

**PLANO CITY COUNCIL**  
**January 9, 2012**

**COUNCIL MEMBERS PRESENT**

Phil Dyer, Mayor  
Pat Miner, Mayor Pro Tem  
Lissa Smith, Deputy Mayor Pro Tem  
Ben Harris  
André Davidson  
James Duggan  
Patrick Gallagher  
Lee Dunlap

**STAFF PRESENT**

Bruce Glasscock, City Manager  
LaShon Ross, Deputy City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, January 9, 2012, at 7:10 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Melissa Hatch, Associate Pastor of First United Methodist Church Plano led the invocation and Representatives of the Boys and Girls Club of Collin County Plano led the Pledge of Allegiance.

Mayor Dyer presented a proclamation to representatives of Medical Center of Plano and the American Heart Association recognized February as Heart Disease Awareness Month.

**COMMENTS OF PUBLIC INTEREST**

Citizens Marty Carpenter, Don W. Stewart and Mohammad Karim spoke regarding neighborhood concerns related to noise, light, safety and trespassing. City Manager Glasscock advised that Staff will review the circumstances and provide information to the Council and speakers.

**CONSENT AGENDA**

Upon a motion made by Mayor Pro Tem Miner and seconded by Council Member Davidson, the Council voted 8-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** (Consent Agenda Item "A")  
December 20, 2011

**Approval of Expenditures**

**Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)**

**Bid No. 2012-41-B** for Legacy Trail Improvements, Projects 5880 and 6116 to Cole Construction, Inc. in the amount of \$738,900 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

### **Purchase from an Existing Contract**

To approve the purchase of one (1) Alamo Interstater Mower for Fleet Services to be utilized by Ground Maintenance in the amount of \$51,024 from Alamo Sales Corporation through an existing contract/agreement with HGAC, and authorizing the City Manager to execute all necessary documents. (HGAC Contract #GRO-10) (Consent Agenda Item “C”)

To approve the purchase of one (1) Kenworth Concrete Truck for Fleet Services to be utilized by Municipal Drainage in the amount of \$135,404 from MHC Kenworth through an existing contract/agreement with TASB/Buyboard, and authorizing the City Manager to execute all necessary documents. (TASB/Buyboard Contract #358-10) (Consent Agenda Item “D”)

### **Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)**

To approve a Professional Service Agreement by and between the City of Plano and Lobbylt.com, LLC for consulting and legislative services, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

### **Adoption of Resolutions**

**Resolution No. 2012-1-1(R):** To approve the terms and conditions of a First Modification to the contract by and between The Samaritan Inn and the City of Plano for Homelessness Prevention Program services in Plano and reallocating unused funds available for this program; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “F”)

### **END OF CONSENT**

**Public Hearing and adoption of Ordinance No. 2012-1-2** as requested in Zoning Case 2011-33 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 617 so as to allow the additional use of Trade/Commercial School on 0.1± acre of land located on the north side of Teakwood Lane, 290± feet west of Custer Road, in the City of Plano, Collin County, Texas, presently zoned General Office; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Ken Ogendipe (Regular Agenda Item “1”)

Planning Manager Firgens advised that the applicant proposed to develop a 2,000 square foot nursing school and spoke to surrounding uses. She further advised that the Planning and Zoning Commission recommended approval of the request as submitted.

Mayor Dyer opened the Public Hearing. No one spoke for or against the request, the Public Hearing was closed.

**Ordinance No. 2012-1-2 (cont'd)**

Upon a motion made by Council Member Harris and seconded by Deputy Mayor Pro Tem Smith, the Council voted 8-0 to grant Specific Use Permit No. 617 so as to allow the additional use of Trade/Commercial School on 0.1± acre of land located on the north side of Teakwood Lane, 290± feet west of Custer Road, in the City of Plano, Collin County, Texas, presently zoned General Office; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2011-33; and further to adopt Ordinance No. 2012-1-2.

**Public Hearing and adoption of Ordinance No. 2012-1-3** as requested in Zoning Case 2011-38 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, amending Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance, as heretofore amended, pertaining to municipal marketing signs; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano (Regular Agenda Item “2”)

Planning Manager Firgens advised that the Planning and Zoning Commission recommended approval of the request as follows: (Additions shown as underlined text and deletions as strike through text)

Amend Subsection 3.1602 (Definitions) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) to include the following definition:

Sign - Municipal Marketing - A sign located on city property that is permitted pursuant to a Marketing Partnership Agreement between the City of Plano and a sponsor, donor, or partner pursuant to the City of Plano Marketing Partnership Policy, Section 140.000 of the City of Plano Policies and Procedures as the same may be amended from time to time. Municipal marketing signs shall comply with Subsection 3.1603 (Design and Construction Specifications).

