.

Ms. Wetherbee stated that a recommendation could come back September 13 addressing the five intersections and spoke to determining how long it would take for the subcommittee and departments to make a recommendation being an unknown. Mr. Lambert recommended that the ordinance come back September 13 to remove the five intersections. He spoke to the subcommittee looking at possibilities. The Council concurred.

### **Presentation Regarding Smart Commute Mortgage Program**

Terrie Monroe, Neighborhood Services, stated that this program is a loan program benefiting residential growth in the downtown area when purchasing homes near public transit. She stated that this pilot program is being coordinated with Fannie Mae, DART, and Countrywide Mortgage, Community Credit Union, and Jefferson Mortgage as lenders who have committed to work on this project. Ms. Monroe stated that this program will go into effect October 15, 2004. Mr Richard Howell advised the Council he is involved with the project. Deputy Mayor Pro Tem Lambert stated that due to a conflict of interest he will be stepping down from this item resulting from his business relationship with Mr. Howe.

Sr. Deputy Director of Fannie Mae Ft. Worth Partnership office Steve Bradley spoke to keeping housing dialog open in working with local governments, and the private and public sector. He spoke to the importance of location and obtaining more home buying power, and to transportation costs being an issue. Mr. Bradley stated that typically the areas allowed are \_ mile within a major bus route or \_ from a rail line but that work was done with DART to expand the eligible area.

Richard Howe, 15th Street Village Townhouse Project, spoke to being excited about the Fannie Mae Program in downtown Plano and to being strong supporters.

Chuck Branch, Jefferson Mortgage, spoke to this project allowing flexibility with the growth in Plano, and providing more eligibility with quality homes. He spoke to closing cost assistance and to stipulations required. Ms. Monroe responded to Mayor Pro Tem Stahel that the DART downtown area is the pilot project.

Remaining items were discussed during the Regular Agenda. Nothing further was discussed. Mayor Evans recessed the meeting at 7:05 p.m.

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Pat Evans, **MAYOR**

ATTEST:

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Elaine Bealke, City Secretary