

## CITY COUNCIL REGULAR MEETING

NOVEMBER 7, 2017

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building, 222 N. Tennessee Street, McKinney, Texas on November 7, 2017 at 6:00 p.m.

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

Staff Present: City Manager Paul Grimes; Assistant City Manager Barry Shelton; Assistant City Manager Steve Tilton; Assistant City Attorney Alan Lathrom; City Secretary Sandy Hart; Assistant to the City Manager Trevor Minyard; Executive Director of Development Services Michael Quint; Planning Director Brian Lockley; Assistant Director of Public Works Paul Sparkman; Planning Manager Samantha Pickett; Planning Manager Jennifer Arnold; Assistant Director of Engineering Michael Hebert; Director of Parks and Recreation Michael Kowski; Assistant Director of Parks and Recreation Ryan Mullins; Fire Chief Danny Kistner; Chief of Police Greg Conley; Assistant Fire Chief Chris Lowry; McKinney Economic Development Corporation President Darrell Auterson; Investment and Treasury Manager Kelvin Bryant; Airport Executive Director Ken Wiegand; Director of Engineering Gary Graham; CIP Manager Nicholas Ataie; Desktop Support Technician Josh Parrish; Chief Information Officer Sid Hudson; Engineering - Danny Still; Chief Financial Officer Mark Holloway; Director of Finance Trudy Mathis; Recreation Center Supervisor Empress Drane; Network Analyst Chris Milligan; Police Sergeant Sherwood Holmes; Police Corporal Dustin Kincaid; Municipal Court -Tim Rich, Mitzi Jones, and Michael Dotson; Fire – Mike Smith and Elizabeth Agan; and Community Services Coordinator Shirletta Best.

There were approximately 100 guests present.

Mayor Fuller called the meeting to order at 6:05 p.m. after determining a quorum was present. Invocation was given by Major Paul White, Salvation Army. Boy Scout Troop 190 led the Pledge of Allegiance.

**17-1101** Salvation Army Red Kettle Proclamation. Mayor Fuller read the Salvation Army Red Kettle Proclamation.

- 17-1102** National Homeless and Awareness Month Proclamation. Mayor Fuller presented the National Homeless and Awareness Month Proclamation to Community Services Coordinator Shirletta Best.
- 17-1103** Municipal Court Week Proclamation. Mayor Fuller presented the Municipal Court Week Proclamation to Municipal Court staff Tim Rich, Mitzi Jones, and Michael Dotson.
- 17-1104** McKinney Fire Department Recognition by the Texas Fire Sprinkler Coalition. Mayor Fuller presented the McKinney Fire Department Recognition award to the Fire Department – Fire Chief Danny Kistner, Assistant Fire Chief Chris Lowry, Fire Marshal Mike Smith, and Elizabeth Agan.

Mayor Fuller presented a Proclamation to City Secretary Sandy Hart in recognition of her birthday and service to the City of McKinney.

Mayor Fuller called for Citizen Comments.

The following individuals spoke against the wall behind the new Costco store.

Mrs. Sandra Rios, 3601 Truman Street, McKinney

Mrs. Antoinette Burles, 3409 Truman Street, McKinney

Mr. Dominique Alexander, 2512 E Overton, Dallas

Mr. Ray Foster, 3613 Truman Street, McKinney

Council unanimously approved the motion by Council member Shemwell, seconded by Mayor Fuller, to approve the following consent items:

- 17-1105** Minutes of the City Council Work Session of October 16, 2017
- 17-1106** Minutes of the City Council Regular Meeting of October 17, 2017
- 17-1107** Minutes of the City Council Special Meeting of October 25, 2017
- 17-985** Minutes of the Community Grants Advisory Commission Meeting of June 21, 2017
- 17-986** Minutes of the Community Grants Advisory Commission Meeting of July 25, 2017
- 17-1041** Minutes of the Library Advisory Board Meeting of September 21, 2017
- 17-1045** Minutes of the McKinney Arts Commission Meeting of August 10, 2017

- 17-1046** Minutes of the McKinney Arts Commission Meeting of August 11, 2017
- 17-1012** Minutes of the McKinney Community Development Corporation Meeting of September 28, 2017
- 17-1064** Minutes of the McKinney Convention & Visitors Bureau Board Meeting of September 26, 2017
- 17-1065** Minutes of the McKinney Convention & Visitors Bureau Finance Committee Meeting of September 25, 2017
- 17-1108** Minutes of the McKinney Housing Authority Meeting of September 26, 2017
- 17-1109** Consider/Discuss/Act on a Resolution Awarding a Contract to AdWear & Specialty of Texas, Inc. of Houston, Texas and Squeegees Emporium of Allen, Texas for the Purchase of Uniforms and Recreational Clothing.  
Caption reads as follows:

RESOLUTION NO. 2017-11-193 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO ADWEAR & SPECIALTY OF TEXAS, INC. OF HOUSTON, TEXAS, AND SQUEEGEES EMPORIUM OF ALLEN, TEXAS, FOR THE PURCHASE OF UNIFORMS AND RECREATIONAL CLOTHING

- 17-1110** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Freese and Nichols, Inc. for Construction Inspection on the Redbud Pump Station 794 PP Water Transmission Line Project. Caption reads as follows:

RESOLUTION NO. 2017-11-194 (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 \$78,349.05 WITH FREESE AND NICHOLS, INC. FOR CONSTRUCTION INSPECTION SERVICES FOR THE CONSTRUCTION OF REDBUD PUMP STATION 794 PP WATER TRANSMISSION LINE AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$90,000

- 17-1112** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Sign a Letter of Approval Authorizing Dale Aviation/Medical Air Rescue

Company to Operate at McKinney National Airport. Caption reads as follows:

RESOLUTION NO. 2017-11-196 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO SIGN A LETTER OF APPROVAL FOR DALE AVIATION/MEDICAL AIR RESCUE COMPANY TO OPERATE AT MCKINNEY NATIONAL AIRPORT

END OF CONSENT

**17-1111** Mayor Fuller called for Consideration/Discussion/Action on a Resolution of the City of McKinney, Texas, Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Grahamson, Inc., for the Construction of the Westwood Park Addition Creek Drainage Improvements. Council member Elliott thanked City staff for putting this plan of action together for this item. I realize it was a long study and quite a bit of engineering to put forward. Council unanimously approved the motion by Council member Shemwell, seconded by Council member Elliott, to approve a Resolution of the City of McKinney, Texas, Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Grahamson, Inc., for the Construction of the Westwood Park Addition Creek Drainage Improvements.

Caption reads as follows:

RESOLUTION NO. 2017-11-195 (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 \$114,311.44 WITH GRAHAMSON, INC., FOR CONSTRUCTION OF THE WESTWOOD PARK ADDITION CREEK DRAINAGE IMPROVEMENTS AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$131,000

**17-249A4** Mayor Fuller called for Consideration/Discussion/Action on a Request by the City of McKinney to Annex Approximately 3,821 Acres of Land along

the Northwestern Boundary of the City of McKinney's Corporate Limits Generally Located in Areas Described as Being: Along and Extending to the North and the South from the East-West Section of FM 1461 from FM 2478 to East of CR 166 and Extending to the North, South and East from and about Geren Trail; at and Around Stover Creek and the North-South Section of CR 161 Between US Highway 380 (University Drive) and CR 123 and Extending Along and from a Portion of CR 124; at and Around the North Side of US Highway 380 (University Drive) Between Ridge Road and Lake Forest Drive; at and Around the Northeast Quadrant of Lake Forest Drive and Wilmeth Road Extending to the Western Boundary of Erwin Park and Extending as far North as CR 1006; at and Around the Northwest Quadrant of Hardin Boulevard and Wilmeth Road Extending to the North and West; at and Around CR 164 South and East of Erwin Park and at and Around CR 201 Extending to the Eastern Boundary of Erwin Park and Extending North to CR 1006; and Extending to the South from the Southern Boundary of the McKinney Municipal Utility District No. 1 of Collin County (Trinity Falls M.U.D.) and FM 543 and Along and Around Both the North-South Section and the East-West Section of CR 202 in a Southerly Direction to the City's Current Northern Corporate Boundary Extending in an Easterly Direction from CR 201 and CR 1200 and Extending to the East and West Along and Around Both Sides of Trinity Falls Parkway into the City of McKinney's Corporate Limits. (STAFF REQUESTS THAT THIS ITEM BE TABLED). Council unanimously approved the motion by Mayor Fuller, seconded by Mayor Pro Tem Rogers, to discontinue and terminate the annexation process that is the subject to item 17-249A4 together with all other items related to the annexation of 3,821 acres of land proposed by that item and rescind the authority granted to the City Manager to execute related development agreements.

**17-250Z2** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a

Request by the City of McKinney to Zone Approximately 3,821 Acres of Land to "AG" - Agricultural District, Generally Located in Areas Described as Being: Along and Extending to the North and the South from the East-West Section of FM 1461 from FM 2478 to East of CR 166 and Extending to the North, South and East from and about Geren Trail; at and Around Stover Creek and the North-South Section of CR 161 Between US Highway 380 (University Drive) and CR 123 and Extending along and from a Portion of CR 124; at and Around the North Side of US Highway 380 (University Drive) Between Ridge Road and Lake Forest Drive; at and Around the Northeast Quadrant of Lake Forest Drive and Wilmeth Road Extending to the Western Boundary of Erwin Park and Extending as far North as CR 1006; at and Around the Northwest Quadrant of Hardin Boulevard and Wilmeth Road Extending to the North and West; at and Around CR 164 South and East of Erwin Park and at and Around CR 201 Extending to the Eastern Boundary of Erwin Park and Extending North to CR 1006; and Extending to the South from the Southern Boundary of the McKinney Municipal Utility District No. 1 of Collin County (Trinity Falls M.U.D.) and FM 543 and Along and Around Both the North-South Section and the East-West Section of CR 202 in a Southerly Direction to the City's Current Northern Corporate Boundary Extending in an Easterly Direction from CR 201 and CR 1200 and Extending to the East and West Along and Around Both Sides of Trinity Falls Parkway, and Accompanying Ordinance. (STAFF REQUESTS THAT THIS ITEM BE TABLED). Mayor Fuller stated that as a matter of law, since we terminated the annexation, we are not able to zone. Mayor called for public comments.

The following individuals spoke in opposition to the rezoning item:

Mr. Robert Douglas, 3010 Almeta Lane, McKinney

Mr. Keith Harrell, 4806 Geren Trail, McKinney

Mrs. Shannon Blake, 800 CR 1200, McKinney

Mr. Chuck Patmore, 5000 CR 164, McKinney

Mr. Rhett Preston, 5702 Four Seasons, McKinney

Mrs. Becky Neeley, 4803 Geren Trail, McKinney

Mr. Bill Gross, 4870 Geren Trail, McKinney

Mrs. Tamlynn Clyde, 6919 CR 123, McKinney

Mr. Harold Clyde, 6919 CR 123, McKinney

Mrs. Lori Hunt, 8431 Forest Hills Blvd., McKinney

The following individuals did not wish to speak but wanted their  
opposition read into the record:

