

CITY COUNCIL REGULAR MEETING

MARCH 19, 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 March 19, 2019 at 6:00 p.m.

Council Members Present: Mayor George C. Fuller, Mayor Pro Tem Tracy Rath, and Members Charlie Philips, Scott Elliott, Rainey Rogers, Chuck Branch, and La'Shadion Shemwell

City of McKinney Staff Present: City Manager Paul Grimes, Deputy City Manager Jose Madrigal, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Director of Planning Jennifer Arnold, Director of Engineering Gary Graham, Transportation Engineering Manager Matt Tilke, Civil Engineer Robyn Root, Development Engineering Manager Matt Richardson, Director of Public Works David Brown, Purchasing Manager Lisa Littrell, Affordable Housing Administrator Cristel Todd, Police Chief Greg Conley, Police Sergeant Damian Guerrero, Police Officer Randy Patton, Police Officer Tyler Lewis, and City Secretary Empress Drane.

There were twenty-nine guests present.

Mayor Fuller called the meeting to order at 6:00 p.m. upon determining a quorum of the Council was present.

Mayor Fuller called for the Invocation and recital of the Pledge of Allegiance.

The Invocation was given by Myron Bradford, Senior Pastor at New Jerusalem Church. Pastor Bradford was accompanied by his wife, Mrs. Deborah Bradford.

The Pledge of Allegiance was led by Youth Members of New Jerusalem Church: Harmonie Chapman, Sean John, Zion Sears, Isaiah Bradford, Elisha Bradford, Xareon Sears, Brianna Bradford, Jared Bradford, Myreon Bradford, and Victoria Armstrong. The youth group was escorted by Marsha Mitchell, Sandra Ellis, Arlicia Chapman, and Collette Bradford.

Mayor Fuller called for Citizen Comments.

Virgil Wade, 6504 Palmetto Bluff Drive, McKinney 75071, expressed his opposition to establishing a traffic light at the intersection of Habersham Way and Ridge Road.

Mayor Fuller called for action on the Consent Agenda items. At the request of Mayor Pro Tem Rath, the following item was pulled from the Consent Agenda for individual consideration:

19-0240 Consider/Discuss/Act on a Resolution Awarding a Contract to Titan Fence and Supply Company of Cross Roads, Texas for the Replacement of Ornamental Steel Fencing at the McKinney Public Safety Building (PSB)

Council unanimously approved the motion by Council Member Rogers, seconded by Council Member Shemwell, to approve the following Consent Agenda:

- 19-0162** Minutes of the Board of Adjustment Meeting on February 13, 2019
- 19-0235** Minutes of the City Council Special Meeting of March 4, 2019
- 19-0236** Minutes of the City Council Work Session of March 5, 2019
- 19-0237** Minutes of the City Council Regular Meeting of March 5, 2019
- 19-0072** Minutes of the Historic Preservation Advisory Board Regular Meeting of November 1, 2018
- 19-0176** Minutes of the Historic Preservation Advisory Board Regular Meeting of February 7, 2019
- 19-0151** Minutes of the Library Advisory Board Meeting of January 17, 2019
- 18-1040** Minutes of the Main Street Board Meeting of November 8, 2018
- 19-0164** Minutes of the McKinney Community Development Corporation Meeting of January 24, 2018.
- 19-0152** Minutes of the McKinney Convention & Visitors Bureau Board Meeting of January 22, 2019.
- 19-0163** Minutes of the Planning and Zoning Commission Regular Meeting of February 12, 2019
- 19-0238** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Cobb, Fendley & Associates, Inc. for Professional Engineering Design Services for the Arterial Capacity Improvements Project (ST1835) and Authorizing Any Necessary Supplemental Agreements. Resolution caption reads as follows:

RESOLUTION NO. 2019-03-029(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$359,004 WITH COBB, FENDLEY & ASSOCIATES, INC. FOR ENGINEERING DESIGN SERVICES FOR THE ARTERIAL CAPACITY IMPROVEMENTS PROJECT (ST1835) AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$400,000

- 19-0239** Consider/Discuss/Act on a Resolution Awarding a Contract to Core Service, LLC of Dallas, Texas for Hazardous Tree Trimming & Removal Services.

Resolution caption reads as follows:

RESOLUTION NO. 2019-03-030 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO CORE SERVICES INC. OF DALLAS, TEXAS FOR HAZARDOUS TREE TRIMMING AND REMOVAL SERVICES

- 19-0241** Consider/Discuss/Act on a Resolution Requesting City Council to Reject all Bids Received for 18-12FP Crack Sealing Services. Resolution caption

reads as follows:

RESOLUTION NO. 2019-03-032 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE FORMAL REJECTION OF THE ONE BID RECEIVED UNDER SOLICITATION 18-12FP FOR CRACK SEAL SERVICES

- 19-0242** Consider/Discuss/Act on a Resolution Requesting City Council to Reject all Bids Received for 19-15FP Street Striping and Pavement Materials.

Resolution caption reads as follows:

RESOLUTION NO. 2019-03-033 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE REJECTION OF ALL BIDS UNDER 19-15FP FOR STREET STRIPING AND PAVEMENT MATERIALS

Mayor Fuller called for the following item for individual discussion:

- 19-0240** Consider/Discuss/Act on a Resolution Awarding a Contract to Titan Fence and Supply Company of Cross Roads, Texas for the Replacement of Ornamental Steel Fencing at the McKinney Public Safety Building (PSB)

Mayor Pro Tem Rath stated a revision to Section 1 of the related resolution was necessary, the revision being the inclusion of an additional statement as follows:

“in the amount of \$ 99,723.00 and authorizes all necessary change orders under said contract up to an aggregate contract amount, inclusive of any change orders, not to exceed \$109,695.30”

Council unanimously approved the motion by Mayor Pro Tem Rath, seconded by Council Member Shemwell, to approve a Resolution Awarding a Contract to Titan Fence and Supply Company of Cross Roads, Texas for the Replacement of Ornamental Steel Fencing at the McKinney Public Safety Building (PSB) with the recommended additional statement. Resolution caption reads as follows:

RESOLUTION NO. 2019-03-031 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO TITAN FENCE AND SUPPLY COMPANY OF CROSS ROADS, TEXAS FOR THE FENCE REPLACEMENT FOR PUBLIC SAFETY BUILDING

Mayor Fuller called for Consideration/Discussion/Action on the following Public Hearing and Regular Agenda items:

19-0001RW Conduct a Public Hearing to Consider/Discuss/Act on a Right-of-Way Abandonment of a Portion of McDonald Street, Located West of McDonald Street and North of Anthony Street, and Accompanying Ordinance

Development Engineering Manager Matt Richardson, the request to abandon a “sliver” of right of way west of McDonald Street adjacent to Chestnut Square. Chestnut Square is the only property owner adjacent to the land to be abandoned. It is a small portion of land left over from the TxDOT project to build Highway 5 in the 1950’s. The city will retain an easement on the property for sanitary sewer maintenance. Representatives of Chestnut Square were present at the meeting in support of the item but did not formally address the Council.

There were no requests to speak during the Public Hearing.

Council unanimously approved the motion by Council Member Branch, seconded by Council Member Rogers, to close the public hearing and approve a Right-of-Way Abandonment of a Portion of McDonald Street, Located West of McDonald Street and North of Anthony Street, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-03-018

AN ORDINANCE VACATING A PORTION OF McDONALD STREET, APPROXIMATELY 0.033 ACRES, LOCATED WEST OF McDONALD STREET AND NORTH OF ANTHONY STREET, PROVIDING FOR AN EFFECTIVE DATE HEREOF

19-004Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "LI" - Light Industrial District, Located Approximately 280 Feet West of State Highway 5 (McDonald Street) and on the North Side of Wilmeth Road, and Accompanying Ordinance

Director of Planning Jennifer Arnold stated the request is to rezone approximately 24 (twenty-four) acres for constructing employment mixed warehouse-office of an industrial related uses. Staff supports the request as other nearby property has been rezoned for similar purposes in recent years, and the Planning & Zoning Commission also supports the request. The applicant was present in support of the request but did not formally address Council.

