

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
May 11, 2015**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Ben Harris, Deputy Mayor Pro Tem
Pat Miner
Jim Duggan
Patrick Gallagher
David Downs

COUNCIL MEMBERS ABSENT

Lissa Smith, Mayor Pro Tem
André Davidson

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Jim Parrish, Deputy City Manager
Mark Israelson, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:01 p.m., Monday, May 11, 2015, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor LaRosiliere 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; to receive information regarding Economic Development, Section 551.087; to discuss Real Estate, Section 551.072; and 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 LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 6:00 p.m. in the Senator Florence Shapiro Council Chambers.

Consideration and action resulting from Executive Session discussion-

a) Personnel

North Texas Municipal Water District Board – Consideration of Plano's two Board Member positions; Appointment of one member to fill position resulting from expired term and removal and replacement of second member

Personnel – Appointments (Cont'd.)

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Miner, the Council voted 6–0 to appoint Phil Dyer as a member for the term expiring May 31, 2017.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Gallagher, the Council voted 5–1, with Council Member Miner voting in opposition, to replace Shep Stahel with James “Rod” Hogan as a member for a term expiring May 31, 2016.

Discussion and Direction regarding the Collinwood House

M’Lou Hyttinen, Executive Director of the Heritage Farmstead Museum, thanked the Council for the opportunity and stated the legacy families would be making the presentation. She introduced Mary Ann Wells. Ms. Wells spoke to her mother’s documenting of Plano’s history and stated the Collinwood house was the last site of Anglo settlement. She provided information of some of the features of the home and added moving the home would destroy its historical significance. Ms. Wells reported to date over \$500,000 has been raised to support the project and that the group needed additional time to raise additional funds. She encouraged the City to partner with the group and preserve the property.

Craig Melde with Architexas, a Historical Preservation consultant, outlined a preservation plan for the property, stating using photographs of the Carpenter house for reference, the property could be restored to its original design. Mr. Melde provided an alternative location for the pavilion to accommodate leaving the house in its current location. Ginger Harrington-Ellis spoke to the history of Plano and the property stating her great-great grandfather built the Collinwood house and requested the Council to respect the past and preserve the property as a part of history.

Jamie Schell spoke to the value of the property and that the legacy families made Plano what it is today. He stated the property was built in 1861, predating the incorporation of the City of Plano. Mr. Schell added the property needs a lot of TLC but is worthy of preservation. He advised the group has a business plan but did not provide details. Mr. Schell stated the Mesa Plan from 2012, indicates the home should remain on the property. He encouraged Council to be a hero for Plano and allow the group more time.

The Council discussed their concerns about the property. Council Member Miner is concerned about the cost to the City and would like to see it moved but not dismantled. Council Member Gallagher stated he thought the cost would be greater than the original million dollar estimate. Deputy Mayor Pro Tem Harris expressed general discomfort with the project but cited security and financial obligation as concerns and supports moving forward with the park project. Council Member Downs stated the project should not be a financial burden for the City and questioned the cost of providing more time for the group to raise funds. Council Member Duggan advised he does not want to tear down history but questioned, is the structure in its current remodeled condition, just partially historic. Mayor LaRosiliere spoke to the value and the respect the City has for history and the financial component being of concern. He questioned if in three to five years the group would be back asking for additional financial support.

Mayor LaRosiliere asked Director of Parks and Recreation Fortenberry if there was additional information regarding a plan beyond the preservation of the house. Ms. Fortenberry stated the proposal spoke to the use of the barns on the property for event venues and that the use would not be permitted due to the barns location in the flood plain and proximity to residential properties. She discussed the additional 3½ years of time required if the park plan were to be restarted to include the house and that timeframe would include master planning, the RFP process and the construction. Ms. Fortenberry stated the original thought was to memorialize the house by having the pavilion on the site with historical information about the property.

City Manager Glasscock stated it is an extremely difficult situation but it is the Council's decision to keep the house in the park or move on with the current park plan and that providing the group with more time is essentially keeping the house in the park. He advised the project would not be eligible for Hotel/Motel tax funds and would be funded by the general fund unless the Council determines otherwise. Mr. Glasscock added if the Council decides to keep the house in place, it will be treated like any other City of Excellence project by Staff. In response to Council Member Downs, Mr. Schell stated the value of the property would be lost if it was moved, but an individual has property where the house can be stored if moved by the City. The Council expressed a desire to move forward with the park plan as is, with a vote of 4 – 2, with Council Members Miner and Downs in opposition.

Discussion and Direction re Great Update Rebate & Neighborhood Grant Program

This item was presented during the regular council meeting.

Consent and Regular Agendas

This item was presented during the regular council meeting.

Council Items for Future Discussion

This item was presented during the regular council meeting.

Nothing further was discussed. Remaining items were presented during the Regular meeting. Mayor LaRosiliere adjourned the meeting at 6:55 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
REGULAR SESSION
May 11, 2015**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Ben Harris, Deputy Mayor Pro Tem
Pat Miner
Jim Duggan
Patrick Gallagher
David Downs

COUNCIL MEMBERS ABSENT

Lissa Smith, Mayor Pro Tem
André Davidson

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Jim Parrish, Deputy City Manager
Mark Israelson, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, May 11, 2015, at 7:01 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Associate Pastor Julian McMillian of Grace Outreach Center led the invocation and Reagan Sujack and Devin Davis led the Pledge of Allegiance and Texas Pledge.

Mayor LaRosiliere presented proclamations for Kids to Park Day, Bike to Work Week, National Historic Preservation Month and administered the Oath of Office to Brian Bascom, member of the Parks and Recreation Planning Board.

Discussion and Direction re Great Update Rebate & Neighborhood Grant Program

Director of Neighborhood Services Schwarz provided a brief overview of the program. She spoke to the 106 projects with a rebate total of \$463,187 and an overall impact of \$2.6 million of improvements. Ms. Schwarz reported improvement types included bathroom and kitchen remodels, foundation repair, window replacement, HVAC, landscaping, and fence repair and provided photographs of completed improvement projects.

Ms. Schwarz outlined the details of the Neighborhood Vitality and Beautification Grant Program. She spoke to the program purpose of encouraging community engagement and neighborhood enhancement. Ms. Schwarz provided details of the program including who is eligible to apply, the February and July grant cycles, and two grant options, small scale and large scale. She stated the applicants would need to provide matching funds or in-kind donations and discussed the projected selection criteria and program timeline. Ms. Schwarz provided examples of eligible and ineligible projects. The Council stated concurrence to proceed with the program.

Consent and Regular Agendas

No items were discussed.

Council Items for Future Discussion

No items were discussed.

COMMENTS OF PUBLIC INTEREST

Shep Stahel addressed the Council regarding the North Texas Municipal Water District, the budget and the cost of water.

CONSENT AGENDA

Upon a motion made by Council Member Duggan and seconded by Council Member Gallagher, the Council voted 6-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

Approval of Minutes

April 27, 2015
(Consent Agenda Item "A")

Approval of Expenditures

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

Bid No. 2015-218-B for the Park Vista Box Culverts project to McMahon Contracting, L.P. in the amount of \$386,171; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Bid No. 2015-215-B for the Coit Road at 15th Street and Custer Road at Plano Parkway project to Jim Bowman Construction Co., L.P. in the amount of \$1,139,499; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

Bid No. 2015-220-B for the purchase of five (5) Chevrolet Cruze compact sedans for Fleet Services to be utilized by the Police Department from Caldwell Country Automotive in the amount of \$86,675; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "D")

Bid No. 2015-54-C-R for a one (1) year contract for Screened Black Clay Topsoil for Athletic Field Leveling for Parks and Recreation to Parnosa Acquisition Company, LLC, dba Aggregates Now in the estimated amount of \$52,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Bid No. 2015-223-B for Three Cities Trail Connection, Project No. 6246.1 to Drive Construction GC, LLC in the amount of \$832,624; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

Purchase from an Existing Contract

To approve the purchase of five (5) Harley Davidson Police Motorcycles for Fleet Services to be utilized by the Police Department in the amount of \$160,782 from Maverick Harley Davidson through an existing contract/agreement with the City of Frisco; and authorizing the City Manager to execute all necessary documents. (City of Frisco Bid No. 1510- 003) (Consent Agenda Item “G”)

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

To approve a contract made and entered into by and between the City of Plano and Lannie Noble, the Elections Administrator of Denton County, Texas, pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, regarding the coordination, supervision, and running of the City's May 9, 2015 General Election in the amount of \$7,312. (Consent Agenda Item “H”)

Approval of Contract Modification

To approve and authorize Contract Modification No. 4 for the purchase of Professional Engineering Services for additional design of Water & Wastewater SCADA in the amount of \$110,400 from Birkhoff, Hendricks & Carter, LLP; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

To approve and authorize Contract Modification No. 2 for the lease of additional multi-function devices in the estimated additional annual amount of \$144,536 from NovaCopy, Inc. for all City departments. This lease will be coterminous with the previously leased equipment. This modification will provide for the consolidation of over 360 printers, scanners and faxes into 184 multi-function devices. (2014-111-C) (Consent Agenda Item “J”)

Adoption of Ordinances

Ordinance No. 2015-5-1: To authorize the issuance of “City of Plano, Texas Municipal Drainage Utility System Revenue Refunding Bonds, Series 2015”; resolving other matters incident and related to the issuance, sale, payment and delivery of said Bonds; establishing procedures for the sale and delivery of said Bonds, and delegating matters relating to the sale and issuance of said Bonds to an authorized City Official. (Consent Agenda Item “K”)

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2015-5-2 as requested in Zoning Case 2015-06 to repeal in its entirety Ordinance No. 2006-4-24, thereby rescinding the Comprehensive Zoning Ordinance in its current form, together with all amendments thereto; and adopting an updated version of the Comprehensive Zoning Ordinance in order to amend various sections of the Comprehensive Zoning Ordinance, related to general organization and to make minor modifications to various zoning regulations of the Zoning Ordinance; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano (Regular Item “1”)

Director of Planning Day reported the proposed ordinance will update and reorganize the current ordinance, improve the definitions, location of graphics, and the general formatting. She stated the objective of the improvements is to make the documents more user-friendly and transparent. Ms. Day stated Staff and the Planning and Zoning Commission recommend approval as submitted. Council Member Downs stated his appreciation for the updated ordinance.

Mayor LaRosiliere opened the public hearing. Dale Green and Dick Hittle spoke in opposition requesting the ordinance be tabled until after the Plano Tomorrow Plan is adopted. Mayor LaRosiliere closed the public hearing. Ms. Day clarified the Plano Tomorrow Plan does not impact this ordinance.

Upon a motion made by Council Member Downs and seconded by Council Member Miner, the Council voted 6-0, to repeal in its entirety Ordinance No. 2006-4-24, thereby rescinding the Comprehensive Zoning Ordinance in its current form, together with all amendments thereto; and adopting an updated version of the Comprehensive Zoning Ordinance in order to amend various sections of the Comprehensive Zoning Ordinance, related to general organization and to make minor modifications to various zoning regulations of the Zoning Ordinance; as requested in Zoning Case 2015-06; and further to adopt Ordinance No. 2015-5-2.

Public Hearing and adoption of Ordinance No. 2015-5-3 as requested in Zoning Case 2015-15 to amend Section 4.300 (Planning & Zoning Commission Public Hearing) and Section 4.500 (City Council Public Hearing) of Article 4 (Amendments, also known as Article 6 (Procedures and Administration) within Ordinance No. 2006-4-24) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to public notice requirements for zoning petitions; 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 Item “2”)

Director of Planning Day spoke to the amendments pertaining to noticing for zoning cases. She stated the Staff reviewed other cities noticing requirements and recommend revisions to include applicant responsibility to post the sign and provide affidavits of posting, continue with the 20 day hearing notice to property owners within 200 feet and a courtesy notice to all property owners over 200 feet but within 500 feet. Ms. Day reported Staff is working on additional information available to citizens via the website and a newsletter to homeowner's associations. She advised Staff and the Planning and Zoning Commission recommended approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

Public Hearing and adoption of Ordinance No. 2015-5-3 (Cont'd.)

4.300 Planning & Zoning Commission Public Hearing

.1 Upon receipt of a complete written petition for zoning or for a change or an amendment to an existing provision of this Zoning Ordinance, the Planning Department staff will set a date for a public hearing before the Planning & Zoning Commission. In no case shall the public hearing be held within 36 days after the date of filing the written petition.

.2 Prior to the issuance of the notice of the public hearing, the petitioner may, by written notice, withdraw the petition or request rescheduling of the public hearing to a later regular meeting of the Planning & Zoning Commission. Once public notice is given, the petitioner may withdraw the petition or reschedule the public hearing only with the approval of the Planning & Zoning Commission. The Planning & Zoning Commission may reject a request to withdraw a zoning petition, reschedule the public hearing, or conduct the public hearing as notified and take action as appropriate within the context of the public notice provided.

.3 Prior to the issuance of the notice of the public hearing, the petitioner must post zoning sign(s) in compliance with the requirements specified on the city's zoning petition form, and a signed and notarized affidavit certifying that the required sign(s) is(are) posted on the subject property must be submitted to the Planning Department staff.

.34 Notice of a public hearing shall meet or exceed the requirements of the general laws of the State of Texas. Before the 20th day before the hearing date, written notice of each public hearing before the Planning & Zoning Commission on a proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail. If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the notice shall be given before the 20th day before the date of the hearing, and notice of the time and place of the hearing must be published in an official newspaper or newspaper of general circulation in the municipality. When any amendment relates to a change of a zoning regulation or to the general text of this ordinance, notice of the public hearing of the Planning & Zoning Commission shall be given by publication in a newspaper of general circulation in the city of Plano without the necessity of notifying property owners by mail. The notice shall state the time and place of the hearing and the nature of the subject to be considered, which time shall not be earlier than 20 days from the date of publication.

.5 Properties located within 500 feet of a proposed change in a zoning classification, which do not receive a notice as required by Sec. 4.300.4, a written courtesy notice will be sent to each owner of real property, as indicated by the most recently approved municipal tax roll, before the 20th day before the hearing. A courtesy notice shall also be sent to properties located within 500 feet of the property on which the change is proposed, which do not receive a notice as required by Sec. 4.300.4 where located in territory annexed to the municipality and not included on the most recently approved municipal tax roll. The courtesy notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail.

Public Hearing and adoption of Ordinance No. 2015-5-3 (Cont'd.)

.6 The Planning & Zoning Commission shall hold a public hearing on any petition for any amendment or change prior to making its recommendation and report to the City Council. The Planning & Zoning Commission may establish such regulations and restrictions regarding the presentation of a zoning case at the public hearing as they may deem necessary.

4.500 City Council Public Hearing

.1 After a public hearing before the Planning & Zoning Commission, the City Secretary and the City Council shall be notified of any action taken by the Planning & Zoning Commission on the petition, and if the petition is approved, including denials in part, by the Planning & Zoning Commission, the City Secretary shall automatically schedule a public hearing regarding the petition to be held before the City Council, giving notice as required by the general laws of the State of Texas. However, if the petition is denied by the Planning & Zoning Commission, the petitioner may, upon his own motion within 30 days, file with the Planning Department staff a written request that a public hearing be scheduled and held before the City Council regarding the petition. Upon receipt of the written request, a public hearing on the petition shall be scheduled to be held before the City Council, giving notice as required by the general laws of the State of Texas.

.2 Upon the filing of a written request for the scheduling of a public hearing regarding a petition which has been denied in total by the Planning & Zoning Commission, the action of the Commission with regard to the question of prejudice shall be totally vacated, and the City Council shall determine the question as provided in Sec. 4.600.1

.3 A public hearing shall be held by the City Council before adopting any proposed amendment, supplement, or change. Notice of such hearing shall be given by publication in a newspaper of general circulation in the city of Plano stating the time and place of such hearing, which time shall not be earlier than 15 days from the date of publication.

.4 A signed and notarized affidavit certifying that the required zoning sign(s) is(are) being maintained on the subject property in compliance with the requirements specified on the city's zoning petition form must be submitted to the Planning Department staff no later than the 14th day before the date of the City Council hearing.

.45 Prior to the opening of the public hearing, the petition may request withdrawal of the petition or tabling of the request to a specified future City Council meeting. City Council may approve the request or open the public hearing and following its closing take appropriate action within the context of the public notice provided.

Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

Public Hearing and adoption of Ordinance No. 2015-5-3 (Cont'd.)

Upon a motion made by Council Member Duggan and seconded by Council Member Gallagher, the Council voted 6-0, , to amend Section 4.300 (Planning & Zoning Commission Public Hearing) and Section 4.500 (City Council Public Hearing) of Article 4 (Amendments, also known as Article 6 (Procedures and Administration) within Ordinance No. 2006-4-24) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to public notice requirements for zoning petitions; as requested in Zoning Case 2015-15; and further to adopt Ordinance No. 2015-5-3.

Mayor LaRosiliere thanked the outgoing Council Members for their service and spoke to the City's AAA bond rating. Mayor LaRosiliere adjourned the meeting at 8:03 p.m.

Harry LaRosiliere, Mayor

ATTEST

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
SPECIAL CALLED SESSION
MAY 20, 2015**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Pat Miner
Jim Duggan (arrived at 5:02 p.m.)
Patrick Gallagher
David Downs

COUNCIL MEMBERS ABSENT

André Davidson

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Mark Israelson, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary
Alice D. Snyder, Assistant City Secretary

Mayor LaRosiliere convened the Council into the Special Called Session on Wednesday, May 20, 2015, at 5:01 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Resolution No. 2015-5-4(R): To canvass the election returns of the General Election of May 9, 2015, for the election of four members of Council [Places 1, 3, 5, and 7] for a term of four years; declaring the results; and resolving other matters on the subject. (Agenda Item "I")

City Secretary Henderson read the number of votes received by each candidate.

Upon completion of the canvass, Mayor Pro Tem Smith stated that the election returns of the General Election had been canvassed and all votes accounted for as certified by the Elections Administrators of Collin and Denton Counties, with a total of 9,301 City ballots cast and further made a motion to adopt a resolution to approve the canvass of General Election returns of May 9, 2015, and declare that Angela Miner was elected to Place One, Rick Grady was elected to Place Three, Ron Kelley was elected to Place Five, and Tom Harrison was elected to Place Seven, to serve for a period of four years; and further to adopt Resolution No. 2015-5-4(R). Deputy Mayor Pro Tem Harris seconded the motion and the Council voted 7-0. The motion carried.

Remarks from Outgoing Council Members (Agenda Item “II”)

Council Member Miner stated it was a privilege and honor to serve the community. He thanked the citizens, city employees, and his family. Mr. Miner added it has been a wonderful and humbling experience to serve.

Council Member Duggan was grateful for the opportunity to serve citizens. He commended the city staff, thanked his family and wished the incoming Council Members success.

Council Member Gallagher thanked his wife, the citizens for the opportunity to serve, city employees for their hard work, and the council members he served with. Mr. Gallagher congratulated the incoming council members.

Mayor LaRosiliere thanked the outgoing members for their service.

Oaths of Office for newly-elected Council Members (Agenda Item “III”)

City Secretary Henderson administered oaths of office to elected Council Members Miner, Grady, Kelley and Harrison and Mayor LaRosiliere presented them with their Certificates of Election after which time they assumed their seats at the dais.

Nothing further was discussed. Mayor LaRosiliere adjourned the Special Called Session at 5:19 p.m.

Harry LaRosiliere, Mayor

ATTEST

Lisa C. Henderson, City Secretary