

CITY COUNCIL REGULAR MEETING

NOVEMBER 5, 2019

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, November 5, 2019 at 6:00 p.m.

City Council Members Present: Mayor George Fuller, Mayor Pro Tem Rainey Rogers, and Council Members Charlie Philips, Scott Elliott, La'Shadion Shemwell, Frederick Frazier, and Richard Franklin

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Strategic Services Manager Trevor Minyard, Executive Director of Development Services Michael Quint, Director of Planning Jennifer Arnold, Planning Manager Aaron Bloxham, Assistant Director of Public Works Paul Sparkman, Facilities Construction Manager Patricia Jackson, Police Chief Greg Conley, Assistant Police Chief Joe Ellenburg, Chief Financial Officer Mark Holloway, Housing & Community Development Manager Janay Tieken, President of McKinney Community Development Corporation (MCDC) Cindy Schneible, Municipal Court Supervisor Angelita Hunter, Video Producer Joey Barr, Deputy City Secretary Lisa Sewell, City Secretary Administrative Assistant Blenda Sims, City Secretary Records Specialist Juametta Terrell, and City Secretary Empress Drane

There were approximately two hundred forty (240) guests in attendance.

Mayor Fuller called the meeting to order at 6:10 p.m. upon determining a quorum of the City Council was present.

Mayor Fuller called for the Invocation & recital of the Pledge of Allegiance, both of which were led by Major David Feeser of the McKinney Salvation Army.

Mayor Fuller called for Public Comments. The following individuals made comments regarding issues not on the meeting agenda:

Paul Ballesteros, 6508 Marvin Gardens, McKinney TX 75070 - awareness and support for individuals experiencing homelessness.

Brenda Jackson, 203 McMakin St. Apt. #2319, McKinney TX 75069 - affordable housing for the elderly and disabled and assistance request for her neighbor who was unable to pay rent.

Sherry Lyn, 1200 N. Tennessee St., McKinney TX 75069 - flag design for a program called McKinney in One Accord – Friends of Jerusalem Network.

The following individuals spoke about the recent issues regarding community policing, race and community relations, City Council relations, and agenda item #19-0924 (Minutes of the City Council Regular Meeting of October 15, 2019):

Johnny Moore, 2728 Frontier Ln., McKinney TX 75071

Dominique Alexander (no address provided)

Kim Cole, 2770 Main St., Ste. 186, Frisco TX 75093

Michael Jones, 401 S. Coit Rd. Apt. 814, McKinney TX 75072

The following individual did not wish to speak but requested her comment be entered into the public record:

Lori English, 1116 Evers Dr., McKinney TX 75071 (see attached Minutes Exhibit A, English)

The following individual spoke about the recent issues regarding community policing, race and community relations, City Council relations, and agenda item #19-0924 (Minutes of the City Council Regular Meeting of October 15, 2019):

Jolie Williams, 3613 Cockrill Dr., McKinney TX 75072

The following individual did not wish to speak but requested her comment be entered into the public record:

Wendy Gallagher, 1010 Lakewood Dr., McKinney TX 75072 (see attached Minutes Exhibit B, Gallagher)

The following individuals spoke about the recent issues regarding community policing, race and community relations, City Council relations, and agenda item #19-0924 (Minutes of the City Council Regular Meeting of October 15, 2019):

Cathy Tamez, 7200 Bryce Canyon Dr., McKinney TX 75072

Tamera Johnson, P.O. Box 2514, McKinney TX 75070

Pamela Grayson, 905 Fairbanks, McKinney (no State / ZIP provided)

Rasheedah McClenon, 6646 E. Lovers Ln., Dallas TX 75214

Lesa Perry, 470 Adriatic Pkwy, McKinney TX 75072

Al Perry, 470 Adriatic Pkwy, McKinney TX 75072

Milyan Fuller, 6801 Dalmatia Dr., McKinney TX 75072

Maylee Thomas, 6801 Dalmatia Dr., McKinney TX 75072

Gabriel Anderson, 8513 Kensington Dr., Rowlett TX 75088

Lelani Russell (no address provided)

Willie Hudspeth, 623 Newton, Denton TX 76205

Rolanda Mocharia, 1824 Douglas St., Howe TX 75459

Chau Hoang, 2708 Frontier Ln., McKinney TX 75071

Leroy Armstrong, 1805 Lisburn Dr., McKinney TX 75071

Kevin Tarver, 208 Miller St., McKinney TX 75409

Derrick Golden, 708 Packhorse Dr., McKinney TX 75072

Robert Richardson, 4100 Virginia Pkwy., McKinney TX 75071

Christopher Kennedy, 2200 Taylor Burk Dr., McKinney TX 75071

Jamika Neville, 1313 Lauren Creek Ln., McKinney TX (no ZIP provided)

Lailani Rumfield, 5116 Datewood Ln., McKinney TX 75071

Amisha Neal, 2100 Meadowview, Princeton TX 75407

Joel Wasinger, 1329 Ballymote Ln., Plano TX 75074

Jennifer Cortez, 1210 S. Lamar St., Dallas TX 75215

Mike Rumfield, 5116 Datewood Ln., McKinney TX 75071

Tracy Thomas, 5124 Grovewood Dr., McKinney TX 75071

Jillian Royse, 1300 Antioch Dr., Rockwall TX 75087

Sean Howe, 4209 Hawkins Dr., McKinney TX 75072

Joel Wasinger (second time speaking)

Robert Appolita, 2650 Valley Creek Tr., McKinney TX 75070

Myron Bradford, 7713 Shasta Dr., McKinney TX 75071

Jennifer Cortez (second time speaking)

Shannan Poteet, 1616 Mission Ridge, Carrollton TX 75007

Kenneth Holloway, 10708 Patton Dr., McKinney TX 75072

Indianna Taylor, 2105 Kirkwood, Mesquite TX 75149

JD Lee, 8116 Yellowstone Dr., McKinney TX 75072

Melissa Perry (no address provided)

Larry Jagours, P.O. Box 1992, McKinney TX 75069

Johnathan Khemet, 2617 Sugden St., Texarkana TX 75501

Lelani Russell (second time speaking)

Kim Cole, 7441 Marvin D. Love, Dallas TX 75237 (second time speaking)

Dominique Alexander, 2512 E. Overton, Dallas TX 75216 (second time speaking)

Cris Trevino, 903 N. Church St., McKinney TX 75069

The following individual did not wish to speak but requested her comment be entered into the public record:

Bre Edwards, 902 Murray Pl., McKinney TX 75069 (see attached Minutes Exhibit C, Edwards)

The following individuals spoke about the recent issues regarding community policing, race and community relations, City Council relations, and agenda item #19-0924 (Minutes of the City Council Regular Meeting of October 15, 2019):

Milyan Fuller (second time speaking; second comment card not provided)

Sheila Simmons, P.O. Box 1773, McKinney TX 75069

Kenneth Holloway (second time speaking; second comment card not provided)

Rasheedah McClenon (second time speaking; second comment card not provided)

Brian Martin, 6612 Oak Falls Dr., McKinney TX 75070

Eric Randall, 7701 Longbow, Arlington TX 76002

Tamara Johnson (second time speaking; second comment card not provided)

Cathy Tamez (second time speaking)

Rolanda Mocharia (second time speaking)

Sheila Simmons (second time speaking)

Nancy Robertson, 7816 Harvest Hill Ln., McKinney TX 75071

Mayor Fuller called for Council and Manager Comments. The Council members made statement in response to many of the public comments and shared information regarding other news.

Mayor Fuller called for Information Sharing items on the agenda:

- 19-0920** Proclamation for Municipal Court Week, Municipal Court Judge Roger Dickey and Municipal Court Supervisor Angelita Hunter stood with Mayor Fuller for photographs and the reading of the proclamation for the week November 4-8, 2019 to recognize the services of the Municipal Court.
- 19-0921** Proclamation for Homeless Awareness Week, members of the local community in support of homeless services stood with Mayor Fuller for photographs and the reading of the proclamation recognizing the need for awareness and support of individuals experiencing homelessness. (Dr. Terry Hockenbrough and Jim Smith – Collin County Homeless Coalition; Paul Ballesteros – Emmanuel Labor; Major David Feeser – McKinney Salvation Army; Rick Crocker – Samaritan Inn)
- 19-0922** Proclamation for Salvation Army Red Kettle Campaign, Major David Feeser of the McKinney Salvation Army stood with Mayor Fuller for photographs and the proclamation announcing the fundraising campaign to support families in need during the holiday season. Members of Council, City Staff and meeting guests made donations to the fundraiser.

Mayor Fuller called for the Consent Agenda. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Elliott, to approve the following Consent Agenda items:

- 19-0923** Minutes of the City Council Work Session of October 15, 2019
- 19-0924** Minutes of the City Council Regular Meeting of October 15, 2019
- 19-0780** Minutes of the Library Advisory Board Meeting of August 15, 2019.
- 19-0875** Minutes of the Library Advisory Board Meeting of September 19, 2019
- 19-0889** Minutes of the McKinney Community Development Corporation Meeting of September 26, 2019.
- 19-0878** Minutes of the McKinney Economic Development Corporation Meeting of September 17, 2019
- 19-0925** Minutes of the McKinney Housing Authority Meeting of September 24, 2019
- 19-0895** Minutes of the Planning and Zoning Commission Regular Meeting of

October 8, 2019

- 19-0926** Consider/Discuss/Act on an Ordinance Amending the Airport Minimum Standards Regarding Exclusive Proprietary Rights of Sponsors to Provide Fuel Storage and Distribution Services at McKinney National Airport

Ordinance caption reads as follows:

ORDINANCE NO. 2019-11-073

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING SECTIONS 30-2, 30-58, 30-176, AND 30-201 THROUGH 30-205 OF CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY REGARDING MODIFIED AIRPORT MINIMUM STANDARDS AND RULES AND REGULATIONS REGARDING THE CITY'S PROPRIETARY EXCLUSIVE RIGHTS TO PROVIDE CERTAIN AERONAUTICAL SERVICES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES, ORDERS OR RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

- 19-0927** Consider/Discuss/Act on a Resolution Approving Redirection of Fiscal Year 2019 Unspent Arts Commission Funds to the Public Art Fund

Resolution caption reads as follows:

RESOLUTION NO. 2019-11-129 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE REDIRECTION OF FY19 UNSPENT ARTS COMMISSION FUNDS TO THE PUBLIC ART FUND

- 19-0928** Consider/Discuss/Act on a Resolution Authorizing \$17,500 in Public Art Funds to be Used to Match a Cultural District Grant, from the Texas Commission on the Arts

Resolution caption reads as follows:

RESOLUTION NO. 2019-11-130 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO UTILIZE \$17,500 IN PUBLIC ART FUNDS AS MATCH FOR A GRANT FROM THE TEXAS COMMISSION ON THE ARTS

- 19-0929** Consider/Discuss/Act on a Resolution Awarding a Contract to Aqua Bore, LLC of Terrell, Texas for the Performance of Drainage Boring Services

Resolution caption reads as follows:

RESOLUTION NO. 2019-11-131 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO AQUA BORE, LLC OF TERRELL, TEXAS FOR DRAINAGE BORING SERVICES

- 19-0930** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Interlocal Agreement with Collin County for Funding the Extension of Bloomdale Road from Community Avenue to CR 164

Resolution caption reads as follows:

RESOLUTION NO. 2019-11-132 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR FUNDING THE EXTENSION OF BLOOMDALE ROAD FROM COMMUNITY AVENUE TO CR 164

- 19-0936** Consider/Discuss/Act on a Resolution Amendment Appointing a Member to the Tax Increment Reinvestment Zone Number Two (TIRZ2) Board

Resolution caption reads as follows:

RESOLUTION NO. 2019-11-133 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE APPOINTMENT OF MEMBERS TO THE BOARD OF DIRECTORS FOR THE TAX INCREMENT REINVESTMENT ZONE NUMBER TWO (TIRZ2) BOARD, CITY OF MCKINNEY; AND PROVIDING FOR AN EFFECTIVE DATE

- 19-0031PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1, Block A, of the Robnett Addition, Located on the Southeast Corner of U.S. Highway 75 (Central Expressway) and State Highway 121

- 19-0931** Consider/Discuss/Act on a Facilities Agreement for Lot 1, Block A of the Robnett Addition, Located on the Southeast Corner of U.S. Highway 75 (Central Expressway) and State Highway 121

Mayor Fuller called for the following Public Hearings and Regular Agenda items:

- 19-0012M2** Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Sections 70-58 (Duty of owner, occupant to cut and remove weeds, brush, and unsightly matter), 142-5 (Approval required), 146-7 (Zoning district map), 146-40 (Nonconforming uses and nonconforming structures), 146-84 (Neighborhood Business District), 146-

99 (REC regional employment center overlay district), 146-131 (Off-street loading), 146-132 (Fences, walls, and screening requirements), 146-139 (Architectural and site standards), 146-162 (Administrative official) 146-164 (Changes and amendments), 146-165 (Board of adjustment), of the Code of Ordinances; and accompanying ordinance.

Planning Manager Aaron Bloxham discussed the information provided in the presentation regarding the changes, which fall into the two categories of 1) “clean up” amendments to fix typographical errors, eliminate conflicts, provide clarity, and improve usability; and 2) “process improvements” to bring the city ordinances in alignment with the McKinney 2040 Comprehensive Plan through new processes for common variances, update outdated processes and establish new processes where needed. Council unanimously approved the motion by Council Member Franklin, seconded by Council Member Elliott, to close the public hearing and a Request by the City of McKinney to Amend Sections 70-58 (Duty of owner, occupant to cut and remove weeds, brush, and unsightly matter), 142-5 (Approval required), 146-7 (Zoning district map), 146-40 (Nonconforming uses and nonconforming structures), 146-84 (Neighborhood Business District), 146-99 (REC regional employment center overlay district), 146-131 (Off-street loading), 146-132 (Fences, walls, and screening requirements), 146-139 (Architectural and site standards), 146-162 (Administrative official) 146-164 (Changes and amendments), 146-165 (Board of adjustment), of the Code of Ordinances; and accompanying ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-11-074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING SECTIONS 70-58 (DUTY OF OWNER, OCCUPANT TO CUT AND REMOVE WEEDS, BRUSH, AND UNSIGHTLY MATTER), 142-5 (APPROVAL REQUIRED), 146-7 (ZONING DISTRICT MAP), 146-40 (NONCONFORMING USES AND NONCONFORMING STRUCTURES), 146-84 (NEIGHBORHOOD BUSINESS DISTRICT), 146-99 (REC REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT), 146-131 (OFF-STREET LOADING), 146-132 (FENCES, WALLS, AND SCREENING REQUIREMENTS), 146-139 (ARCHITECTURAL AND SITE STANDARDS), 146-162 (ADMINISTRATIVE OFFICIAL) 146-164 (CHANGES AND AMENDMENTS), 146-165 (BOARD OF ADJUSTMENT), OF THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 19-0932** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2019-2020 Annual Budget and Amending the 2020-2024 Capital Improvements Program to Provide Funds for the North Public Works Complex Project (FC2058)

Facilities Construction Manager Patricia Jackson requested the appropriation of a combined three million three hundred fifty thousand (3,350,000) dollars from several funds to purchase a building approximately sixty-six thousand (66,000) square feet in space, for the North Public Works Complex at 3501 North Central Expressway: Water/Wastewater, Surface Water Drainage, Solid Waste, and Utility Construction Funds. Council unanimously approved the motion by Council Member Philips, seconded by Mayor Pro Tem Rogers, to approve an Ordinance Amending the Fiscal Year 2019-2020 Annual Budget and Amending the 2020-2024 Capital Improvements Program to Provide Funds for the North Public Works Complex Project (FC2058). Ordinance caption reads as follows:

ORDINANCE NO. 2019-11-075

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET
AMENDMENT PERTAINING TO THE FISCAL YEAR 2019-2020
BUDGET AND THE 2020-2024 CAPITAL IMPROVEMENTS PROGRAM
FOR THE NORTH PUBLIC WORKS COMPLEX PROJECT (FC2058);
AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

- 19-0933** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2019-2020 Annual Budget to Provide Funds for the Purchase of the Parking Garage on the Southeast Corner of Chestnut Street and Herndon Street

Assistant City Manager Barry Shelton requested the appropriation of two million nine hundred eighty-one thousand three hundred ninety-one (2,981, 391) dollars from the Tax Increment Reinvestment Zone Number One (TIRZ #1, Town Center) fund to the general fund for the early purchase of the Chestnut Street Parking Garage. The city is currently in a lease agreement with the property owner and making monthly rental payments. The agreement includes an option to purchase the parking garage early. By doing so, the city will save approximately five hundred thirty-five thousand (535,000) dollars in insurance and interest costs that would accrue over the life of the lease. Council unanimously approved the motion by Council Member Shemwell, seconded by

Council Member Franklin, to approve an Ordinance Amending the Fiscal Year 2019-2020 Annual Budget to Provide Funds for the Purchase of the Parking Garage on the Southeast Corner of Chestnut Street and Herndon Street. Ordinance caption reads as follows:

ORDINANCE NO. 2019-11-076

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2019-2020 ANNUAL BUDGET TO PROVIDE FUNDING FOR THE PURCHASE OF THE PARKING GARAGE ON THE SOUTHEAST CORNER OF CHESTNUT STREET AND HERNDON STREET; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

19-0934 Consider/Discuss/Act on a Resolution Casting 196 Votes to the Board of Directors for the Collin Central Appraisal District

Council unanimously approved the motion by Council Member Philips, seconded by Council Member Franklin, to approve a Resolution Casting 196 Votes for Brian Mantzey to the Board of Directors for the Collin Central Appraisal District. Resolution caption reads as follows:

RESOLUTION NO. 2019-11-134 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CASTING 196 VOTES FOR BRIAN MANTZEY, CANDIDATE FOR THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF COLLIN COUNTY, AND PROVIDING FOR AN EFFECTIVE DATE

19-0856 Consider/Discuss/Act on Appointing a Member to the Planning & Zoning Commission. The newly appointed member will replace Alternate member Betty Petkovsek, who was assigned to the Historic Preservation Advisory Board on October 1, 2019. The newly appointed member will serve a partial term, effective November 5, 2019 to September 30, 2020.

Council unanimously approved the motion by Council Member Philips, seconded by Council Member Shemwell, to Appoint Charles Wattley to the Planning & Zoning Commission as an Alternate Member.

19-0935 Consider/Discuss/Act on Appointing a Member to the McKinney Armed Services Memorial Board. The newly appointed member will replace

Alternate member Natasha Gooden, who resigned from the board. The newly appointed member will serve a partial term effective November 5, 2019 to September 30, 2021.

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Elliott, to appoint Leo Griffin to the McKinney Armed Services Memorial Board as an Alternate member.

Mayor Fuller called again for Public Comments. There were no additional comments. The meeting lasted more than four (4) hours, and Mayor Pro Tem Rogers commended a youth in the audience who sat through the entirety of the meeting.

Mayor Fuller called for Manager Comments.

City Manager Paul Grimes stated the McKinney Armed Services Memorial Board will host an event in honor of Veterans on Saturday, November 9, 11:00 a.m., at Veterans Memorial Park; and a sundown service will be held on Veterans Day, Monday, November 11 at 5:26 p.m. (sunset). The brief sundown program will include a reading of the names on the Wall of Honor and the playing of "Taps." Mr. Grimes stated reserved tickets are on sale for twenty (20) dollars, and fifteen (15) dollar general admission tickets for the Division 2 Collegiate National Football Game. Ticket prices will increase on December 9. The game will be held on December 21.

Mayor Fuller called for a motion to adjourn. Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Philips, to Adjourn. Mayor Fuller adjourned the meeting at 10:19 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary
LISA SEWELL
Deputy City Secretary