

CITY COUNCIL REGULAR MEETING

NOVEMBER 5, 2013

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on November 5, 2013 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro-Tem Travis Ussery, Council members: Geralyn Kever, Don Day, Ray Ricchi, Roger Harris, and Randy P. Pogue.

Staff Present: City Manager Jason Gray; Deputy City Manager Jose Madrigal; City Attorney Mark Houser; City Secretary Sandy Hart; Chief Financial Officer Rodney Rhoades; Executive Director of Development Services Barry Shelton; Assistant Director of Development Services Rick Leisner; Director of Planning Michael Quint; McKinney Economic Development Corporation President Jim Wehmeier; Chief of Police Joe Williams; Parks, Recreation, and Open Space Director Lemuel Randolph; Fire Chief Danny Kistner; Assistant Fire Chief Tim Mock; Assistant Fire Chief Chris Lowry; Facilities Construction Manager Patricia Jackson; Arborist Emily Braht; Assistant to the City Manager Darrek Ferrell; Transportation Engineering Manager Gary Graham; Airport Executive Director Ken Wiegand; Chief Information Officer Chris Chiancone; Senior Help Desk Technician Amy Greer; Assistant Director of Development Services Jack Carr; Housing and Community Services Manager Janay Tieken; Police Sergeant David Rodriguez; Purchasing Manager Debbie Nye; Transportation Engineer Robyn Root; Airport General Manager Mark Jaraczewski; Interim Director of Public Works Paul Sparkman; and Director of Engineering Mark Hines.

There were approximately 125 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Reverend Leon Veazey of The Salvation Army. Jazzminie Burns led the Pledge of Allegiance.

INFORMATION SHARING

- 13-1139** Salvation Army Red Kettle Proclamation. Mayor Loughmiller presented the Salvation Army Red Kettle Proclamation to Reverend Leon Veazey and kicked off the start of the Red Kettle Campaign.

- 13-1153** American Diabetes Month Proclamation. Mayor Loughmiller presented the American Diabetes Month Proclamation to the McKinney Independent School District Director of Health Services Julie Blankenship.
- 13-1140** Proclamation Honoring Stephanie South - Top Woman of Collin County. Mayor Loughmiller presented to Stephanie South for being named one of the top women of Collin County.
- 13-1141** Platinum Scenic City Presentation. Arborist Emily Braht presented the Mayor and Council with the Platinum Scenic City Designation.
- 13-1142** Presentation of the Texas Chapter of the American Planning Association's "Current Planning Award". Director of Planning Michael Quint presented the Texas Chapter of the American Planning Association's Current Planning Award.

Mayor Loughmiller called for Citizen Comments.

Mr. T. J. Lane, 503 N. Kentucky, McKinney, spoke regarding the City's offer to buy the Powell's property at the airport.

Ms. Rebecca Salinas, 9473 Olive Street, McKinney, did not wish to speak but wanted her support for agenda item 13-1152 entered into the record.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Kever, to approve the following consent items:

- 13-1135** Minutes of the City Council Work Session of October 14, 2013
- 13-1137** Minutes of the City Council Work Session of October 28, 2013
- 13-1092** Minutes of the McKinney Armed Services Memorial Board meeting of September 11, 2013
- 13-1061** Minutes of the McKinney Arts Commission Work Session of August 28, 2013
- 13-1062** Minutes of the McKinney Arts Commission Special Meeting of August 29, 2013
- 13-988** Minutes of the McKinney Community Development Corporation Board Meeting of August 22, 2013

- 13-1117** Minutes of the McKinney Convention and Visitors Bureau Board meeting of September 25, 2013.
- 13-1098** Minutes of the McKinney Economic Development Corporation Board Meeting of September 17, 2013
- 13-1138** Minutes of the McKinney Housing Authority Meeting of September 24, 2013
- 13-783** Minutes of the McKinney Main Street Board Meeting of July 11, 2013
- 13-1031** Minutes of the McKinney Main Street meeting of September 12, 2013
- 13-1045** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of September 12, 2013
- 13-1038** Minutes of the Planning and Zoning Commission Regular Meeting of September 24, 2013
- 13-1131** Minutes of the Planning and Zoning Commission Regular Meeting of October 8, 2013
- 13-1143** Consider/Discuss/Act on an Ordinance Renaming Bridgewater Drive to Stillwater Drive. Caption reads as follows:

ORDINANCE NO. 2013-11-102

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS RENAMING BRIDGEWATER DRIVE BETWEEN SILVERLAKE ROAD AND WINDSOR DRIVE TO STILLWATER DRIVE IN MCKINNEY; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 13-947** Consider/Discuss/Act on a Resolution Adopting the Investment Policy for Fiscal Year 2013-2014. Caption reads as follows:

RESOLUTION NO. 2013-11-169 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ADOPTING THE INVESTMENT POLICY

- 13-1146** Consider/Discuss/Act on a Resolution Approving Modifications to the Guarantor's Obligations Under the Chapter 380 Economic Development Program and Agreement with 380 Towne Crossing, L.P.; Authorizing the City Manager to Execute a First Amendment to the Agreement; and

Providing an Effective Date. Caption reads as follows:

RESOLUTION NO. 2013-11-172 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING MODIFICATIONS TO THE GUARANTOR'S OBLIGATIONS UNDER A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AND AGREEMENT WITH 380 TOWNE CROSSING, L.P.; AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

- 13-1147** Consider/Discuss/Act on a Resolution Awarding a Contract to Ferguson Waterworks for Water and Wastewater Parts. Caption reads as follows:

RESOLUTION NO. 2013-11-173 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT FOR WATER AND WASTEWATER PARTS

- 13-1148** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Formally Reject All Bids for the Grant Funded Rehabilitation of 1306 Oak Street Under Solicitation 13-35CC and Solicitation 14-03CC. Caption reads as follows:

RESOLUTION NO. 2013-11-174 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE REJECTION OF ALL BIDS UNDER SOLICITATIONS 13-35CC AND 14-03S FOR REHABILITATION OF RESIDENCE LOCATED AT 1306 OAK STREET

- 13-1149** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Formally Reject All Bids Received and Related to Bid Number 13-27CC for the Construction of Sonntag Neighborhood Park. Caption reads as follows:

RESOLUTION NO. 2013-11-175 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO REJECT ALL BIDS RECEIVED AND RELATED TO BID NUMBER 13-27CC FOR THE CONSTRUCTION OF SONNTAG NEIGHBORHOOD PARK

- 13-1150** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Projectess, LLC for Project Manager Services

Related to the Procurement, Integration and Implementation of the Land Management Software System. Caption reads as follows:

RESOLUTION NO. 2013-11-176 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PROJECTESS, LLC FOR PROJECT MANAGER SERVICES RELATED TO THE PROCUREMENT, INTEGRATION AND IMPLEMENTATION OF THE LAND MANAGEMENT SOFTWARE SYSTEM

- 13-1151** Consider/Discuss/Act on a Resolution Authorizing Execution of a Project Participation Agreement with the Texas Department of Transportation for the Reimbursement of Land Acquired by the City of McKinney for Airport Use. Caption reads as follows:

RESOLUTION NO. 2013-11-177 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROJECT PARTICIPATION AGREEMENT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION, DIVISION OF AVIATION

- 13-1152** Consider/Discuss/Act on a Resolution Waiving Payment in Lieu of Taxes for McKinney Housing Authority for Fiscal Years 2012 and 2013. Caption reads as follows:

RESOLUTION NO. 2013-11-178 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, WAIVING PAYMENT IN LIEU OF TAXES FROM MCKINNEY HOUSING AUTHORITY FOR FISCAL YEARS 2012 TO 2013

END OF CONSENT

- 13-1136** Mayor Loughmiller called for Consideration/Discussion/Action on the Minutes of the City Council Regular Meeting of October 15, 2013. Council member Ricchi stated that within the minutes, agenda item 13-1089 relating to the airport budget. Mr. Ricchi stated during the discussion, the numbers relating to the fuel charges did not made sense.

