

**PLANO CITY COUNCIL
PRELIMINARY AND REGULAR OPEN MEETING
April 1, 2002**

COUNCIL MEMBERS

Jeran Akers, Mayor
Rick Neudorff, Mayor Pro tem
Phil Dyer, Deputy Mayor Pro tem
Shep Stahel
Scott Johnson
Steve Stovall
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

Deputy Mayor Pro tem Dyer called the meeting to order at 5:06 p.m., Monday, April 1, 2002, in the Council Chambers of the Municipal Center, 1520 K Avenue. Mayor Akers arrived at 5:07 p.m. and Mayor Pro tem Neudorff arrived at 5:15 p.m.

PRELIMINARY OPEN MEETING

Spotlight on Customer and Utility Services

Director of Customer and Utility Services Keylon introduced department team members, spoke to the focus of providing quality customer service, reviewed the history of the department with a “then and now” comparison, and stated that standards of the department are a benchmark for other cities. She spoke to improvements made in billing and to the addition of the City’s internet billing site.

Customer and Utility Services Manager of Field Operations Spencer advised that she oversees field operations for the department with the primary service being meter reading and customer service. She stated that meters are read every month and not estimated, spoke to “then and now” comparisons and to recent technology changes in meter reading with the use of the “fire fly” antennae device. She reviewed the customer profiling for consumption process, progress with the Geographical Information System mapping process, and Global Positioning System used to pinpoint the position of meters.

Customer and Utility Services Office Manager Whitten advised that he oversees billing and collections in the department, operation of the City “store,” resolution of storm drainage issues for the Engineering Department, and the issuance of toll tags. He spoke to electronic payments via the internet site and to water usage tracking.

Ms. Keylon and Ms. Spencer advised the Council that the “fire fly” device is tamper resistant.

Briefing from the Arts of Collin County

Collin County Cultural Arts District Chair Robbie Robinson spoke regarding progress made with the committee headed up by the mayors of the participating cities, and stated that the proposed performing arts theater is to be a focal point for Collin County achieved by combined resources. He stated that the arts theater “vision” will come out of Public Hearings held and that a process recommendation will come forward to the mayors in July. Mr. Robinson stated that it is believed the arts district will enhance quality of life as it relates to the arts, spoke to the community college arts department using the facility, and stated that each participating city has contributed \$32,500. He stated that each city has agreed to share construction costs and to divide the operation and maintenance costs on a pro rata basis.

Mr. Robinson spoke to an RFP drafted, the hiring of two consultants, and stated that “The Arts of Collin County” has been identified as the logo. He stated that five theaters have been visited in order to learn about operations, landowners have been asked for donations, and that committees are making excellent progress towards resolving issues. Mr. Robinson stated that the community college and four independent school districts are looking at how the arts theater complex can work closely with the schools and to identify synergies. He stated that the four economic leaders in the community are being asked to come up with what the impact possibly will be on economic development, and spoke to hopefully assembling business leaders to develop long-term relationships. Mr. Robinson stated that individuals are being interviewed to determine what assets exist in the community, a 501(c)(3) is being established, and further that a web site should be established this week.

Mr. Robinson stated they are on schedule and within the budget, and that advantages to this proposal are to combine resources and talents of all the communities, and getting the best facility utilization. Mr. Robinson spoke to keeping the arts in Collin County, making effective use of tax dollars, being a centerpiece for Collin County, improving economic development, and improving the overall quality of life by making the arts more affordable and accessible. Council Member Stahel spoke to continuing on course.

PROCLAMATIONS

Mayor Akers presented a proclamation recognizing Plano Community Development Week

Volunteers in Plano Appreciation Awards

Mayor Akers presented the Appreciation Awards to the Plano Volunteers

Council Items for Discussion/Action on Future Agendas

No items were discussed.

Council Committee Reports

No reports were given.

Consent and Regular Agenda

City Attorney Wetherbee advised Council Member Lambert that it is noted that Consent Item "G," resolution to amend sections of the City Code with regard to Heritage Resource Preservation, is amended to reflect a September time frame term ending designation (October 31 roster date) and that it need not be removed from the Consent Agenda to do so.

CONSENT AGENDA

Upon a motion made by Council Member McGee and seconded by Council Member Stovall, the Council voted 8-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

Award, Rejection of Bids/Proposals, Conditional Acceptance of Lowest Responsible Bid/Proposal and Designation of Alternate Lowest Responsible Bid/Proposal when applicable on the following

Bid No. B056-02 for a Dog Park at Jack Carter Park (Project #5204) in the amount of \$91,746. [Consent Agenda Item (A)] (See Exhibit "A")

Adoption of Resolutions

Resolution No. 2002-4-1(R): To amend Resolution No. 98-7-16(R) to provide for clarification of term limits for persons appointed as alternates; and providing a repealer clause, a severability clause; and an effective date. [Consent Agenda Item (B)]

Resolution No. 2002-4-2(R): To authorize an expenditure of funds not to exceed two hundred seventy thousand and no/100 dollars (\$270,000.00) to Uretek USA, Inc., the sole source provider and licensee of the Uretek Method® and Uretek 486, a high density polyurethane material used for street and alley pavement repair; authorizing the City Manager to take such action and execute such documents as necessary to effectuate this expenditure; and providing an effective date. [Consent Agenda Item (C)]

Resolution No. 2002-4-3(R): To support the Plano Transit Village Project for funding under the North Central Texas Council of Governments (NCTCOG), Sustainable Development Initiative, Land-Use/Transportation Joint Venture Funding Program, providing a commitment to the local match required for federal funding; and providing an effective date. [Consent Agenda Item (D)]

Adoption of Ordinances

Ordinance No. 2002-4-4: To revise Section 2-242, Membership, of Article XII, Senior Citizens Advisory Board, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano to remove the required appointment of one (1) ex officio member; and providing a repealer clause, a severability clause, and an effective date. [Consent Agenda Item (E)]

Ordinance No. 2002-4-5: To revise Subsection (a) of Section 2-156, Established; Composition; Appointment of Members, of Article VII, Community Relations Commission, of Chapter 2 Administration, of the Code of Ordinances of the City of Plano to decrease the number of members from 15 to 8; and providing a repealer clause, a severability clause, and an effective date. [Consent Agenda Item (F)]

Ordinance No. 2002-4-6: To amend Sections 2-251, 2-252 and 2-256 of Article XIII, Cultural Affairs Commission, of Chapter 2, Administration, of the City of Plano Code of Ordinances, to remove references to the historic preservation, and amending Section 16-108 of Article IV, Heritage Resource Preservation, of Chapter 16, Planning and Development, of the City of Plano Code of Ordinances, to add a new function to the Heritage Commission of reviewing and approving grant applications, and providing a repealer clause, a severability clause, and an effective date. [Consent Agenda Item (G)]

Reimbursement of Oversize

To approve and authorize reimbursement to Lennar Homes of Texas, Inc. for oversize participation in paving improvements in McDermott Road associated with construction of Villages of White Rock Creek in the amount of \$39,949. [Consent Agenda Item (H)]

To approve and authorize reimbursement to Lennar Homes of Texas Land and Construction, Ltd. for oversize participation in paving improvements and parkland improvements associated with construction of Villages of White Rock Creek in the amount of \$409,059. [Consent Agenda Item (I)]

Approval of Contracts

A contract made and entered into by and between the City of Plano, the Plano Independent School District, Collin County Community College District and Sharon Rowe, the Elections Administrator of Collin County, Texas, pursuant to the authority in Subchapter D, Section 31.091, of Chapter 31, of the Texas Election Code, regarding the coordination, supervision, and running of the City, School and College District's May 4, 2002, Joint General Elections and City of Plano Special Election in the estimated amount of \$18,293. [Consent Agenda Item (J)]

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2002-4-7 as requested in Zoning Case 2002-01 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 463 so as to allow the additional use of an Arcade on 0.3± acre of land out of the A.B. Perrin Survey, Abstract No. 712, located on the north side of Parker Road, 200± feet east of Alma Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-69-Retail with Specific Use Permit No. 53 for a Private Club; 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, and an effective date. Neighborhood #36. Applicant: Village Square Joint Venture. Tabled 03/19/02 [Regular Agenda Item (1)]

Upon a motion made by Council Member Lambert and seconded by Council Member McGee, the Council voted 8-0 to remove the following item from the table.

Director of Planning Jarrell advised that this item was previously tabled due to Council concerns and questions regarding a school located in the same shopping center as the arcade request. She stated that Staff has since gone back to speak with the operators of the school who have advised that it is operated as a day care as well as offering specialized language courses and does not offer what is considered to be a primary or secondary school curriculum which is the distinction made by the zoning ordinance. Ms. Jarrell stated that the zoning ordinance prohibits arcades within 1,000 feet of public or parochial schools, and further stated that there are no distance requirements from day care centers or private schools. She stated that the arcade does meet the requirements that are set forth in the zoning ordinance and that the Planning and Zoning Commission does recommend approval.

Council Member Lambert posed the question as to the arcade being family or adult oriented. Mr. Gary Masters advised that he is the arcade vendor and that the restaurant is a family restaurant. He stated that the vending machines include pinball, sit-down driving games, Candy Crane, and Kiddy Ride. He stated that pool tables will be located in the new portion of the building and will be non-coin operated and paid for by the hour.

Mayor Akers opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

A motion was made by Council Member Stahel and seconded by Deputy Mayor Pro tem Dyer to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 463 so as to allow the additional use of an Arcade on 0.3± acre of land out of the A.B. Perrin Survey, Abstract No. 712, located on the north side of Parker Road, 200± feet east of Alma Road in the City of Plano, Collin County, Texas, as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2002-01; presently zoned Planned Development-69-Retail with Specific Use Permit No. 53 for a Private Club; 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, and an effective date; and further to adopt Ordinance No. 2002-4-7. The Council voted 5-3 with Mayor Akers, Mayor Pro tem Neudorff and Council Member Lambert voting in opposition. The motion carried.

Nothing further was discussed. Mayor Akers advised at 6:45 p.m. that the Council will recess and convene into Executive Session in the Council Conference Room after which time the meeting will finally adjourn. The Council convened into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, to discuss Legal matters, Section 551.071, for which a certified agenda is not required. Mayor Akers finally closed the meeting at 7:07 p.m. in the Council Conference Room.

Jeran Akers, **MAYOR**

Phil Dyer, **Deputy Mayor Pro tem**

Elaine Bealke, **City Secretary**