

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
October 23, 2006**

COUNCIL MEMBERS

Pat Evans, Mayor
Scott Johnson, Mayor Pro Tem
Sally Magnuson, Deputy Mayor Pro Tem
Shep Stahel
Loretta Ellerbe
Harry LaRosiliere
Jean Callison
Lee Dunlap

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 5:11 p.m., Monday, October 23, 2006, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Council Member Callison arrived at 5:13 p.m. 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, and to discuss Personnel, Section 551.074 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 6:40 p.m. in the Council Chambers where the following matters were discussed:

Consideration and Action Resulting From Executive Session Discussion

Personnel Appointments

Planning & Zoning Commission

Upon a motion made by Mayor Pro Tem Johnson and a second by Council Member Ellerbe, the Council voted 8-0 to appoint Laura Williamson.

Personnel/Appointments/Reappointments

Plano Housing Authority

Upon a motion made by Mayor Evans and a second by Council Member Dunlap, the Council voted 8-0 to reappoint Linda Hester and Paul Gephart, and further confirmed Paul Gephart as Chair.

Discussion and Direction Regarding a Proposed Fountain in the Shops at Legacy

Fehmi Karahan of The Shops at Legacy spoke regarding the proposal for a public/private partnership with the City to build a fountain in Legacy Town Center. He spoke to the fountain incorporating a destination point theme, to the overall vision of the Center, dollars added to the tax base and retail sales generated, and establishing a benchmark. Mr. Karahan spoke to the location of the proposed fountain at Legacy Circle in the northern portion of Legacy Town Center and to future dollars generated upon completion. He requested assistance from the City in building a special place.

Nadine Schelbert, WET Design team member, spoke to the development of three fountain designs to be considered and provided an overview of the water landscape of each design. She spoke to this being a contribution of a lively and exciting urban environment at The Shops at Legacy.

Lewis Shaw of Jackson-Shaw Company spoke to the importance of the proposed fountain, benefits that will be realized by the City as a participant, and to the future hotel being a beneficiary as well.

Dave Noble of Trammell Crow spoke to confidence in locating the fountain at The Shops at Legacy.

Mr. Karahan responded to the Council regarding good roadway access, the size of the fountain, and to water measurements. Ms. Schelbert responded to the Council regarding wind sensors being incorporated into the water features. Mr. Karahan spoke to meeting with the Public Art Committee, stated that costs range from \$2.5 million to \$4.5 million with the cost of the second option being around \$3 million. He spoke to creating a meaningful partnership.

Council Member Stahel spoke to the differentials in cost, the viewing by the Public Art Committee, and to \$3 million in costs. Mr. Karahan spoke to his budget being around \$800,000 with remaining funding of approximately \$2.2 million requested from the City. He responded to the Council that all maintenance costs and necessary training to operate the fountain will be assumed by The Shops at Legacy. Mr. Karahan further responded regarding the fall of 2007 as being the estimated time frame for the fountain to be in place.

City Manager Muehlenbeck spoke to determining the persuasion of the Council before beginning any funding discussions, stated that after this is determined and if interest is found to be there, discussions could then take place with the Budget Department with a possible recommendation of funding brought back to the Council for consideration.

Deputy Mayor Pro Tem Magnuson stated that she is interested in pursuing the request. Council Member Stahel stated that he is not interested in funding participation at this level as a matter of public policy and spoke to the question of what benefits the citizens might realize. He spoke to the fountain not generating either benefits or revenue. Council Member LaRosiliere spoke to pursuing the request in terms of understanding the level of commitment that might be required and stated that it is his belief that this would benefit the citizens and spoke to creating a sense of place to gather. Council Member Ellerbe spoke to working something out but not at the \$2.2 million level, and recommended obtaining additional information. Mayor Pro Tem Johnson spoke to the idea being a good one and representative of a sense of place, and to pursuing further discussion.

Mayor Evans spoke to the fountain being a gathering place and a great attraction for visitors, and to realizing future economic benefits. Ms. Magnuson spoke to the fountain as "building" on existing highlights such as the cattle drive sculptures, previous discussions of forming public private partnerships, and to learning more about the proposal. Council Member Dunlap spoke to being willing to listen, not necessarily supporting the project, and spoke to looking further at fountain design components. Council Member Callison spoke to being in favor of the proposed fountain but with conservative funding participation. Mayor Evans recommended that the City Manager come back with a recommendation to the Council of a level of funding participation. Mr. Stahel recommended that this come back as a discussion item on the regular agenda and that public comment be received.

There was no further discussion. Remaining Preliminary items were discussed during the Regular Meeting. Mayor Evans recessed the meeting at 7:31 p.m.

Pat Evans, Mayor

ATTEST:

Elaine Bealke, City Secretary