There are other departments whose work at the airport was not included in the budget. City Manager Jason Gray stated the City does not charge each department if they need other departmental services. Council unanimously approved the motion by Council member Harris, seconded by Council member Ricchi, to approve the minutes of the City Council Regular Meeting of October 15, 2013.

- 13-1144** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance to Extend the School Zone for Imagine Charter School. Traffic Engineer Robyn Root stated that this item is an extension of the Imagine Charter School zone due to some operational changes that the school has made that has had an impact on vehicle stacking on Jordan Road. Ms. Root stated that they are working on extending the turn lane off of Virginia Parkway to help reduce the amount of traffic stacking on Virginia Parkway. Ms. Root stated that they are also requesting that TxDOT add some additional signage to identify the school zone and hopefully to slow down the traffic in that area. Council unanimously approved the motion by Council member Ricchi, seconded by Council member Pogue, to approve an Ordinance to Extend the School Zone for Imagine Charter School. Caption reads as follows:

ORDINANCE NO. 2013-11-103

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS TO EXTEND THE SCHOOL ZONE FOR IMAGINE CHARTER SCHOOL IN MCKINNEY; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 13-1015** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Revising the Public Art Program Guidelines. Council member Kever stated that she wanted to bring to light a process for reporting of the balance of this fund on an ongoing basis so that Council has more than a snapshot of what is going on. She stated that as they are looking at receiving donations from private resources, Council would

like to look at what and how the fundraising efforts are being conducted and what they are communicating to the public and businesses. McKinney Arts Commission Chair Linda Spina stated that they would have no problem with the reporting piece. The current fundraising is being done by Vice Chair Hamilton Doak where he is having conversations with various likeminded individuals and businesses that have contributed to the arts in the past. Council unanimously approved the motion by Council member Harris, seconded by Council member Ricchi, to a Resolution revising the Public Art Program Guidelines. Caption reads as follows:

RESOLUTION NO. 2013-11-170 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, AUTHORIZING THE REVISION OF THE
PUBLIC ART PROGRAM

- 13-1145** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Adopting Outline of Individual Project Plan for First City-Sponsored Public Art Mural. Council member Kever inquired as to what the mural will be and where will it be located. Ms. Spina stated that they are considering three to five different walls in the downtown area that are not brick but already have something painted on them. The City Attorney and staff are working to put together guidelines as well as terms and conditions for building owners to consider when their building wall is selected for a project. Council unanimously approved the motion by Council member Kever, seconded by Council member Harris, to approve a Resolution adopting an outline of Individual Project Plan for the first City-Sponsored Public Art Mural. Caption reads as follows:

RESOLUTION NO. 2013-11-171 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, AUTHORIZING THE MCKINNEY ARTS
COMMISSION INDIVIDUAL PROJECT PLAN FOR THE FIRST
CITY-SPONSORED PUBLIC ART MURAL

Council member Pogue stepped down from the dais for the following agenda item.

13-194Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on the Request by 3 BT's, Inc., on Behalf of Troiani Family Investments, Ltd., for Approval of a Request to Rezone Fewer than 4 Acres from "RG-18" - General Residence District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Southeast Corner of Rockhill Road and North Brook Drive, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting to rezone approximately 3 acres to allow for an office/warehouse. He stated that the subject property is currently designated for residential uses per the future land use plan. Mr. Quint stated that staff recommends denial of the proposed rezoning request. Mr. Quint stated that the Planning and Zoning Commission recommended approval of the rezoning request. Staff has received a number of emails and letters in opposition in addition to a valid petition that will require a supermajority of Council to approve the rezoning request. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney requested that the item be tabled until the December 3, 2013 meeting to allow time to meet with some of the surrounding property owners. Mayor Loughmiller called for public comment.

The following individuals spoke against the proposed rezoning:

Mr. William Whitley, 2806 Rockhill Road, McKinney

Ms. Jeannie Graham, 2329 North Ridge Road, McKinney

Mr. Ralph Graham, 2329 North Ridge Road, McKinney

Mr. Bobby Torres, 303 High Meadow Drive, McKinney

Ms. Laney Baker, 612 Dogwood Trail, McKinney

Ms. Holly Baker, 612 Dogwood Trail, McKinney

Mr. David Baker, 612 Dogwood Trail, McKinney

Mr. Michael Hann, 272 Rockhill Road, McKinney

Ms. Jacqueline Moore, 2336 Brookview Drive, McKinney

Ms. Kimberly Ippolito, 404 Faircloud Lane, McKinney

Mr. Lew Richey, 1933 Sandpiper Lane, Plano

Mr. Jeff Ellis, 2802 Rockhill Road, McKinney

Ms. Jessica Mauerhan, 2234 Brookview, McKinney

Mr. Tom Jalobe, 2508 Pepper Tree, McKinney

Ms. Leslie Vestal, 2334 North Ridge Road, McKinney

Ms. Janet Cobbel, 2506 Rockhill Road, McKinney

Ms. Jean Ann Clarke, 402 High Meadow, McKinney

Mr. David Clarke, 402 High Meadow, McKinney

Ms. Stacy Tritd, 605 Dogwood Trail, McKinney

Mr. William Macaulay, 2903 Post Oak Lane, McKinney

The following individuals did not wish to speak but they wished to have their opposition entered into the record:

Ms. Michelle Buckley, 5824 Waterford, McKinney

Mr. Carl Bradley, 2504 Rockhill Road, McKinney

Mr. Peter Petrik, 2317 N. Ridge Road, McKinney

Mr. Fred Zavala, Sr., 307 Chaparral, McKinney

Mr. Jason Bryant, 404 Courtney Lane, McKinney

Ms. Cora Buckley, 4824 Waterford Lane, McKinney

Ms. Karin Simons, 402 Faircloud Lane, McKinney

Mr. Scott Simons, 402 Faircloud Lane, McKinney

Ms. Helene Gilbert, 114 Poppy Lane, McKinney

Ms. Cassie Vistal, 2334 North Ridge Road, McKinney

Mr. Alex Vestal, 2334 North Ridge Road, McKinney

Ms. Tonya Stanton, 401 High Meadow, McKinney

Mr. William J. Stanton, 401 High Meadow Drive, McKinney

Mr. Brian Barto, 3613 Lindale Drive, McKinney

Ms. Jenny Hutcheson, 932 Inland Lane, McKinney

Mr. Kevin Hutcheson, 932 Inland Lane, McKinney

Mr. Chris Hoberg, 923 Inland Lane, McKinney

Mr. Bart Swift, 3321 Woodglen Drive, McKinney,

Ms. Zoe Baker, 612 Dogwood Trail, McKinney

Ms. Susie Machemelil, 5441 Buckland Drive, McKinney

Mr. Ward Vestal, 2334 N. Ridge Road, McKinney

Mr. Fred Zavala, Jr., 307 Chaparral, McKinney

Ms. Denise Macaulay, 2903 Post Oak Lane, McKinney

Council approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Kever, to close the public hearing. Council member Kever stated that she understands both the rights of the property owner as well as the rights of the property owners adjacent to the property. She cannot ignore the other 300 plus citizens that are opposed to the project and she cannot support the request to rezone the subject property. Mayor Loughmiller stated that Bob Tomes has been a great McKinney citizen but his responsibility as Mayor is to represent the citizens of McKinney and at this point he is opposing this item. Council approved the motion made by Council member Harris, seconded by Council member Day, to table this item to the December 3, 2013 meeting, with a vote of 4-2-1, Mayor Loughmiller and Mayor Pro-Tem Ussery voting against. Council member Pogue abstained.

Council member Pogue returned to the dais.

- 13-1154** Mayor Loughmiller called for Consideration/Discussion/Action on all Matters Incident and Related to the Issuance and Sale of "City of McKinney, Texas, Tax and Limited Pledge Airport Revenue Certificates of Obligation, Taxable Series 2013", including the Adoption of an Ordinance Authorizing the Issuance of such Certificates of Obligation. City Manager Jason Gray stated that this is an item that they have been briefed on in the past regarding a previous authorization for the issuance of certificate obligations for the airport acquisition. This item is being

brought back due to an error in publication that has been rectified. Council approved the motion made by Council member Day, seconded by Mayor Pro-Tem Ussery, to approve the issuance and sale of "City of McKinney, Texas, Tax and Limited Pledge Airport Revenue Certificates of Obligation, Taxable Series 2013", including the adoption of an Ordinance authorizing the issuance of such Certificates of Obligation with a vote of 4-2-1, Council member Pogue and Ricchi voting against. Council member Keever abstained. Caption reads as follows:

ORDINANCE NO. 2013-11-106

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF MCKINNEY, TEXAS, TAX AND LIMITED PLEDGE AIRPORT REVENUE CERTIFICATES OF OBLIGATION, TAXABLE SERIES 2013;" PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND A LIMITED PLEDGE OF NET REVENUES FROM THE CITY'S MUNICIPAL AIRPORT FACILITIES; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES OF OBLIGATION; INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND PURCHASE AGREEMENT, THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AND PROVIDING AN EFFECTIVE DATE

- 13-189A2** Mayor Loughmiller called for a Public Hearing to Consider and Discuss on the Request by Wynne Jackson, Inc., on Behalf of Coit and Plano Parkway, Ltd., William and Barbara Docekal, Ronald Alan Gibson, Erwin H. Gibson, Sr., Armon D. and Mary Ann Gibson, and Wesley J. and Evelyn E. Valek, a Petition to Annex Fewer than 127 Acres, Located on the North and South Sides of Wilmeth Road and on the East and West Sides of County Road 161 (Future Ridge Road) Together with the Adjacent and/or Abutting Segments of Wilmeth Road and Ridge Road as Required by State Law. Director of Planning Michael Quint stated that the property owners are requesting to annex 127 acres into the City of McKinney. When considering annexing a property, the City considers a number of factors which include current population of the land to be

annexed, the ability for the city to provide city services and utilities and the fiscal impact to the City. He stated that staff has evaluated these factors and have no concerns. State law requires three public hearings to take place prior to annexing property. The first public hearing was held on November 4th at 5:30 p.m., this is the second public hearing, and the third and final public hearing will be held on December 3, 2013 along with the development agreement as well as the rezoning request. Mr. Quint stated that the rezoning signs are being posted tonight as are required to be posted on the Tuesday before the Planning and Zoning meeting that will be held on November 12, 2013. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Pogue, seconded by Council member Day, to close the public hearing.

13-187Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on the Request by Baird, Hampton & Brown, Inc., on Behalf of TCG Custer/380 Investors, L.L.C., for Approval of a Request to Rezone Fewer than 2 Acres from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "BG" - General Business District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Southeast Corner of Custer Road and U.S. Highway 380 (University Drive), and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting to rezone 1.24 acres generally to allow for a standalone emergency room facility. The existing "PD" – Planned Development on the property has a provision that whenever a sight plan is done for a portion of the property, the entire 60 acre property needs to be laid out. The subject property is owned by someone different than the owner of the remainder of the 60 acres. Mr. Quint stated that staff has no concerns allowing the straight zoning and is recommending approval of the proposed rezoning request. Applicant, Mr. Gene Tapps, 4550 SH

360, Suite 180, Grapevine, stated that he is in support of the rezoning and is available for questions. Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Day, to close the public hearing and approve an Ordinance rezoning fewer than 2 acres from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "BG" - General Business District and "CC" - Corridor Commercial Overlay District, generally to modify the Development Standards, located on the southeast corner of Custer Road and U.S. Highway 380 (University Drive). Caption reads as follows:

ORDINANCE NO. 2013-11-104

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 1.24 ACRE PROPERTY, LOCATED ON THE SOUTHEAST CORNER OF CUSTER ROAD AND U.S. HIGHWAY 380 (UNIVERSITY DRIVE) IS REZONED FROM "PD" - PLANNED DEVELOPMENT DISTRICT AND "CC" - CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "BG" - GENERAL BUSINESS DISTRICT AND "CC" - CORRIDOR COMMERCIAL OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 13-193Z2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd and Joplin, on Behalf of VCIM Partners, L.P., for Approval of a Request to Rezone Fewer than 4 Acres from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the Southwest Corner of Van Tuyl Parkway and TPC Drive, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting to rezone the subject property generally to allow for a wedding chapel. The "REC" - Regional Employment Center requires a street scape which means that buildings are pulled to the edge

of the property line and the adjacent right-of-way will create an environment where pedestrians feel more comfortable walking. He stated that on the concept plan they are showing more of a traditional suburban design where the building is interior to the lot and does not address the right-of-way as prescribed by the "REC" – Regional Employment Center. Mr. Quint stated that knowing that the proposed elevations do not meet the minimum standards required by the zoning Ordinance, staff is recommending denial of the proposed request due to the lack of conformance with both the zoning ordinance and the "REC" – Regional Employment Center's vision that is prescribed. Mr. Quint stated that the vision prescribed by the "REC" – Regional Employment Center does not reflect current market reality. Mr. Quint stated that they are not recommending denial because of the proposed use but because the proposed elevations do not meet the minimum standards that are required for the "REC" – Regional Employment Center. Applicant, Mr. Randy Hullett, 1700 Redbud, McKinney stated that they are proposing to rezone the property to modify the development standards to develop a high quality wedding chapel. They are requesting to move it back on the property so that their guests would have a view of the golf course. Mr. Michael Tamer, 1319 Eagle Bend, Southlake gave a description of the proposed chapel. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Council member Keever, seconded by Council member Day, to close the public hearing and approve an Ordinance rezoning fewer than 4 acres from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, generally to modify the Development Standards, located on the southwest corner of Van Tuyl Parkway and TPC Drive, with the following special ordinance provisions shall apply: the use and development of the subject property

shall conform to the requirements of "PD" - Planned Development District Ordinance No. 2001-02-017, except as follows: wedding chapel/reception hall shall be an allowed use on the subject property; development of a wedding chapel/reception hall on the subject property shall generally conform to the attached concept plan; development of a wedding chapel/reception hall on the subject property shall generally conform to the attached elevations; and the minimum parking requirements for a wedding chapel/reception hall on the property shall conform to the attached concept plan. Caption reads as follows:

ORDINANCE NO. 2013-11-105

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 3.75 ACRE PROPERTY, LOCATED ON THE SOUTHWEST CORNER OF VAN TUYL PARKWAY AND TPC DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 13-985** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Changing the Name of the Collin County Regional Airport and Approving Naming the City of McKinney's Fixed Based Operation to McKinney Air Center. City Manager Jason Gray stated that based on conversations, staff is recommending that they change the name of the airport from Collin County Regional Airport to McKinney National Airport to provide identity with the actual location of the airport and signify the significant financial contribution that this community has invested in it. Mr. Gray stated that this agenda item is to name the airport McKinney National Airport and to name the Fixed Based Operations as McKinney Air Center. Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Day, to approve an Ordinance

changing the name of the Collin County Regional Airport to McKinney National Airport and naming the City of McKinney's fixed based operation to McKinney Air Center. Caption reads as follows:

ORDINANCE NO. 2013-11-107

AN ORDINANCE REVISING AND AMENDING THE ORDINANCES OF THE CITY OF MCKINNEY, TEXAS BY REPLACING ALL REFERENCES TO THE COLLIN COUNTY REGIONAL AIRPORT AT MCKINNEY WITH MCKINNEY NATIONAL AIRPORT, APPROVING MCKINNEY AIR CENTER AS THE FIXED BASE OPERATION, AND PROVIDING AN EFFECTIVE DATE

- 13-081M3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Resolution Authorizing the City Manager to Negotiate an Agreement(s) with a Development Firm(s) for the Redevelopment of City-Owned Properties in the Downtown Area. Director of Planning Michael Quint stated that on May 7, 2013 an item was considered and Council expressed a few issues that they wanted Staff to go back and research. The issues included the appropriate density for downtown, where the future municipal center will be located, if parking demands are being addressed, and can downtown handle the proposed redevelopment center. Mr. Quint stated that staff recommends the future municipal facility be located on some combination of the northern sites and that the final location may be determined at a future date. Mr. Quint stated that from Staff's perspective, there really isn't a parking issue at this time and both the proposals from Zenstar Development and InTown Homes include a parking structure. Mr. Quint stated that the recommended action for tonight is to adopt the Resolution that will allow the City Manager to enter into full negotiations with Zenstar Development and InTown Homes. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Harris, seconded by Council member Day, to approve a Resolution authorizing the City Manager to negotiate an agreement(s) with a development firm(s) for the redevelopment of City-owned

properties in the downtown area. Caption reads as follows:

RESOLUTION NO. 2013-11-180 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO
NEGOTIATE AN AGREEMENT(S) WITH A DEVELOPMENT
FIRM(S) FOR THE REDEVELOPMENT OF CITY-OWNED REAL
PROPERTY IN THE DOWNTOWN AREA

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Council member Ricchi did not have any comments.

Council member Day stated that he is very pleased with what he sees going on with the airport, gateway, and moving forward with the downtown redevelopment.

Council member Kever stated that she wanted to clarify the action tonight regarding the rezoning at Rockhill Road and Jordan. The action tonight for item 13-194Z2 was to table this item until the December 3, 2013 Council meeting to allow time for communication and no decision was made tonight regarding that item.

Council member Pogue congratulated the Planning staff on their award that was presented tonight.

Council member Harris echoed the comments of Council members Day and Pogue. There has been a lot of heavy lifting done by staff to accomplish the aggressive goals of Council. Council gets a lot of credit for these goals being accomplishments but the real acknowledgement needs to go to staff for doing what it takes to get that these projects done.

Mayor Pro-Tem Ussery expressed his appreciation to Staff what they do day in and day out. Mr. Ussery expressed his appreciation to Director of Planning Michael Quint, Chief Financial Officer Rodney Rhoades, Fire Chief Kistner, and City Secretary Sandy Hart as well as all the staff who are not here tonight for making this City what it is today.

Mayor Loughmiller recognized and thanked Airport board members Kenneth Sipioria and Fritz Mowery for attending the Council meeting. Mr. Loughmiller also acknowledged McKinney Economic Development Corporation Board member Chuck Branch. Mayor Loughmiller stated that our citizens and our corporate citizens have always been generous in the past during the holiday times supporting organizations like

the Salvation Army and the Samaritan Inn as well as other nonprofits in our community who provide necessary services around our community. For those of you who can give, please find one of the Salvation Army Red Kettles and donate to this worthy cause.

City Manager Gray recognized staff for a very significant effort beginning the FBO operations at the airport. Mr. Gray stated that there was a tremendous amount of work that went into preparing, planning, strategizing, and executing a flawless transition from a private provider FBO to the McKinney Air Center. Mr. Gray expressed his appreciation to Airport Director Ken Wiegand and his team at the airport, to Deputy City Manager Jose Madrigal, Chief Financial Officer Rodney Rhoades, Chief Information Officer Chris Chiancone, the financial and IT departments who put in a lot of hours to learn this business within a short period of time. Mr. Gray stated that he is looking forward to this great team as we move forward with the operations at the airport.

Mayor Loughmiller recessed the meeting into executive session at 8:55 p.m. per Texas Government Code Section 551.071 (2). Consultation with City Attorney on any Work Session, Special or Regular Session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed), Section 551.074 Personnel Matters, Section 551.072 Discuss Real Property, and Section 551.087 Discuss Economic Development Matter as listed on the posted agenda. Mayor Loughmiller recessed to the open session at 11:50 p.m.

Council unanimously approved the motion by Council member Kever, seconded by Council member Harris, to adjourn. Mayor Loughmiller adjourned the meeting at 11:51 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary