

**PLANO CITY COUNCIL  
PRELIMINARY AND REGULAR OPEN MEETING  
MAY 6, 2003**

**COUNCIL MEMBERS**

Pat Evans, Mayor  
Phil Dyer, Mayor Pro tem  
Steve Stovall, Deputy Mayor Pro tem  
Shep Stahel  
Scott Johnson  
Sally Magnuson  
John Roach, Jr.  
Ken Lambert

**Council Members Elected and  
Designation of Mayor Pro tem and Deputy Mayor Pro tem**

Shep Stahel, Deputy Mayor Pro tem  
Phil Dyer  
Steve Stovall, Mayor Pro tem  
Jean Callison

**Council Members Stepping Down**

John Roach, Jr.

**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 5:04 p.m., Tuesday, May 6, 2003, in the Council Chambers of the Plano Municipal Center, 1520 K Avenue. All Council Members were present. All newly elected Council Members were present.

**Preliminary Open Meeting**

**Resolution 2003-5-1(R)** To canvass the election returns of the Joint General Election of May 3, 2003, for the election of four members of Council (Places 1, 3, 5 and 7) for a term of two years; declaring the results; and resolving other matters on the subject.

Mayor Evans stated that she has asked Council Member Roach and Council Member Magnuson to canvass the votes. City Secretary Bealke read the resolution caption into the record and advised that the records include a memo from Collin County Elections Administration stating that 4,573 ballots were cast in the May 3, 2003 election, a statement from Collin County Elections verifying the tabulated results, and further read into the record the accumulated totals.

Upon completion of the canvass, Council Member Roach stated that they have canvassed the returns of the election and find that all ballot cards are accounted for as certified by the Elections Administrator of Collin County, with a total of 4,573 City ballots cast and further do make a motion to adopt a resolution to approve the canvass of the returns of the May 3, 2003, General Election and declaring that Shep Stahel was elected to Place One, Phil Dyer was elected to Place Three, Steve Stovall was elected to Place Five, and Jean Callison was elected to Place Seven for a period of two years. Council Member Magnuson made a second to the motion and the Council voted 8-0, and further adopted Resolution No. 2003-5-1(R).

Mayor Evans thanked Council Member Roach for his service to the City.

**Oaths of Office for Newly Elected Council Members:**

City Secretary Bealke administered the oath of office to newly elected Council Members Stahel, Dyer, Stovall, and Callison.

Council Member Roach stepped down from the bench. Council Member Callison assumed her place on the bench.

**Consideration and Action Resulting From Executive Session  
Personnel: Mayor Pro tem and Deputy Mayor Pro tem**

Mayor Evans stated that the selection of the Mayor Pro tem and Deputy Mayor Pro tem is based on seniority rotation and that it will be unnecessary to convene into Executive Session for discussion of this item.

Upon a motion made by (then) Mayor Pro tem Dyer and seconded by Council Member Magnuson, the Council voted 8-0 to appoint Steve Stovall as Mayor Pro tem.

Upon a motion made by Council Member Lambert and seconded by Council Member Johnson, the Council voted 8-0 to appoint Shep Stahel as Deputy Mayor Pro tem.

Mayor Evans thanked Council Member Dyer for his service to the City as Mayor Pro tem.

Mayor Evans presented proclamations recognizing “Wildflower Week” and “Historic Preservation Week.”

### **Performing Arts Center Report**

Arts of Collin County Steering Committee Chair Steve Matthews spoke to meetings held and stated that the Committee is waiting for potential development regarding City of McKinney participation which is contingent upon voter approval. He stated that the McKinney City Council will make a decision in the next few weeks regarding moving forward with an election.

Mr. Matthews stated that in the interim, the Committee has developed a program of work for 2003, the first of which is the creation of a Local Government Corporation Committee. He stated that their task is to create an interlocal agreement and supporting documents to bind the four cities (Allen, Frisco, McKinney, and Plano) for the long term. Mr. Matthews stated that the City of Allen has been asked to coordinate an additional contract with Theatre Projects Consultants (TPC). He stated that particular attention will be paid to budgetary estimates and that the request has been made for TPC to use a different cost consultant than was previously used.

Mr. Matthews spoke to the Site Selection Committee and stated that this is an assessment committee which will be looking at three preliminary sites located at the northeast, southeast, and northwest corners of Custer Road and Highway 121. He stated that the recommendation is that 100 acres be purchased.

Mr. Matthews spoke to the Architect and Acoustician Selection Committee and stated that members of this Committee may need to travel to selected sites to obtain needed information for the project.

Mr. Matthews stated that a budget of \$197,000 has been identified for these projects, that the Committee is being prudent with spending, and spoke to waiting for action from the City of McKinney in the meantime before spending unnecessary dollars. He spoke to an interlocal agreement between the cities of Allen, Frisco and Plano to provide the dollars for the projects identified tonight and advised the Council that funding participation by the City of McKinney is pending voter approval. City Manager Muehlenbeck stated that this item will be brought forward for Council approval at the next Council meeting.

### **Discussion and Direction Regarding Chamber of Commerce Use of City Logo**

City Manager Muehlenbeck stated that the Plano Chamber of Commerce has requested approval of the use of the “Plano P” logo for the City of Plano on a sign recognizing all the Chamber’s “chairman’s council members” and that he does recommend approval of the request.

Upon a motion made by Mayor Pro tem Stovall and seconded by Council Member Magnuson, the Council voted 8-0 to approve the use by the Plano Chamber of Commerce of the "Plano P" logo for their use as identified.

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

Council Member Lambert spoke to board and commission attendance and to placing an item on a future agenda to determine whether letters should be sent to those members whose attendance falls below 75% by the City Secretary Department or by Council Members themselves.

### **Consent Agenda**

No items were brought forward.

### **Council Committee Reports**

Mayor Pro tem Stovall spoke to a meeting of the Information Technology and Communications Steering Committee of the National League of Cities and to the outstanding job completed by City of Plano Staff.

Mayor Evans requested that the City Secretary provide the Council the list of Council liaisons representing the boards and commissions, community associations, ad hoc committees, and roundtables. She requested that after such time the Council e-mail their requests of preference for representation of these committees as stated in order that this might be addressed at the next Council meeting.

### **CONSENT AGENDA**

Upon a motion made by Deputy Mayor Pro tem Stahel and seconded by Council Member Johnson, the Council voted 8-0 to approve and adopt all items on the Consent Agenda as stated 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. B064-03** for Construction of Kimberlea Water Rehabilitation and Fire Hydrant Installation in the amount of \$1,335,113. [Consent Agenda Item (A)] (See Exhibit "A")

**Bid No. B062-03** for Construction of Jupiter Road – Spring Creek Parkway to Chaparral Road in the amount of \$2,213,198. [Consent Agenda Item (B)] (See Exhibit "B")

### **Adoption of Resolutions**

**Resolution No. 2003-5-2(R):** To approve the terms and conditions of a tender agreement by and between American Manufacturers Mutual Insurance Company and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (C)]

**Resolution No. 2003-5-3(R):** To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas, and Collin County, Texas, for the improvements to Jupiter Road, from north of Spring Creek Parkway to Timberbrook Drive, and Los Rios Boulevard, from Jupiter Road east to Morton Vale; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (D)]

### **Adoption of Ordinances**

**Ordinance No. 2003-5-4:** To repeal Section 15-55 of the Plano Code of Ordinances in its entirety; repealing Sections 15-24, 15-56, 15-63 and 15-66 of the Code of Ordinances and replacing with provisions containing new language regarding Parks and Recreation Planning Board responsibilities, sports seasons, scheduling and hours regulating the use of lights for athletic fields, and amending Sections 15-4(7), 15-57(a) and 15-58(7) of the Code of Ordinances for activities relating to the restraint of animals, allocations of facilities, and requirements for organizations using the recreation facilities; providing severability, repealing, savings, penalty and publication clauses, and an effective date. [Consent Agenda Item (E)]

### **Award of Contract**

Approved and authorized a contract with Herman Thompson & Associates to provide Landscape Architectural Services in conjunction with improvements to the Preston Road median in the amount of \$27,000; and to authorize the City Manager to execute any and all documents necessary to effectuate the contract. [Consent Agenda Item (F)]

### **Approval of Completion Contractor**

Approved of Surety's tender of Joe Funk Construction Engineers, Inc. as completing contractor for construction of Pecan Hollow Clubhouse in the amount of \$2,194,603. [Consent Agenda Item (G)]

### **END OF CONSENT**

Nothing further was discussed. Mayor Evans adjourned the meeting at 5:35 p.m.

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Pat Evans, **MAYOR**

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Elaine Bealke, CITY SECRETARY