Amend (8) (Light Pole Banners) of Subsection 3.1603 (Design and Construction Specifications) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) such portion of subsection to read as follows:

3.1603 Design and Construction Specifications

8. Light Pole Banners

- a. Two banner maximum per light pole standard.
- b. Banners on light pole standards shall be securely attached at both ends, perpendicular or parallel to light pole standards.
- c. Each banner shall be limited to 15.5 square feet.
- d. Banners are allowed to be attached on up to 50% of the existing light pole standards within a property.
- e. Banners on light pole standards shall be limited to noncommercial messages-, except for municipal marketing signs.

**Ordinance No. 2012-1-3 (cont'd)**

- f. Light pole banners shall be allowed within parking lots in both residential and nonresidential zoning districts.

Amend (3) (Prohibited Signs) of Subsection 3.1604 (General) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) such portion of subsection to read as follows:

3.1604 General

3. Prohibited Signs

Except as otherwise expressly allowed by this ordinance or as otherwise expressly allowed by Article XII, Chapter 6, of the City of Plano Code of Ordinances, the following signs and conditions are prohibited:

- a. Signs displaying materials determined to be obscene by a court of law or prohibited by law, subject to the appeal and judicial review proceedings provided for in Subsection 3.1601.9.f.
- b. Signs placed in any location which by reason of their location will obstruct the view of any authorized traffic sign, signal, or other traffic control device by vehicular or pedestrian traffic. No sign shall be erected which by reason of shape, color, size, design, or position, would be reasonably likely to create confusion with, to be confused as, or to interfere with any traffic signal or device which is authorized by the appropriate state or local governmental authorities. Further, no sign shall be placed in a location that will obstruct vision of a vehicle operator while entering, exiting, or traveling upon the public right-of-way.
- c. Signs placed so as to prevent or inhibit free ingress to or egress from any door, window, or any exit way required by the Building Code of the City of Plano or by Fire Department regulations.
- d. A-frame and sandwich board signs.
- e. Signs that are animated by any means not providing constant illumination, except time and temperature units. Signs which rotate or emit audible sound or visible matter. No sign shall be illuminated to such intensity or in such a manner so as to cause a glare or brightness to a degree that it constitutes a hazard or nuisance to vehicular traffic, pedestrians, or adjacent properties.
- f. Signs located on public property including, but not limited to, signs attached to any public utility pole or structure, street light, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, or other location on public property-, unless the same is a sign for a city sponsored event or message or a municipal marketing sign.
- g. Roof signs.
- h. Amenity signs.

**Ordinance No. 2012-1-3 (cont'd)**

- i. Billboard signs.
- j. Signs attached to a standpipe or fire escape.
- k. Signs erected on or over public property or in the right-of-way of any thoroughfare within the city of Plano, unless the same is erected by the city or with the permission of the city for public purposes. (Exception: Signs located in the Downtown Business/Government district may be erected over the public sidewalk provided the sign projects no more than the width of the sidewalk minus one foot and provided the clearance between the bottom of the sign and the sidewalk below is a minimum of seven feet.)
- l. No person shall attach any sign, paper, or other material, or paint, stencil, or write any name, number (except house numbers), or otherwise mark on any sidewalk, curb, gutter, street, utility pole, public building, or structure, except as otherwise allowed by this ordinance.
- m. No person shall place on or suspend from any building, light fixture, pole structure, sidewalk, parkway, driveway, or parking area any goods, wares, merchandise, or other advertising object or structure for the purpose of advertising such items other than a sign, as defined, regulated, and prescribed by this ordinance, except as otherwise allowed by this ordinance.
- n. It shall be unlawful for any person to place or cause to be placed any private temporary directional sign(s) within the city of Plano on any public right-of-way of any major or minor thoroughfare (street designated as Type A, B, C, D, E, or F in the City of Plano Thoroughfare Plan). The Building Official may impound all signs in violation of this section.
- o. Searchlights.
- p. Offsite/Premise signs (except as allowed in Subsection ~~3.1603.5.i.~~ 3.1603.2.k. and for municipal marketing signs).

Mayor Dyer opened the Public Hearing. No one spoke for or against the request, the Public Hearing was closed.

Upon a motion made by Council Member Davidson and seconded by Council Member Harris, the Council voted 8-0 to amend Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance, as heretofore amended, pertaining to municipal marketing signs; as requested in Zoning Case 2011-38 and as recommended by the Planning and Zoning Commission; and further to adopt Ordinance No. 2012-1-3.

Nothing further was discussed and Mayor Dyer adjourned the meeting at 7:37 p.m.

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**Phil Dyer, MAYOR**

ATTEST:

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Diane Zucco, City Secretary