Mr. Darrel Hale, 3705 Amon Carter, McKinney

Mrs. Angela Nyberg, 6700 Trinity Falls, McKinney

Mr. Larry Malone, 6557 CR 124, McKinney

Mrs. Tracy Thomas, 5124 Grovewood Drive, McKinney

Mrs. Laura Lutek, 2901 Cedar Ridge Drive, McKinney

Mrs. Alice McCaulley, 2706 Summerwood Ct. McKinney

Mrs. Beth Douglas, 15206 King of Spain, Dallas

Mr. Mike Giles, 3214 Gillespie Road, McKinney

Mr. Gary Norris, 7585 CR 202, McKinney

Mrs. Brenda Ludwig, 7162 Armadillo Ridge, McKinney

Mr. Randy Ludwig, 7162 Armadillo Ridge, McKinney

Mr. Doak Taylor, 1716 Stapleton Drive, McKinney

Mrs. Tricia Hickman, 4870 CR 1006, McKinney

Mr. Randall Hickman, 4870 & 4908 CR 1006, McKinney

Mr. Chris Cooper, 4692 CR 164, McKinney

Mrs. Lynn Cooper, 4692 CR 164, McKinney

Mrs. Lori Harrell, 4806 Geren Trail, McKinney

Mr. Don Bourland, 7729 CR 202, McKinney

Mr. Terri Hopkins, 7231 CR 202, McKinney

Mr. David Neeley, 4803 Geren Trail, McKinney

Mrs. Brenda Bourland, 7729 CR 202, McKinney

Mr. Donald E. Dillion, 7625 CR 202, McKinney

Mr. Billy J. Barbo, 4496 CR 1006, McKinney

Mrs. Virginia Barbo, 4496 CR 1006, McKinney

Mrs. Patty Woessner, 2320 Hayes Street, McKinney

Mr. Otis Holmes, 3405 Truman Street, McKinney

Mrs. Tamara Holmes, 3405 Truman Street, McKinney

Mr. Wenqiang Zhou, 3401 Truman Street, McKinney

Mr. Ron Carlo, 2000 Eisenhower Drive, McKinney

Mrs. Debbie Stallings, 3105 Hoover Drive, McKinney

Mr. Chad Stallings, 3105 Hoover Drive, McKinney

Mr. Stephen A Ochichi, 3413 Truman Street, McKinney

Mrs. Lezlee Sydlowski, 3621 Truman Street, McKinney

Mr. Erick Carballo, 3329 Truman Street, McKinney

Mrs. Nicole Griffin, 3200 Wind Flower, McKinney

Mrs. Irma Hill, 3613 Truman Street, McKinney

Mayor Fuller called for Council and Manager Comments.

Mayor Fuller stated that the development agreement that was sent out would have to be approved by Council and that would happen once we determined what the vote on the annexation was. There are no agreements in effect at this point. We just terminated annexation. Council will be discussing a development agreement that we hope to offer to ETJ residents that will come after speaking with residents, holding some open forums where we can have a constructive dialogue back and forth. I think the benefit to ETJ residents is if property laws change again you will not be annexed and it ensures the best use for McKinney in the future as a whole.

Council member Philips thanked the McKinney Lions offensive line for opening holes big enough for running back Matt Gadek to rush for 599 yards setting a state record. Awesome work by the entire team and congratulations to Matt Gadek and the McKinney Lions.

Council member Elliot thanked everyone who has attended. I realize our attendance has been just slightly up over the last few weeks. We would love to have every one of our meetings this well attended. I want to thank City staff for getting the



quality of the audio and the video done. I cannot tell you how happy we all are to be back on our home turf. I was uncomfortably close to Rainey and Charlie when we were in the Commissioner's Court. We're not small so it was tough to get elbow room in there. Last night I talked about volunteer organizations and how they are what make McKinney McKinney. So I just want to take a short moment to highlight a different organization each meeting. The order does not reflect priority, nor does it infer importance. There is a group called the Community Garden Kitchen. This is a group that is currently fundraising to build a kitchen on the grounds of Holy Family School. I'd just like to read a couple of things off their website. To be a center of hope and compassion ensuring that no one in our community suffers the fear of food insecurity. To serve nutritious meals to those in need in a safe, welcoming place. To design a multi-use facility which will be shared by the school and CGK as a place to prepare and serve meals. The building will also be home to community meetings and instructional classes in food preparation, nutrition, and health. This is a meal that's not like perhaps a common picture of what a soup kitchen would be like. The goal of Community Kitchen is to have the folks that are in need come have a meal, sit down, get to know folks, and be served in the way that we would all like to be served. So I just want to shout out to Community Garden Kitchen. The website is [communitygardenkitchen.org](http://communitygardenkitchen.org). Although she would not seek or ever want this kind of publicity, Angela Poen is the driving force. She has this as her full-time and definitely non-compensated job to lead this effort in fundraising. So shout out to McKinney Community Garden Kitchen.

Mayor Pro Tem Rogers stated that when we were first approached about the annexation process, it was all kind of new to us. So we voted, the majority of us voted to move forward with it. I think it's been a great process. I think it's been a learning process for us and the community. I'm also reminded how people were talking about the City of McKinney, it's un-Texas, it's un-American to annex. And the state of Texas even recognizes that, but one of these days TxDOT is going to come knocking on people's door ready to take your land because of some bypass. We don't know where that bypass is coming. We don't know when it's coming, but ultimately it might come. Just be aware, the state of Texas didn't give up the right to eminent domain on a property. The City of McKinney has nothing to do with that. We can say this is where

we want it but ultimately it's their decision and their decision only. If that happens, you have to know that the City of McKinney doesn't have any say in that. Sometimes eminent domain means we have land taken from the City of McKinney or things put in the City of McKinney that maybe we don't necessarily want but because of that eminent domain, it's done. I don't know when that's going to happen, but that's eventually going to happen, probably in the next five to ten years. It's been a pleasure to meet so many of you that have taken the time to come and voice your opinions and your thoughts. I've appreciated the process.

Council member Shemwell noted that as the first motions were going, I was making the motions. That's because of my youthfulness, I understand electronics. To the ETJ residents, I thank you, I applaud you. This is what democracy looks like. This is the power of the people. This is what I ran for. The voices of the people when you stand strong, unite. This is what this country is founded on. I applaud you in your victory tonight. I don't think I'll ever look at red the same again, so this Christmas will be interesting, but thank you. Dominique Alexander, Next Generation Action Network. I agree with you. I agree with you. And to Dejerria Becton, I am sorry and I truly apologize. Had a grown man assaulted my daughter like that, we'd be having a much different conversation. It's time to get this past because McKinney is rising and moving forward. It's time to put the past behind us and get this squared away and taken care of. Thank you for all that you do. This also is what democracy looks like, so keep doing what you're doing. It has been an interesting last few weeks. I've sat down with a lot of people, met a lot of you, and I enjoyed those opportunities. Thank you for hearing me and allowing me to hear your voices. This is why we ran, what we're here for. I have no agenda myself. I come here every week and see what's on the agenda. I do what I think is best when I hear the concerns of the residents that I represent. There's nobody pulling my strings. There's nothing personally that I want other than to make our City a great place. So thank you for that opportunity. Hopefully we see you guys next week and all the other weeks so that we're not just talking to empty seats. Makes it much more exciting to see you all.

Council member Branch stated that in the last few weeks I've gotten to meet a lot of great people that are out in the ETJ. A lot of great, hard-working, honest people. I've

grown up in a large city most of my life, Richardson, Dallas and then here in McKinney. Even though the acres separate you, it seems like you all work together as a community better than some large cities. I certainly admire that about you. You brought some of those principles here with you. I really appreciate the opportunity to get to meet and understand more about each and every one of you all. I appreciate this opportunity to serve you all with our decisions.

Councilwoman Rath noted that Veteran's Day is Saturday. In McKinney, you've got a lot of ways to honor our veterans. At 9:00 a.m., Ross Cemetery is having a ceremony. At 11:00 a.m. at the Veteran's Memorial Park in Craig Ranch there will be a ceremony. The Collin County History Museum is having a special event in an incredible exhibit there from 12:00 p.m. to 2:00 p.m. At sundown at 5:26 p.m. back at the Veteran's Memorial Park. I'm going to be attending those events and hopefully, you will be able to plug into one or more of those events as we honor and celebrate our veterans.

Mayor Fuller thanked Council member Phillips who is here today after a shoulder surgery just hours ago. Also, I just want to own it right now that when my kids ask me how my birthday was, I'm going to say, 150 people came to my party tonight and it was very festive. They all wore red T-shirts to show unity.

**17-254Z** Mayor Fuller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "C1" - Neighborhood Commercial District and "C2" - Local Commercial District, Located at 1301 North Custer Road, and Accompanying Ordinance. Planning Manager Samantha Pickett stated the applicant is requesting to rezone the property to two commercial districts. It will be split approximately with 1.5 acres in the front and the remainder in the back of the 7-acre tract. The front portion will be C-2 which is slightly more intense commercial district, whereas the remainder will be C-1 which is our least intense commercial district. The property is currently zoned for AG, however there is a vet clinic commercial use on the front of the property that will continue to stay there moving forward. Given the

current use of the adjacent commercial properties to the north as well as the size and access that's limited to this property, staff is recommending approval of this request. The vet clinic will be a non-conforming grandfathered use and they can continue operating as long as they don't expand. Applicant Mr. Dwayne Zinn, Cross Engineering Consultants, 131 S. Tennessee, McKinney, was present to answer any questions. Mayor Fuller called for public comments and there was none. Council unanimously approved the motion by Council member Shemwell, seconded by Mayor Fuller, to close the Public Hearing and approve an Ordinance rezoning the Subject Property from "AG" - Agricultural District to "C1" - Neighborhood Commercial District and "C2" - Local Commercial District, located at 1301 North Custer Road. Caption reads as follows:

ORDINANCE NO. 2017-11-100

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 6.89 ACRE PROPERTY, LOCATED AT 1301 NORTH CUSTER ROAD, IS REZONED FROM "AG" – AGRICULTURAL DISTRICT TO "C1" – NEIGHBORHOOD COMMERCIAL DISTRICT AND "C2" – LOCAL COMMERCIAL 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

- 17-1114** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract with Garver, LLC for Professional Engineering Design Services for the Country Lane Extension Project (ST4372) and Any Necessary Supplemental Agreements. CIP Manager Nick Ataie stated this item is in reference to a professional services contract to extend Country Lane from its current terminus as a four-lane divided roadway to the proposed intersection with FM 546 and additional intersection improvements at the intersection at FM 546 and Industrial. Mr. Ataie stated that for construction projects we include a 5 to 15% not to exceed amount. This prevents us from having

to come back to Council for a change in the amount in the event of overages during the project. Council unanimously approved the motion by Council member Elliott, seconded by Council member Branch, to approve a Resolution Authorizing the City Manager to Execute a Contract with Garver, LLC for Professional Engineering Design Services for the Country Lane Extension Project (ST4372) and any necessary supplemental agreements. Caption reads as follows:

RESOLUTION NO. 2017-11-197 (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 \$162,770.00 WITH GARVER, LLC FOR ENGINEERING DESIGN SERVICES FOR COUNTRY LANE EXTENSION AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$180,000

**17-1115** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Increase the Not to Exceed Amount for the Professional Services Contract with la terra studio, inc. of Dallas, Texas for Landscape Architectural and Engineering Services Related to the Design and Construction of the Bonnie Wenk Park Phase II Project. Director of Parks and Recreation Michael Kowski stated this item will allow us to give the go-ahead to our design team to finalize the design of the overlook sky bridge for the Bonnie Wenk Park Phase II Project. Council unanimously approved the motion by Council member Shemwell, seconded by Council member Elliott, to approve a Resolution authorizing the City Manager to increase the not to exceed amount for the Professional Services Contract with la terra studio, inc. of Dallas, Texas for landscape architectural and engineering services related to the design and construction of the Bonnie Wenk Park Phase II Project. Caption reads as follows:

RESOLUTION NO. 2017-11-198 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO INCREASE THE NOT TO EXCEED AMOUNT FOR THE PROFESSIONAL SERVICES CONTRACT WITH LA TERRA

STUDIO, INC. OF DALLAS, TEXAS FOR LANDSCAPE ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE BONNIE WENK PARK PHASE II PROJECT

**17-1116** Mayor Fuller called for Consideration/Discussion/Action on the Southgate McKinney Master Development Agreement. McKinney Economic Development Corporation President Darrell Auterson stated that we are operating under the Memorandum of Understanding that was approved back in April of this year on the Southgate property. We're transitioning into what's known now as the land JV phase of the proposed Master Development in Marketing Agreement. This Agreement was approved by the Board of Directors of the McKinney Economic Development Corporation at their October 17th meeting and has been executed by the development partner members. We are seeking Council's ratification of the Agreement tonight and we'll be seeking ratification from the McKinney Community Development Corporation Board at their meeting next week. Mr. Auterson stated that the Board unanimously voted to support this current version of the Agreement except one member who was absent from the meeting. Council approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Rogers, to approve the Southgate McKinney Master Development Agreement with a vote of 5-2-0, Council member Philips and Council member Elliott voting against.

**17-064DA** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Developer Participation Agreement with SLC McKinney Partners, L.P., for the Construction of an Oversized Wastewater Main and Related Infrastructure Improvements, Being Extended to the Tucker Hill, Phase 4 Subdivision, Generally Located East of Tremont Boulevard and North of Darrow Drive. Director of Engineering Gary Graham stated this is discussion on Phase 4 of the Tucker Hill development. As part of this phase, they need to extend their sanitary sewer roughly 1,700 feet. They are only required to install a 12-

inch line, however, this is a master plan line and needs to be a 24-inch line. The estimated cost for the total line is \$235,000 and our participation is estimated to be just over \$147,000 at this time. Mr. Graham stated that the City requires the developer to prepare an estimate for the cost of the 12-inch line and an estimate for the cost of the 24-inch line. Any difference is the amount paid by the City. Mayor Fuller stated that the reason the City pays is because we're interested in a line that has increased capacity for the development that happens beyond that. So right now we can piggyback on the job that they're already doing and just pay an incremental cost to increase the line and capacity. Going from a 12-inch to 24-inch is not a pro rata increase, it's an exponential increase. But the reason why we would do it is to provide capacity for future development so we're not coming in down the road and redoing an entire line ourselves. Council approved the motion by Council member Shemwell, seconded by Mayor Pro Tem Rogers, to approve a Resolution authorizing the City Manager to execute a Developer Participation Agreement with SLC McKinney Partners, L.P., for the construction of an oversized wastewater main and related infrastructure improvements, being extended to the Tucker Hill, Phase 4 Subdivision, generally located east of Tremont Boulevard and North of Darrow Drive with a vote of 6-1-0, Council member Philips voting against. Caption reads as follows:

RESOLUTION NO. 2017-11-199 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPER PARTICIPATION AGREEMENT FOR THE CONSTRUCTION OF AN OVERSIZED WASTEWATER MAIN AND RELATED INFRASTRUCTURE IMPROVEMENTS, WITH SLC MCKINNEY PARTNERS, LP, BEING EXTENDED THROUGH THE TUCKER HILL, PHASE 4 ADDITION

**15-002DA** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a First Amendment to the Auburn Hills Annexation Facilities Agreement with Auburn Hills Partners, L.P. Director of Engineering Gary Graham stated this item is a

modification of the Annexation Facilities Agreement that was executed with Auburn Hills Partners. When Auburn Hills development came in, they bought a piece of land. We had a proposed alignment of Ridge Road that hadn't been fully studied. As they were going through their development process, we did an alignment study of Ridge Road from Wilmeth to U.S. 380. We were also working with an adjacent development with constraints of that development and the Stover Creek, Ridge Road and Wilmeth intersection. We actually adjusted the alignment of Ridge Road and pulled it away from Auburn Hills. It decreased the frontage of Ridge Road along their property, which decreased their required participation in the construction of Ridge Road due to the subdivision regulations. With that reduction, from 2,226 feet to 926 feet, they were going to receive single-family development roadway impact fee credits for that portion of the roadway. Because we decreased the number of linear feet that they have to construct, it also decreases the amount of impact fee credits they receive. This allows them to escrow the money, receive impact fee credits, and decrease the amount of impact fee credits they receive based on their new participation amount. Council approved the design contract about two meetings ago and that is about a year-long design contract. We have the money set aside for the construction of that as well and this \$330,000 will go towards that as well. Council unanimously approved the motion by Council member Elliott, seconded by Mayor Pro Tem Rogers, approve a Resolution authorizing the City Manager to execute a First Amendment to the Auburn Hills Annexation Facilities Agreement with Auburn Hills Partners, L.P. Caption reads as follows:

RESOLUTION NO. 2017-11-200 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO A 2015 ANNEXATION FACILITIES AGREEMENT, MODIFYING THE LENGTH OF RIDGE ROAD RIGHT-OF-WAY TO BE DEDICATED AND ASSOCIATED NUMBER OF ROADWAY IMPACT FEE/ROADWAY ROUGH PROPORTIONALITY FEE CREDITS



GRANTED FOR THE AUBURN HILLS SUBDIVISION, WITH  
AUBURN HILLS PARTNERS LP

- .17-1117** Consider/Discuss/Act on a Resolution Adopting the Investment Policy for Fiscal Year 2017-2018. Investment and Treasury Manager Kelvin Bryant stated a quorum of the investment committee met yesterday to approve grammatical and legislative changes to the Investment Policy that's before you today. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Elliott, to approve a Resolution adopting the Investment Policy for Fiscal Year 2017-2018. Caption reads as follows:

RESOLUTION NO. 2017-11-201 (R)

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

- 17-1118** Mayor Fuller called for Consideration/Discussion/Action on a Resolution Casting 187 Votes for the Board of Directors for the Collin Central Appraisal District. City Secretary Sandy Hart stated this item is to cast the City of McKinney's 187 votes for the slate of candidates that's in your packet. You can give all 187 votes to one candidate or divide them any way you would choose amongst the list of candidates. Ms. Hart stated that at a previous meeting, an item was brought to Council to nominate nominees. The Council did not put forth any nominees. The list of candidates includes one new person who is not a current member of the Board and was nominated by the City of Parker. Mayor Fuller suggested Council follow the City of Richardson and cast our votes for Wayne Mayo. Council member Philips requested additional time to consider the votes. Ms. Hart stated that the signed Resolution must be delivered to the Chief Appraiser by December 15th. We have one more meeting on December 5th where you could take action that night. Council unanimously approved the motion by Council member Philips, seconded by Council member Branch, to table this item to the December 4th Work Session for discussion and the December 5th meeting for action.

Mayor Fuller called for Citizen Comments.

Maylee Thomas Fuller, 6801 Dalmatia Drive, McKinney, sang happy birthday to Mayor Fuller.

Mayor Fuller called for Council and Manager Comments.

City Manager Paul Grimes stated that the City's 2017 Annual Progress Report was released at last Thursday's State of City event hosted by the Chamber. The Annual Progress Report can be viewed at [www.McKinneyTexas.org/2017report](http://www.McKinneyTexas.org/2017report). The public is invited to join the City of McKinney and the McKinney Armed Services Memorial Board in honoring the brave men and women who have served in the U.S. military at 11:00 a.m. on November 11<sup>th</sup>, at Veteran's Memorial Park, 6053 Weiskopf Avenue, to commemorate our country's veterans during a Veteran's Day tribute. Later in the evening is a sundown ceremony that will be held at Veteran's Memorial Park at 5:26 p.m. that will include the reading of the names displayed on the Wall of Honor followed by the playing of Taps. There is still time to donate to Main Street's fundraising campaign to cover the cost of importing a live Christmas tree to adorn the City square for the holidays. Families and organizations who make a minimum donation will receive recognition at the Christmas tree display and the first 100 donors who contribute a minimum of \$50 will receive a commemorative keepsake ornament. The tree lighting program and donation information is available online at [www.DowntownMcKinney.com](http://www.DowntownMcKinney.com). This Friday, November 10<sup>th</sup>, at 7:30 a.m. there will be our first HOA homeowner's association breakfast in the Council Chambers. Leaders from HOAs around the City are invited to attend and learn more about updates and happenings in the City that may be relevant to their HOAs.

Mayor Fuller stated his son joined the Army and was sworn in yesterday. He will deploy January 22<sup>nd</sup>. We are extremely proud of him. I would like to ask that at our next meeting there be an action item for Council to consider naming our Veteran's Memorial Park the Brian Loughmiller Veteran's Memorial Park. The reason is Brian has served our community for many, many years. He fought for that park and worked hard for that park to be put there. I think he had the vision for the flags at the opposing end

of the original wall. I think it would be a way to honor somebody in our City that's been a leader and invested so much of his life in the community.

Council member Shemwell noted that on Veteran's Day, there is an additional program at the Ross Cemetery at 9:00 a.m. It is a new program that has been put together and is going to be very exciting. I think Miss Flo Henry has put in a lot of time and work over the years for the cemetery and we've got some exciting things to be done there. Mayor Fuller stated he will be there along with Carson Doss, who's also been working night and day on that.

Council unanimously approved the motion by Council member Elliott, seconded by Mayor Pro Tem Rogers, to adjourn. Mayor Fuller adjourned the meeting at 8:04 p.m.

---

GEORGE C. FULLER  
Mayor

ATTEST:

---

SANDY HART, TRMC, MMC  
City Secretary