Amin Bata, 14902 Preston Rd #902, Dallas 75254, owner of property adjacent to the subject tract, spoke in favor of the item, also offering a portion of his property for staff and council to consider joint curb cuts with the property and reciprocal cross access between the two properties.

There were no other requests to speak during the Public Hearing.

Council unanimously approved the motion by Council Member Branch, seconded by Council Member Elliott, to close the public hearing and approve the Request to Rezone the Subject Property from "AG" - Agricultural District to "LI" - Light Industrial District, Located Approximately 280 Feet West of State Highway 5 (McDonald Street) and on the North Side of Wilmeth Road, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-03-019

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 24.20 ACRE PROPERTY, LOCATED APPROXIMATELY 280 FEET WEST OF STATE HIGHWAY 5 (MCDONALD STREET) AND ON THE NORTH SIDE OF WILMETH ROAD, IS REZONED FROM "AG" - AGRICULTURAL DISTRICT TO "LI" - LIGHT INDUSTRIAL 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

- 19-0243** Consider/Discuss/Act on a Resolution Awarding a Contract to Aleksander Omega, LLC of Cedar Hill, Texas for the Reconstruction of 1502 W Louisiana St., McKinney, Texas 75069

Affordable Housing Administrator Cristel Todd resolution is for the reconstruction of a substandard home which was occupied by an elderly low-income household. The recommended contractor was one of two bids received and falls within the project budget, which is funded by grants. Mrs. Todd stated approximately \$114,000 (one hundred fourteen thousand) will remain in the budget after the completion of the project.

Council unanimously approved the motion by Mayor Pro Tem Rath, seconded by Council Member Shemwell, to approve the Resolution Awarding a Contract to Aleksander Omega, LLC of Cedar Hill, Texas for the Reconstruction of 1502 W Louisiana St., McKinney, Texas 75069. Resolution caption reads as follows:

RESOLUTION NO. 2019-03-034 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO ALEKSANDER OMEGA, LLC FOR THE RECONSTRUCTION OF 1502 W LOUISIANA ST., MCKINNEY, TEXAS 75069

- 19-0244** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Apply for and Accept, if Awarded, Grant Funding Through the Texas Department of Transportation 2019 Transportation Alternatives/ Safe Routes to Schools Program

Transportation Engineering Manager Matt Tilke stated the Safe Routes to School Program is funding to assist with infrastructure and safety related devices within two miles of a school to support children getting to school.

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Branch, to approve a Resolution Authorizing the City Manager to Apply for and Accept, if Awarded, Grant Funding Through the Texas Department of Transportation 2019 Transportation Alternatives/Safe Routes to Schools Program. Resolution caption reads as follows:

RESOLUTION NO. 2019-03-035 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT, IF AWARDED,

**GRANT FUNDING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION
2019 TRANSPORTATION ALTERNATIVES/SAFE ROUTES TO SCHOOLS
PROGRAM**

19-0245 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Agreement with the Regional Transportation Council for Award of Transportation Development Credits for Improvements to East Louisiana Street from State Highway 5 to Throckmorton Street

Capital Improvement Project Manager Nick Ataie stated a Transportation Development Credit (TDC) is a state credit which can be earned by developing programs in areas such as air quality, land use strategies, education and outreach. The city has accumulated nearly \$4,000,000 (four million) and sought recommendations from the Regional Transportation Council of the North Texas Council of Governments on projects to secure additional federal funds for completion. The TDCs will be used to offset the twenty percent cost matching requirements for federal funding on the project. Mr. Ataie stated engineering for the project is scheduled for the year 2021 and construction in 2023, with requests to move the project to sooner. Approximately \$736,000 (seven hundred thirty-six thousand) of the TDCs will be utilized for the project.

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Branch, to approve a Resolution Authorizing the City Manager to Enter into an Agreement with the Regional Transportation Council for Award of Transportation Development Credits for Improvements to East Louisiana Street from State Highway 5 to Throckmorton Street. Resolution caption reads as follows:

RESOLUTION NO. 2019-03-036 (R)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS,
AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE
REGIONAL TRANSPORTATION COUNCIL FOR AWARD OF TRANSPORTATION
DEVELOPMENT CREDITS FOR IMPROVEMENTS TO EAST LOUISIANA STREET
FROM STATE HIGHWAY 5 TO THROCKMORTON STREET**

Mayor Fuller called for Citizen Comments. There were no requests to speak. Council Member Rogers recognized and invited youth members of the visiting Boy Scouts group, Asher Clevenger and Caleb Clevenger, to speak to Council. The two boys stated their names and said hello to Council.

Mayor Fuller called for Council and Manager Comments.

Council Member Elliott spoke on the passing of Deborah Kilgore, Curator of the Collin County Historical Museum. A memorial for Mrs. Kilgore was held at the Museum on March 17, and Mr. Elliott read this poem, attributed as a Native American prayer, in her honor:

*I give you this one thought to keep,
I am with you still. I do not sleep.
I'm one thousand winds that blow
And the diamond in the snow;
I am sunlight on ripened grain,
And the gentle autumn rain.
When you awaken in the morning's hush,
I am the swift uplifting rush
Of quiet birds and circle of light
In the soft stars that shine at night.
Do not think of me as gone.
I'm with you still in each new dawn.*

Mr. Elliott noted his friendship with Mrs. Kilgore and appreciation for her depth of research as a Curator. He encouraged the public to visit the *McKinney Then & Now* exhibit at the museum, one of the final contributions by Mrs. Kilgore, and thanked the Museum for the memorial, and extended his prayers to her family.

Council Member Rogers announced the March 10 birth of his seventh grandchild, Max Rogers, in Houston, Texas.

Council Member Shemwell acknowledged the visitors in the audience, thanking them for attending the meeting, especially the young people who might have been attending a meeting for the first time. Mr. Shemwell shared words of encouragement stating learning about and engaging in local government is how “we change our community...how we change the world.”

Council Member Branch had no comments, except to thank the audience for attending the meeting and wish everyone a great night.

Mayor Pro Tem Rath Council Member Philips had no comments.

City Manager Grimes announced the Apex Centre Summer Activity Guides are available in print and on the city website; announced the Texas Trash-Off event taking place Saturday, April 6, 2019 in which residents are encouraged to pick of trash and litter alongside roadways. Details about the annual event and volunteering is available on the city website. McKinney representatives are planning for Collin County Days, led by the Chamber of Commerce will be March 26-27, 2019 in Austin, Texas during the State Legislative Session. Mr. Grimes announced the Mosaic at Chestnut Square Parking Garage is almost finished and already worth a look.

Mayor Fuller reminded everyone the upcoming election on May 4, 2019 will include elections for three Council seats and city bonds and encouraged the public to visit the city webpage for information about all the election propositions. Mayor Fuller again encouraged the public to visit the *McKinney Then & Now* exhibit at the Collin County History Museum; and the SRS headquarters developed by KDC will be at Hub 121, bringing 150 (one hundred fifty) new jobs to the area. Dr. Gere' Feltus was sworn into the McKinney Economic Development Board, replacing the departing Jason Burress. Mr. Burress served the board for four years, including three as the Chairman.

There was no Executive Session.

Council unanimously approved the motion by Council Member Branch, seconded by Council Member Rogers, to adjourn. Mayor Fuller adjourned the meeting at 7:32 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary