

City Council Voting Record for Allen Harris July – September, 2008

Agendas and detailed minutes for the City Council meetings for the City of The Colony can be acquired from the City Secretary's office.

Date	Item	Description	Aye	Nay	My Vote
07/07/2008	2.0	Consent Agenda, less pulled item listed below	7	0	Aye
	2.2	Consider approval of a resolution directing publication of notice of intention to issue certificates of obligation	7	0	Aye
	2.5	Consider approval of a resolution authorizing the city manager to execute an amendment to the Hidden Cove Park lease agreement with Marine Quest by adding water surface area and extending the lease term <i>NOTE: This item was brought back for reconsideration later in the meeting.</i>	7	0	Aye
	2.7	Consider approval of a resolution authorizing the city manager to execute an Encroachment/License Agreement for private installation and maintenance of street lights within the city's right of way <i>Motion by Councilman Harris to table this item (to revise the agreement to include more specifics on maintenance)</i>	6	1	Aye
	3.6	(Moved up on agenda by Mayor Dillard) Council to discuss and consider making appointments to fill vacancies on the Cultural Arts and Technologies boards <i>Motion by Councilman Connelly to appoint Timothy Martin to the Cultural Arts Board</i>	7	0	Aye
		<i>Motion by Councilman Connelly to appoint Stephen Hoffman to the Technologies Board</i>	7	0	Aye
	3.1	Discuss and consider approval of a site plan for Lot 3, Block A of the South Colony Retail Center being .087 acres located on the east side of F.M. 423, approximately 500 feet south of South Colony Boulevard for a self-serve car wash	5	2	Nay
	3.2	Conduct a public hearing discuss and consider the second reading and adoption of the annexation ordinance for approximately 13.283 acres of land located on the west side of Plano Parkway, south of Windhaven Parkway, and the de-annexation of approximately 26.301 acres on the east side of Plano Parkway, south of Windhaven Parkway	7	0	Aye
	3.3	Discuss and consider approval of a resolution authorizing the city manager to execute a construction contract for refurbishing and relocating the Denton County historical bridge <i>Motion by Councilman Harris to approve contingent upon 4B/CDC Board approval</i>			
		<i>Motion by Councilman Connelly to amend the original motion to table this item until after next week's budget meeting</i>	2	5	Nay

		<i>Re-address motion by Councilman Harris to approve contingent upon 4B/CDC Board approval</i>	6	1	Aye
3.4		Discuss and consider approval of a resolution authorizing the city manager to execute a contract for civil engineering design services for the North Colony Municipal Complex improvement project	7	0	Aye
4.2E		Council shall convene into a closed executive session to consult with the city attorney regarding the Hidden Cove Park Concessionaire Agreement as it relates to Marine Quest's Ground Lease, Real Property and Personal Property Lease Agreement. City Attorney Bob Hager stated that council previously approved the water surface area and the extension of the lease term for Marine Quest as presented in Item 2.5. As a result of ES discussion on 4.1E council may reconsider Item 2.5.			
		<i>Motion by Councilman Marshall to reconsider Item 2.5 (as a result of Executive Session discussion)</i>	7	0	Aye
		<i>Motion by Councilman Marks to approve the water surface area</i>	7	0	Aye
		<i>Motion by Councilman Harris to table or postpone the lease term extension</i>	7	0	Aye
4.2D		Council shall convene into a closed executive session to consult with the city attorney regarding a possible annexation of approximately 259.62 acres of land on Lebanon Road and Boyd Road. <i>Motion by Councilman Marshall to authorize legal counsel to execute a six (6) month tolling agreement with the City of Frisco concerning the future annexation of a portion of Wynnwood Peninsula known as the "lightning bolt"</i>	5	2	Nay
07/21/2008	2.0	Consent Agenda	5	0	Aye
	2.5	Consider approval of an ordinance amending the 2007-2008 The Colony Community Development (4B) Fund budget to provide for funding a portion of engineering fees for the North Colony Municipal Complex project	5	0	Aye
	3.2	(Moved up on agenda by Mayor Dillard) Council to discuss and provide direction to staff regarding special events in general and consider authorizing a budget amendment ordinance to fund a Veteran's Day event <i>Motion by Councilman Harris to approve \$50,500.00 for this event</i>	6	0	Aye
	3.1	Conduct a public hearing, discuss and consider approval of an ordinance amending Article II of the Code of Ordinances relating to Sign Regulations	6	0	Aye
	4.2D	Council shall convene into a closed executive session to consult with the city attorney regarding the Hidden Cove Park Concessionaire Agreement as it relates to Marine Quest's Ground Lease, Real Property and Personal Property Lease Agreement.			

	2.7	(After Executive Session Item 4.1D, 2.7 which was moved to the regular agenda by Mayor Dillard was considered) Consider approval of a resolution authorizing the city manager to execute the First Amendment to the Development Agreement with MarineQuest for Hidden Cove Park <i>Motion by Councilman Schrag to approve the amendment with an effective date of August 10, 2008</i>	4	2	Nay
08/04/2008	2.0	Consent Agenda	7	0	Aye
	2.1	Consider approval of minutes of council meetings held July 21, 2008 (Marshall absent)	6	0	Aye
	2.3	Consider authorizing use of Hotel Occupancy Tax funds for promotional and advertising needs of the Lakeside Community Theater Haunted House event <i>Motion by Councilman Connelly to approve \$3,950.00 (rather than the requested \$4,625.00)</i> <i>Motion by Councilman Harris to approve for \$4,625.00</i>	2	5	Aye
	2.4	Consider approval of a revised Lakeside Arts Center Use Policy <i>Motion by Councilman Harris to table until the first meeting in September</i>	6	1	Aye
	2.6	Consider approval of a revised standard form of agreement establishing guidelines and fees for wrecker services	7	0	Aye
	3.1	Presentation of preliminary municipal budget for FY 2008-2009 and schedule a budget work session on August 11, 2008 at 6 p.m. <i>Motion by Councilman Schrag to approve the meeting dates to start at 7 p.m.</i>	7	0	Aye
	3.2	Discuss and consider approval of a resolution authorizing the city manager to execute an engineering design services contract for the Phase IIIC residential street reconstruction project	7	0	Aye
	3.3	Discuss and consider approval of a resolution authorizing city manager to issue a purchase order for the purchase of a mobile stage to be used to promote and enhance tourism through special events and authorize a budget amendment ordinance <i>Motion by Councilman Marshall to approve 81% from HOT funds and 19% from General Fund, and also to request a reimbursement from the CDC (4B)</i>	7	0	Aye
	3.4	Discuss and consider approval of a resolution casting a vote for one candidate to serve on the Denco Area 9-1-1 District Board of Managers <i>Motion by Councilman Connelly to approve a resolution casting the city's votes for Harlan Jefferson</i>	6	0	Aye
	3.5	Discuss and consider approval of a resolution casting a vote for a nominee to serve on the Regional Transportation Council or approve a memorandum of understanding related to this subject <i>Motion by Councilman Harris to approve a resolution nominating Rudy Durham</i>	7	0	Aye
08/18/2008	2.0	Consent Agenda	6	0	Aye

2.7	Consider approval of a resolution authorizing the city manager to execute an Encroachment/License Agreement with MF 5 Land, Ltd. for private installation and maintenance of street lights within public rights-of-way within The Colony (Eubanks) (tabled from July 7th)	6	0	Aye
2.8	Consider approval of a resolution authorizing the city manager to execute a Maintenance Agreement with the Tribute Homeowners Association regarding maintenance responsibilities along the impoundments and drainage ways in the Tribute developments <i>Motion by Councilman Harris to table until September 15th</i>	6	0	Aye
2.3	(Moved to regular agenda by Mayor Dillard) Consider approval of an ordinance authorizing the issuance and sale of the City's Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2008; levying an annual ad valorem tax and providing for the security for and payment of said certificates; approving the official statement; providing an effective date; and enacting other provisions relating to the subject	6	0	Aye
3.2	Discuss the proposed 2008-2009 tax rate not to exceed 69.25 cents per \$100 valuation for the taxable value of all property real and personal, located within the City of The Colony to be adopted on September 15, 2008, take a record vote and schedule public hearings on the proposed tax rate on August 28 and September 2, 2008 <i>Motion by Councilman Harris to consider a tax rate not to exceed 69.25 cents and authorize the public hearing dates</i>	6	0	Aye
3.4	Conduct a public hearing, discuss, and consider a Specific Use Permit to allow the sale of beer and wine for off-premises consumption at 5201 South Colony, Suite 696, located at the northwest corner of South Colony Blvd. and Paige Road	4	2	Nay
3.5	Conduct a public hearing, discuss, and consider a zoning change from Planned Development-10, Planned Development-12, and Planned Development-13 to Planned Development-22 consisting of approximately 894.78 acres located on the east and west sides of Plano Parkway, south of SH 121, and north and south of Windhaven Parkway. The purpose is to combine three Planned Development districts into one user friendly Planned Development Ordinance and incorporate the recently annexed and de-annexed property.	6	0	Aye
3.6	Receive presentation, discuss, and consider approval of an additional request for funding by The Colony Chamber of Commerce regarding the use of Hotel Occupancy Tax contingency funds for Pirate Days, a regional and community event <i>Motion by Councilman Harris to approve for requested amount of \$55,000</i>	6	0	Aye
3.7	Discuss and consider approval of a resolution authorizing the city manager to award a bid and execute a construction services contract with JT Dersner to replace a 30-inch northwest trunk sewer line from Main Street to the Wastewater Treatment Plant	6	0	Aye

	4.2B	Council shall convene into a closed executive session to consult with the city attorney and seek legal advice on a matter in which the duty of the attorney is protected by Texas Disciplinary Rules concerning an agreement by and between the City of The Colony and J.T. Goods, Inc. <i>Motion by Councilman Marshall to authorize the city manager and city to provide a 90 day notice of cancellation of a concessionaire agreement with J.T.'s</i>	4	2	Aye
	4.2C	Council shall convene into a closed executive session to deliberate the appointment, evaluation, duties of public officers of members of the Planning and Zoning Commission, to wit: Fernando Villarreal, Mike Barrett, DeVille Hubbard, Debbie Morrison, David Terre, Brian Wade and Karen Hames, and to consult with the city attorney on a matter in which the duty of the attorney is governed by the Texas Disciplinary Rules to seek legal advice concerning actions of the Planning and Zoning Commission on pending zoning case numbers SE08- 0001 and Z08-0002. <i>Motion by Councilman Harris to remove from the Planning and Zoning Commission Fernando Villarreal based on failure to follow established city ordinance, policies, and directives, and over stepping of authority of said commission</i>	4	2	Aye
09/02/2008	2.0	Consent Agenda, less pulled item listed below	6	0	Aye
	2.6	Consider approving a resolution authorizing the city manager to execute a design services agreement for enhancements to the proposed F.M. 423 sound walls	6	0	Aye
	2.7	Consider approval for the Community Development Corporation to fund \$6,500 for the Kaleidoscope project and authorize placement of the structures at city hall <i>Motion by Councilman Schrag to postpone until after the CDC Master Plan is done (motion died due to a lack of a second)</i> <i>Motion by Councilman Harris to approve as presented</i>	6	0	Aye
	3.3	Conduct a public hearing, discuss and consider approving an ordinance allowing Special Exceptions to the Gateway Overlay District Regulations for parking requirements and building articulation of future buildings to be located north of S.H. 121, west of Blair Oaks, and south of Memorial <i>Motion by Councilman Harris to approve the three special exceptions with the condition that all facades adjacent to the public right-of-way comply with Section 10A-900(B)(1)(C)</i>	7	0	Aye
	3.4	Conduct a public hearing, discuss and consider approval of an ordinance for a Detailed Development Plan for Planned Development 11 consisting of 8.684 acres located north of S.H. 121, west of Blair Oaks, and south of Memorial	7	0	Aye
	3.8	(Moved up on agenda by Mayor Dillard) Receive presentation, discuss and provide direction to staff on how to proceed with Paige Road construction <i>Motion by Councilman Marshall to add a median cut at Ramsey, Slay & Knox</i> <i>Motion by Councilman Connelly to add a full median cut at Hendrix</i>	7	0	Aye
			4	3	Aye

		<i>Motion by Councilman Harris to eliminate the southbound left turn at Kisor</i>	7	0	Aye
		<i>Motion by Councilman Marks to add mountable medians at Young and Yager</i>	4	3	Nay
3.6		Discuss and consider approval of a resolution awarding a bid and authorizing the city manager to execute a contract for construction of the Shoreline, Austin Ranch, and Inner City trails			
		<i>Motion by Councilman Harris to approve including alternates 1, 3, 4, & 5</i>	7	0	Aye
3.7		Discuss and consider approval of a resolution authorizing the city manager to issue a purchase order to a sole source provider the purchase of Geoweb material for the trail system	6	0	--
09/15/2008	2.0	Consent Agenda, less pulled item listed below	6	0	Aye
	2.1	Consider approving minutes for council meetings held August 28 and September 2, 2008	6	0	Aye
	2.11	Consider approving a resolution authorizing the city manager to execute a Challenge Partnership Agreement with the United States Army Corps of Engineers for the Management and Development of "Low Density" Recreation Within Wildlife Management Areas	6	0	Aye
	2.7	(Moved to regular agenda by Mayor Dillard) Consider approving a resolution repealing the 2007-2008 Master Fee Schedule and amendments, and replace same with new Master Fee Schedule for Fiscal Year 2008-2009 effective October 1, 2008	7	0	Aye
	3.1	Discuss and consider approval of an ordinance authorizing the city manager or other appropriate city officer or employee to execute a contract and related additional agreements or documents for electric power for the city with Cities Aggregation Power Project, Inc. (CAPP)	5	2	Aye
	3.2	Discuss and consider approval of an ordinance approving the revised budget for fiscal year 2007-2008 and adopting the budget for the fiscal year beginning October 1, 2008 and ending September 30, 2009; providing for the intra and inter-department fund transfers; providing for the investment of certain funds; providing expenditures for said fiscal year to be made in accordance with said budget			
		<i>Motion by Councilman Marshall to approve</i>			
		<i>Motion by Councilman Connelly to amend the first motion by reducing the fund balance by \$53,344.00 [in order to reduce tax rate to 69 cents]</i>	5	2	Aye
		<i>Readdress initial motion to approve budget (with amendment above to reduce by \$53,344.00)</i>	7	0	Aye
	3.3	Discuss and consider approving a resolution ratifying the property tax revenue increase reflected in the budget in accordance with House Bill 3195	7	0	Aye
	3.4	Discuss and consider approval of an ordinance adopting the City of The Colony tax rate of \$.6925 per \$100 valuation for fiscal year 2008-2009			
		<i>Motion by Councilman Marshall to approve</i>			
		<i>Motion by Councilman Connelly to amend the first motion and adopt the tax rate at 69 cents</i>	5	2	Aye
		<i>Readdress initial motion to adopt tax rate (with amendment above to adopt at 69 cents)</i>	6	1	Aye

3.9	(Moved up on agenda by Mayor Dillard) Discuss and provide direction to staff concerning fees related to the Evergreen project <i>Motion by Councilman Harris to direct staff to negotiate an agreement that is mutually agreeable to both parties and bring back to Council</i>	7	0	Aye
3.5	Conduct a public hearing, discuss, and consider approving an ordinance authorizing a Specific Use Permit to allow an auto parts accessory sales and service use with a Business Park zoning district on property located approximately 900 feet east of Blair Oaks Drive and S.H. 121 intersection, north of S.H. 121 <i>Motion by Councilman Harris to deny SUP (an Aye vote is a vote to deny)</i>	4	3	Aye
3.7	Discuss and consider approval of an ordinance amending Section 19-10 of the Code of Ordinances to establish speed limits on sections of Memorial Drive and Morning Star <i>Motion by Councilman Harris to set speed limit for Memorial from Standridge to Paige at 40 mph, Paige to South Colony at 35 mph, and South Colony to the east city limits at 40 mph; and for Morningstar at 35 mph from S.H. 121 to Memorial</i>	7	0	Aye
3.8	Discuss and consider approving a resolution authorizing the city manager to execute an Encroachment License Agreement for signs in the Windhaven Parkway right-of-way in Austin Ranch	5	2	Nay