

CITY COUNCIL REGULAR MEETING

OCTOBER 6, 2015

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on October 6, 2015 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro Tem Travis Ussery, Council members: Chuck Branch, Don Day, Randy P. Pogue, Tracy Rath, and Rainey Rogers.

Staff Present: Interim City Manager Tom Muehlenbeck; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Interim Planning Director Brian Lockley; Executive Director of Development Services Michael Quint; Director of Engineering Mark Hines; Assistant Director of Development Services Rick Leisner; Interim Assistant to the City Manager Chandler Merritt; Director of Parks and Recreation Rhoda Savage; Fire Chief Danny Kistner; Assistant Director of Public Works Paul Sparkman; Facilities Construction Manager Patricia Jackson; IT Service Desk Supervisor Amy Greer; Assistant Director of Parks and Recreation Ryan Mullins; Police Officer Kyle Wilkerson; Interim Human Resources Director Kathryn Usrey; Assistant Fire Chief Chris Lowry; Affordable Housing Administrator Cristel Todd; Planning & Jason Aprill and Steven Doss; Police Corporal Tim Rich; Purchasing Manager Lisa Littrell; and Graphic Designer Laura Smetak.

There were approximately 40 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Pastor Joe Patton, Waddill Street Baptist Church. Mayor Loughmiller led the Pledge of Allegiance.

Councilwoman Rath presented the following President's Volunteer Service Awards to Sophie Bonham, Ashley Porter, and Autumn Beck.

- 15-933** Recognition of Sophie Bonham for the 2014 President's Volunteer Service Award for Education
- 15-934** Recognition of Ashley Porter for the 2014 President's Volunteer Service Award for Healthy Futures
- 15-935** Recognition of Autumn Beck for the 2014 President's Volunteer Service Award

- 15-936** Community Planning Month Proclamation. Mayor Loughmiller presented the Community Planning Month Proclamation to Planner Jason Aprill.
- 15-938** Fire Prevention Month Proclamation. Mayor Loughmiller presented the Fire Prevention Month Proclamation to Fire Chief Danny Kistner and Assistant Chief Chris Lowry.
- 15-937** Presentation of "Certificate of Achievement for Planning Excellence". Interim Planning Director Brian Lockley presented the Certificate of Achievement to the Mayor and Council.

Mayor Loughmiller called for Citizen Comments.

Mr. Kevin Magavern, 409 Byrne, McKinney spoke against the Airport Bond Proposition.

Mr. Clint Scofield, 1101 Hill Street, McKinney spoke against the Parking Garage Bond Proposition.

Ms. Patsy Alexander, 224 Amscott Parkway, McKinney spoke about the concerns with the TAPS transportation issues.

Ms. Mara Morris, 820 Chapel Hill Lane, McKinney and Ms. Lou Zriny, 380 Ingram Road, Lucas spoke about dogs, cats, chicken, and roosters running at large, and Town Lake Park and the lack of cleaning and maintenance.

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

- 15-939** Minutes of the City Council Regular Meeting of September 15, 2015
- 15-901** Minutes of the Board of Adjustment Meeting of August 26, 2015
- 15-897** Minutes of the Library Advisory Board Meeting of August 20, 2015
- 15-867** Minutes of the Main Street Board Meeting of August 13, 2015
- 15-855** Minutes of the McKinney Armed Services Memorial Board Meeting of August 12, 2015
- 15-888** Minutes of the McKinney Economic Development Corporation Meeting of August 18, 2015
- 15-889** Minutes of the McKinney Economic Development Corporation Special Meeting of September 1, 2015

- 15-940** Minutes of the McKinney Housing Authority Meeting of August 25, 2015
- 15-859** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of August 13, 2015
- 15-870** Minutes of the Planning and Zoning Commission Regular Meeting of August 25, 2015
- 15-902** Minutes of the Planning and Zoning Commission Regular Meeting of September 8, 2015
- 15-941** Consider/Discuss/Act on an Ordinance Amending Chapter 66, Article I, by Adding Sections 66-1 through 66-4 Establishing the Office of City Marshal for the City of McKinney, Texas. Caption reads as follows:

ORDINANCE NO. 2015-10-086

AN ORDINANCE OF THE CITY OF MCKINNEY, TEXAS, ESTABLISHING THE OFFICE OF CITY MARSHAL; PROVIDING FOR THE APPOINTMENT AND TERM OF OFFICE THEREOF; DESIGNATING THE POWERS, DUTIES, AND REQUIREMENTS THEREOF; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

- 15-942** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2015-2016 Annual Budget to Provide Funds for Replacing the Exterior Doors at the McKinney Performing Arts Center. Caption reads as follows:

ORDINANCE NO. 2015-10-087

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2015-2016 ANNUAL BUDGET TO PROVIDE FUNDS FOR REPLACING THE EXTERIOR DOORS AT THE MCKINNEY PERFORMING ARTS CENTER AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 15-943** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Construction Contract with MMI General Contractors, Inc. of Weatherford, Texas for General Contractor Services Related to the Replacement of the Exterior Door Systems at the McKinney Performing Arts Center. Caption reads as follows:

RESOLUTION NO. 2015-10-107 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT

WITH MMI GENERAL CONTRACTORS, INC. FOR THE EXTERIOR DOOR SYSTEMS REPLACEMENT PROJECT LOCATED AT THE MCKINNEY PERFORMING ARTS CENTER

- 15-944** Consider/Discuss/Act on a Resolution Approving the Recommendations of the Arts Commission for FY16 Grants and Annual Funding of the Arts in the City of McKinney. Caption reads as follows:

RESOLUTION NO. 2015-10-108 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE FUNDING FOR THE SUPPORT OF THE ARTS IN MCKINNEY IN AN AMOUNT NOT TO EXCEED \$200,000.00; AND PROVIDING FOR AN EFFECTIVE DATE

- 15-946** Consider/Discuss/Act on a Resolution Amending the 2016-2020 Capital Improvements Program to Provide Funds for the Engineering Design of Lanes 3 and 4 of Trinity Falls Parkway from Laud Howell Parkway Extending Approximately 1,500 Feet East. Caption reads as follows:

RESOLUTION NO. 2015-10-110 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AUTHORIZING A BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2015-2016 BUDGET AND THE 2016-2020 CAPITAL IMPROVEMENTS PROGRAM

- 15-947** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with Kimley Horn Inc., for the Design of Lanes 3 and 4 of Trinity Falls Parkway from Laud Howell Parkway Extending Approximately 1,500 Feet East. Caption reads as follows:

RESOLUTION NO. 2015-10-111 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$80,500 WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR ENGINEERING DESIGN SERVICES FOR LANES 3 AND 4 OF TRINITY FALLS PARKWAY FROM LAUD HOWELL PARKWAY EXTENDING APPROXIMATELY 1,500 FEET EAST AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$90,000

- 15-948** Consider/Discuss/Act on a Resolution Allowing Use of the Approved 5% Construction Contingency Funds and Allowing for an Increase to the

Contract with North Rock Construction, LLC of Denton, Texas for the Construction of Sonntag Neighborhood/School Park Project. Caption reads as follows:

RESOLUTION NO. 2015-10-112 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$1,957,716 WITH NORTH ROCK CONSTRUCTION, LLC OF DENTON, TEXAS FOR THE CONSTRUCTION OF THE SONNTAG NEIGHBORHOOD/SCHOOL PARK PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$2,059,176

- 15-949** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with David Copeland Sand & Gravel, Inc. and Liberty Sand & Gravel, Inc. to Provide Street Materials. Caption reads as follows:

RESOLUTION NO. 2015-10-113 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO AWARD A CONTRACT FOR STREET MATERIALS

- 15-950** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with Tommy Rose dba Rose Contracting to Provide Erosion Control & Emergency Repairs. Caption reads as follows:

RESOLUTION NO. 2015-10-114 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT FOR EROSION CONTROL MATERIALS & EMERGENCY REPAIRS

- 15-951** Consider/Discuss/Act on a Resolution Authorizing Interim City Manager to Pursue Grant Funding through the Texas Department of Housing and Community Affairs (TDHCA) HOME Investments Partnerships Program Homeowner Rehabilitation Assistance (HRA). Caption reads as follows:

RESOLUTION NO. 2015-10-115 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING INTERIM CITY MANAGER TO MAKE APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS (TDHCA) FOR HOME INVESTMENTS PARTNERSHIP PROGRAM FUNDING UNDER THE *HOMEOWNER REHABILITATION ASSISTANCE GRANT* (HRA); AND PROVIDING FOR AN EFFECTIVE DATE

- 15-952** Consider/Discuss/Act on a Resolution Authorizing Interim City Manager to Pursue Grant Funding through the Texas Department of Housing and Community Affairs (TDHCA) HOME Investments Partnerships Program Homebuyers Assistance (HBA). Caption reads as follows:

RESOLUTION NO. 2015-10-116 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING INTERIM CITY MANAGER TO MAKE APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS (TDHCA) FOR HOME INVESTMENTS PARTNERSHIP PROGRAM FUNDING UNDER THE *HOMEBUYERS ASSISTANCE GRANT* (HBA); AND PROVIDING FOR AN EFFECTIVE DATE

END OF CONSENT

- 15-945** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Interim City Manager to Enter into Contracts/Agreements with Allegiance Benefit Plan Management for Third Party Administrator Services, MaxorPlus for Pharmacy Benefit Management Services, Davis Vision for Vision Insurance Coverage, Kansas City Life for Long Term Disability Insurance Coverage, MetLife for Life Insurance Coverage, and Allegiance Benefit Plan Management for Section 125 Administration. Interim Director of Human Resources Kathryn Usrey stated that the contracts are in place but the attachments to the contracts will be reviewed and finalized in a meeting with the companies. Approval will be subject to the review of the City Attorney and staff for final completion. Council unanimously approved the motion by Council member Pogue, seconded by Council member Branch, to

approve a Resolution Authorizing the Interim City Manager to enter into contracts/agreements with Allegiance Benefit Plan Management for Third Party Administrator Services, MaxorPlus for Pharmacy Benefit Management Services, Davis Vision for Vision Insurance Coverage, Kansas City Life for Long Term Disability Insurance Coverage, MetLife for Life Insurance Coverage, and Allegiance Benefit Plan Management for Section 125 Administration subject to the City Attorney's and staff review. Caption reads as follows:

RESOLUTION NO. 2015-10-109 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT BETWEEN ALLEGIANCE BENEFIT PLAN MANAGEMENT, MAXOR PLUS, DAVIS VISION, KANSAS CITY LIFE, AND METLIFE FOR VARIOUS GROUP HEALTH & WELFARE BENEFITS

14-221A2 Mayor Loughmiller called for a Public Hearing to Consider and Discuss on a Petition to Annex the Subject Property, Located on the North Side of County Road 164 and Approximately 860 Feet West of County Road 1006. Interim Planning Director Brian Lockley stated this is the second of three public hearings to review the request for voluntary annexation into the City of McKinney for approximately 126.72 acres of land located on the north side of County Road 164 and approximately 860 feet west of County Road 1006. The applicant has a rezoning request that will be heard at the November 3, 2015 City Council meeting that will cover the same land area as this annexation petition. The applicant has expressed that consideration for retail development within the property will be considered at the time of the rezoning request. There is a development agreement being proposed in association with this annexation that is the standard template for annexation that lays out the provisions for services and mitigated any costs associated with this request. Upon development of the property, public improvements, including but not limited to utilities, roadways, hike and bike trails may be required to be provided by the owner. Mayor Loughmiller called for public comments and there were

none. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to close the public hearing. Mayor Loughmiller stated that even though he does not own property in the area nor does he have any financial interest in this area, he is stepping down from the dais on the following item because his Law Firm leases space in the building adjacent to this property.

15-215SP3 Mayor Pro Tem Ussery called for a Public Hearing to Consider/Discuss/Act on a Site Plan for Luxury Seniors at Craig Ranch Apartments, Located Approximately 370 Feet East of Custer Road and on the North Side of Collin McKinney Parkway. Interim Planning Director Brian Lockley stated that this request is proposed to construct 163 units, 227,000 square foot living, senior multi-family complex on 7.9 acres. The applicant is requesting to reduce the amount of enclosed parking from the required 50% of the units to 30% of the units, which must be considered by City Council for approval. In lieu of providing 50% of the units with enclosed parking, the applicant has proposed to create an innovative and quality development through building and site design. The applicant is willing to provide a number of amenities that significantly exceed the minimum three items required, including orienting the building toward Collin McKinney Parkway to help minimize the amount of building mass and orient the single-family residential toward the north. The requested reduction in the number of enclosed parking spaces also helps create an increased buffer to the adjacent neighborhood and creates some unique outdoor space for future residents. Staff recommends approval of the proposed site plan. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, on behalf of Gardner Capital, explained the proposed site plan and associated variances. Mr. Roeder requested the Council's favorable approval. Mayor Pro Tem Ussery called for public comments and there were none. Council approved the motion made by Council member Pogue, seconded by Council member Branch,

to close the public hearing and approve a Site Plan for Luxury Seniors at Craig Ranch Apartments, located approximately 370 feet east of Custer Road and on the north side of Collin McKinney Parkway with a vote of 6-0-1, Mayor Loughmiller abstaining, with the following variances and conditions: the applicant receive approval of a variance to reduce the amount of required enclosed parking spaces from 50% of the units to 30% of the units, for a senior multi-family development; prior to issuance of a Building Permit: the applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist; and prior to issuance of a Certificate of Occupancy: for senior multi-family residential developments, the applicant provide an adopted series of deed restrictions and covenants establishing the development's intent to operate as a senior multi-family residential development in accordance with the requirements established within the Zoning Ordinance, subject to review and approval by the City Attorney.

Mayor Loughmiller returned to the dais.

14-166Z9 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "REC" - Regional Employment Center Overlay District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District, "REC" - Regional Employment Center Overlay District and "CC" - Corridor Commercial Overlay District, Generally to Allow for Single Family Residential Uses, Located on the Southwest Corner of McKinney Place Drive and Collin McKinney Parkway, and Accompanying Ordinance. Interim Planning Director Brian Lockley stated the applicant is requesting to rezone the subject property generally to allow for single-family, detached residential uses for the REC Standard and Small Lot designation with additional provisions of no maximum lot width provisions and provisions regarding front-entry garage doors and landscaping. Staff feels the development will be compatible

with the adjacent Workman Floyd 2 development to the west of the subject property and as such recommends approval of this request. Mr. Tyler Scott, Sanchez and Associates, 402 N. Tennessee Street, McKinney stated that they feel that they are presenting a quality product that meets and exceeds City of McKinney standards and requests the Council's favorable approval. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to close the public hearing and approve an Ordinance rezoning the subject property from "PD" - Planned Development District, "REC" - Regional Employment Center Overlay District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District, "REC" - Regional Employment Center Overlay District and "CC" - Corridor Commercial Overlay District, generally to allow for single family residential uses, located on the southwest corner of McKinney Place Drive and Collin McKinney Parkway, with the following special ordinance provisions: The subject property shall be developed in accordance with the area and bulk regulations for Single Family Detached, Standard Lot of the REC Neighborhood Zone, except as follows: Single Family Detached, Small Lots shall be permitted only where said lots directly abut the eastern property lines, as indicated in the attached Small Lot Location exhibit; the maximum total number of dwelling units shall be 142 units, and the maximum number of Single Family Detached Small Lots shall be 60 units; garages that are accessed from the front of Single Family Detached. Standard Lots shall feature garage doors with a carriage-style design, typically featuring vertical slats, high windows, antiqued hardware, and additional detailing to give the appearance of swinging or sliding doors; there shall be no maximum lot width or area; and in addition to the requirement of one canopy tree per 50 linear feet within the common area adjacent to Collin McKinney Parkway and McKinney

Place Drive as detailed in Section 142-106 (Screening and buffering of certain residential lots adjacent to streets) of the Subdivision Ordinance, an additional canopy tree shall be planted for every 50 linear feet within the common area along Collin McKinney Parkway and McKinney Place Drive. Caption reads as follows:

ORDINANCE NO. 2015-10-088

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 30.36 ACRE PROPERTY, LOCATED ON THE SOUTHWEST CORNER OF MCKINNEY PLACE DRIVE AND COLLIN MCKINNEY PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT, "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT, GENERALLY TO ALLOW FOR SINGLE FAMILY RESIDENTIAL USES; 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

- 15-953** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Interim City Manager to Execute a Contract and All Necessary Change Orders with McMahon Contracting, L.P. for the Construction of Lake Forest Drive Lanes 5 and 6 from SH 121 to McKinney Ranch Parkway. Director of Engineering Mark Hines stated that this item is to approve a contract and all necessary change orders with McMahon Contracting, LP for the construction of Lake Forest Drive Lanes 5 and 6 from SH 121 to McKinney Ranch Parkway. There were a total of five bids with the low bid from McMahon Contracting, L.P. in the amount of \$1,788,710.62. Construction is expected to start within the next month and completed early next summer. Staff is recommending approval. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Rogers, to approve a Resolution authorizing the Interim City Manager to execute a contract and all

necessary change orders with McMahon Contracting, L.P. for the construction of Lake Forest Drive Lanes 5 and 6 from SH 121 to McKinney Ranch Parkway. Caption reads as follows:

RESOLUTION NO. 2015-10-117 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$1,788,710.62 WITH MCMAHON CONTRACTING, L.P. FOR THE CONSTRUCTION OF LAKE FOREST DRIVE LANES 5 & 6 FROM SH 121 TO MCKINNEY RANCH PARKWAY AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$1,970,000

15-887 Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Nominating Member(s) to the Collin Central Appraisal District Board of Directors. Mayor Loughmiller stated that in the past, the City Council has nominated the current Chairman, Wayne Mayo to serve on the Collin Central Appraisal District Board of Directors. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to approve a Resolution nominating Wayne Mayo to the Collin Central Appraisal District Board of Directors. Caption reads as follows:

RESOLUTION NO. 2015-10-118 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, NOMINATING WAYNE MAYO TO THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF COLLIN COUNTY, AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Council member Rogers stated that he is intrigued when people come up to the podium and talk about the votes of the City Council with regard to our parking and to the airport. Once you educate yourself to what is going on in McKinney, you understand how important the airport is, and then once you look at the parking, I, too, had my doubts about where the parking was located. The old Court house parking is not being used today because no one is willing to walk two blocks to come

to downtown. Instead, they'll drive around for an hour trying to find something that is within a block. If we put the parking garage more than two or three blocks away, nobody is going to use it.

Councilwoman Rath stated that she attended the Texas Municipal League Conference a couple of weeks ago and had the opportunity to speak to other Council people and City leaders across the State. Ms. Rath stated that the Volunteer McKinney Center awards celebration was a couple of weeks ago and we honored those in McKinney that serve so faithfully. I would like to thank them again. I would also like to thank Revenue Collections Manager Alex Casey and her staff for all of the work that they have done working through hundreds of inquiries from our citizens regarding water bills. I think they have been very responsive.

Council member Branch stated that he wanted to congratulate the McKinney North and McKinney Boyd High Schools bands for the band contest this past weekend. They got in the top-ten, finishing 7th and 8th. I'm very proud of them and glad to have seen my daughter out there getting her flute on. I just want to say congratulations to them and good luck on the next few weeks at the URL marching band competition.

Council member Day stated that he wanted to remind everyone that this week we sent out a notice that on October 15th we will have a District 1 Town Hall meeting in the Council Chambers at 6:00 p.m. We have a wide variety of topics and we will talk about why District 1 is important to McKinney. Mr. Day stated that he found a very interesting piece of information - 74% of all of the companies that are tracked by McKinney Economic Development Corporation are in District 1. At the Town Hall meeting we are going to talk about the parking garage and why it got located where it did and the costs and benefits. We are also going to talk about the airport and how it contributes to funding of City services and to funding our school districts. We're going to talk about Highway 5 improvements and the new route that goes from Airport Boulevard over to Highway 5. Mr. Day stated that on the November 3rd ballot there will be Proposition 5 relating to the downtown parking garage. That vote will determine whether or not there is going to be a parking garage in downtown in the foreseeable future. We are a growing City and we always have more needs than

we have money. So this Council as well as future Councils will have to allocate where those funds go. Ever since McKinney has been a growing City, every bond has a fire station on it. The November 3rd bond election has two fire stations on it. One fire station costs about the same as a parking garage. So every Council always has to make a decision do we need a parking garage? Do we need a fire station? I would suggest that if the parking garage is not approved, why would future Councils revisit that when the public has turned it down. We live in a Democracy and everyone has a right to vote so please get out and vote.

Council member Pogue congratulated Sophie Bonham, Ashley Porter, and Autumn Beck for receiving the President's Volunteer Service Awards. Mr. Pogue stated that the Airport Proposition is \$50 million to pay for protecting that asset and continuing the investment out there. A lot of the money spent at the airport for projects may be reimbursed at a point in the future when aeronautical type of uses are used in that area through a TXDOT funding. This potentially could equate to 90% of the money expended refunded back. It is an investment that does have potential rewards back from the Federal Government. We need to protect the City's investment in the Airport so that we do not find ourselves in the same situation as the Addison airport that is land-locked and cannot expand. Mr. Pogue stated that there is not a site for the parking garage that we could pick that everyone would unanimously agree to. The site was selected through a process of elimination. With several of the sites considered, the City did not own the land and with one site there would have been additional improvements needed to the adjacent streets. Louisiana/Virginia are already designed to carry the anticipated load that would be generated by that parking structure at that particular location. Mr. Pogue stated that in his opinion, that is the site that scored the highest and that particular site is the best site for numerous reasons. Mr. Pogue requested that the City Manager follow up with the lady who talked about the animals running at large.

Mayor Pro Tem Ussery thanked everybody for their participation in the last Oktoberfest. It's always good to see citizens out enjoying themselves. I think part of the enjoyment results from the Public Works Department, who seamlessly and tirelessly do a lot of good work that no one sees. They make these type of events

much more pleasing. Mr. Ussery stated that all of the staff in McKinney really makes this the wonderful place that it is.

Mayor Loughmiller stated that he wanted to comment on emails that he has received. Mr. Loughmiller stated that he received an email from an individual concerned about cyclists. This is not about the fact that we shouldn't have bicyclists on the road, but more about the issue of cyclists who are not following the rules of the road. I want to make it very clear that when we made a decision to put signs at various locations, that bicyclists have the right to use the full lane. That was a safety issue and a route determination to try to encourage cycle groups to use certain roads that were viewed to be more rider friendly than others. It does not negate their requirement to follow the other rules of the road. I am a cyclist. And I ride every weekend, but I don't go ride down the middle of the road on Custer Road when there is heavy traffic at the risk of losing life and limb. I try to stay close to the curb. If you are on a road with a no U-Turn sign, you should not be making a U-Turn. If you are at a Street with a stop sign, the rule is that you can stop as a group and you can go as a group, as if you are one vehicle. Somebody at the front of the group needs to stop. I believe that we will receive fewer and fewer complaints if we, who are out there doing this, will obey traffic rules, just like the people in the cars are required to obey traffic rules. We are asking cars to share the road with us and let's make sure we share the roads with the cars and follow the rules of the road. I certainly advocate for that with the groups that I ride with. We had a Coffee with the Mayor last week and we talked about the parking garage. We discussed some of the issues with the other locations, both from a cost standpoint and from the standpoint of some of the things that we would have to do in order to have a different site. One of the questions I have been asked repeatedly if this bond election passes because it's not site-specific, is there an opportunity or a chance that the site will be changed? I don't want to encourage people to vote one way or another based on a presumption that something might change when the Council has already voted on a site. While the bond language is not site-specific, I'm trying to make it very clear to people I talk to, that is the site that has been selected over by Church Street. If the

voters do not approve the parking garage in downtown, we talked about various methods to fund capital improvement projects like this. If you go back to 2004-2005, we talked about everything from a special district (Tax Improvement District- TID), which is a special district that you can create for the purposes of building infrastructure or improvements where there is a portion of sales tax dollars out of that area that help fund projects. This was not supported by Council as this is effectively creating another tax or you are taking revenue away from a business in a specific area even though what you are building is generally to provide support for the entire public or the entire community of McKinney. We also talked about the concept of paid parking. And that was not supported primarily from a competition standpoint because obviously there are a lot of places along Highway 75 that has free parking that is immediately adjacent to the retail spots. That would have put downtown McKinney at a competitive disadvantage. Council has agreed that funding a parking garage project would be through a bond election. Historically we only hold bond elections every four or five years based on our CIP. This bond election is to carry us through the next ten years. Mr. Loughmiller stated that if this Proposition does not pass, ultimately the parking garage is not going to be built for the foreseeable future. Mr. Loughmiller stated that relating to the Airport, if you look at the projects that we have done at the airport in the past, they have all been subject to these reimbursement dollars that are available through the Federal Aviation Administration (FAA) which usually comes through TxDOT Aviation in Austin. The runway and tower projects that have been completed were partially reimbursed through TxDOT/FAA funding. The runway project was approximately \$45 million with the City of McKinney's share at approximately \$6 million and the rest paid through TxDOT/FAA reimbursements. Mr. Loughmiller expressed his appreciation to staff, the volunteers, citizens on patrol, as well as police and fire for all their hard work on a well-run Oktoberfest event. The Mayor announced that starting at the end of September he began a program called "Coffee with the Mayor." We held the first one on September 30th. There were about 35 people in attendance. The event had a small presentation and then was followed by questions and answers. We are going to try to schedule these every other month. The next one is tentatively scheduled for

November 30th at the John and Judy Gay Library. We would like to move these around to various locations in the City to give people the opportunity to come that might otherwise not come down to City Hall. Mayor Loughmiller reminded everyone that October is Breast Cancer Awareness Month. I know that everybody in some form or another has been touched by cancer whether it be with family member, a friend, or maybe themselves. It is very important to have these remembrances to reinforce the need for continued assistance in funding research, caregiver funding and things of that nature, whether it's through the Susan G. Komen group or Relay for Life. October is Breast Cancer Awareness Month and if you have friends battling this disease, my prayers go out to them each and every day that they win that fight.

City Manager Muehlenbeck stated that there have been and continue to be many questions from customers about water bills. We have found through hundreds of conversations and by closely examining the usage over the last billing cycle, that increased usage is almost always the cause of higher water bills. There have been many factors to explain the higher usage. Water restrictions were lifted to twice weekly, which is a big jump from once every other week. The spring into summer months were unseasonably rainy. The last three months have been very hot and dry. The combination means that many people are watering landscapes and foundations much more than they have for the last year. In some cases, they have used more than they have in the last two or three years. To help customers understand consumption, there is a worksheet with the detailed instructions on our website. So you can calculate exactly how much water you are using. And I really would like to echo the comments Ms. Rath made about the tremendous job our water utility staff are doing in personally addressing each of the calls that have come in about high water bills. We take that very seriously. We are running a business and we're trying to keep it as a business. And we certainly appreciate the cooperation of the citizens of McKinney.

Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to adjourn. Mayor Loughmiller adjourned the meeting at 7:15 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary