

## CITY COUNCIL REGULAR MEETING

JANUARY 3, 2023

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, January 3, 2023, at 6:00 p.m.

The meeting was broadcast live on cable television and through the City's website on Spectrum Channel 16; AT&T U-Verse Channel 99; <https://mckinney.legistar.com>; and <https://mckinneytx.new.swagit.com/views/130>. The video recording is available through the City of McKinney meeting archive.

Mayor George C. Fuller called the meeting to order at 6:00 p.m. upon determining a quorum consisting of himself and these Council Members were present: Mayor Pro Tem Rainey Rogers, and Council Members Justin Beller, Geré Feltus, Rick Franklin, Charlie Philips, and Patrick Cloutier.

These City of McKinney Staff were present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Assistant City Attorney Alan Lathrom, Director of Strategic Services Trevor Minyard, Director of Planning Jennifer Arnold, Executive Director of Development Services Michael Quint, Information Technology Service Technician Matt Record, President of McKinney Community Development Corporation (MCDC) Cindy Schneible, President of McKinney Economic Development Corporation (MEDC) Peter Tokar, Facilities Construction Manager Patricia Jackson, City Secretary Administrative Assistant Blenda Sims, City Secretary Records Specialist Juametta Terrell, and City Secretary Empress Drane.

There were approximately seventeen (17) Members of the public present, including Capital Improvement Advisory Committee (CIAC) Member Steve Wilson, and MCDC Board Members Angela Richardson-Woods, Deborah Bradford, and David Kelly.

Mayor Fuller called for the Invocation given by Pastor Marlon Wallace of Seventh Day Adventist Church of McKinney; and the Pledge of Allegiance led by Levi Tirop of Seventh Day Adventist Church of McKinney Adventures Club.

Mayor Fuller called for the following Information Sharing item:

**22-1186** Proclamation for Dr. Martin Luther King, Jr. Day

Mayor Fuller called for Public Comments on agenda items at which time no one requested to speak to the City Council.

Mayor Fuller called for the Consent Agenda, consisting of non-controversial or housekeeping items required by law.

Council unanimously approved the motion by Council Member Patrick Cloutier, seconded by Mayor Pro Tem Rainey Rogers, to approve the Consent Agenda:

- 22-1187** Minutes of the City Council Work Session of December 20, 2022
- 22-1188** Minutes of the City Council Regular Meeting of December 20, 2022
- 22-1146** Minutes of the McKinney Community Development Corporation TUPPS Subcommittee Meeting of November 16, 2022
- 22-1145** Minutes of the McKinney Community Development Corporation Meeting of November 17, 2022
- 22-1129** Minutes of the McKinney Main Street Board Meeting of November 10, 2022
- 22-0011M2** Consider/Discuss/Act on a Resolution to Accept and File the Semiannual Impact Fee Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees

Resolution caption reads as follows:

**RESOLUTION NO. 2023-01-001 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ACCEPTING AND FILING THE SEMIANNUAL REPORT WITH RESPECT TO THE PROGRESS OF THE CAPITAL IMPROVEMENTS PLAN FOR ROADWAY AND UTILITY IMPACT FEES**

- 22-1189** Consider/Discuss/Act on Authorizing the City Manager to Execute a License Agreement with Celco Partnership d/b/a Verizon Wireless ("Verizon"), a Delaware General Partnership, that will Allow Verizon to Place Certain Specified Antenna Facilities and Equipment on the City's Elevated Water Storage Tank Located at 1800 W. University Drive, McKinney, Texas 75069, (the "EST") and within the EST Compound in Accordance with the License Agreement

Mayor Fuller called for Plat Consideration under Chapter 212 of the Texas Local Government Code.

Council unanimously approved the motion by Council Member Patrick Cloutier, seconded by Council Member Geré Feltus, to approve staff recommendations for each Plat item as follows:

**22-0244CVP** Consider/Discuss/Act on a Conveyance Plat for Lots 1 and 2, Block A of the ROW Addition, Located on the Northwest Corner of McKinney Ranch Parkway and Silverado Trail

**22-0244CVP was approved with conditions as provided in the staff report.**

**22-0245PP** Consider/Discuss/Act on a Preliminary Plat for the ROW Addition, Located on the Northwest Corner of McKinney Ranch Parkway and Silverado Trail

**22-0245PP was denied due to lack of conformance with the requirements of the Engineering Design Manual and the Subdivision Ordinance.** Director of Planning Jennifer Arnold stated the application was made aware of the issues of nonconformance, and the applicant had expressed a willingness to work with city staff to rectify those issues.

**22-0249FP** Consider/Discuss/Act on a Final Plat for Honey Creek Phase 1, Located on the Southeast Corner of Olympic Crossing and North Hardin Blvd.

**22-0249FP was approved with conditions as provided in the staff report.**

**22-0180CVP2** Consider/Discuss/Act on a Conveyance Plat for Hidden Lakes Addition, Located on the South Side of US Highway 380 and approximately 1,000 Feet West of Custer Road

**225-180CVP2 was approved with conditions as provided in the staff report.**

Mayor Fuller called for the Regular Agenda and Public Hearing agenda, consisting of items requiring individual consideration by the Council:

**22-0117Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Located on the Southwest Corner of Bloomdale Road and U.S. Highway 75 (Central Expressway), and Accompanying Ordinance

Director Arnold stated the applicant requested to table the request until a later date. No one requested to make public comments regarding the request.

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council Member Geré Feltus, to close the public hearing and table the request until the City Council Regular meeting of March 7, 2023. The future public hearing for the rezone request will be re-noticed to the public.

**22-0135Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located at 1570 Heritage Drive, and Accompanying Ordinance

No one requested to make public comments regarding the request.

Council unanimously approved the motion by Council Member Geré Feltus, seconded by Council Member Patrick Cloutier, to close the public hearing and approved the Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located at 1570 Heritage Drive, and Accompanying Ordinance, caption reading as follows:

**ORDINANCE NO. 2023-01-002**

**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 8.9 ACRE PROPERTY, LOCATED AT 1570 HERITAGE DRIVE, IS REZONED FROM FROM "PD" – PLANNED DEVELOPMENT DISTRICT, TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**22-1190** Consider/Discuss/Act on Appointing a Member to the McKinney Housing Authority

Council Member Beller being a liaison to the McKinney Housing Authority (MHA) stated there were no current applicants for the position, and MHA Executive Director Roslyn Miller is working to evaluate potential candidates.

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council Member Rick Franklin, to table the appointment until a future meeting date to be determined.

Mayor Fuller called for Public Comments on matters not related to the agenda. No one requested to speak to the City Council.

Mayor Fuller called for Council and Manager Comments.

Council Member Charlie Philips encouraged everyone to support the McKinney North High School Girls Varsity Basketball team, which currently has a 17-6 record, including 3-0 in district play. Council Member Philips stated that McKinney North is a class 5A team, and most of their losses have been to larger 6A teams.

City Manager Paul Grimes made the following announcement:

- The City of McKinney can compost live Christmas trees, and Waste Connections will pick up at your home. This service is not available for businesses and apartments. More information is available at [mckinneytexas.org/recycling](http://mckinneytexas.org/recycling)

Mayor Fuller called for the Executive Session at 6:14 p.m. in accordance with the Texas Government Code:

A. Section 551.071(2) Consultations with Attorney on any Work Session, Special Session, or Regular Session agenda item requiring confidential attorney/client advice necessitated by the deliberation or discussion of said items (as needed)

B. Section 551.071 (A) Pending or contemplated litigation

C. Section 551.072. Deliberations about Real Property

- Municipal Facilities

D. Section 551.074. Personnel Matters

- City Manager Consultation under Section 34 of McKinney Home Rule Charter

E. Section 551.087. Deliberation Regarding Economic Development Matters

- Project 20-09 TUPPS Brewery & Entertainment Destination

- Project Terrigen

The City Council returned from the Executive Session at 7:51 p.m. taking no action on the items discussed in the Executive Session.

Council unanimously approved the motion by Council Member Geré Feltus, seconded by Mayor Pro Tem Rainey Rogers, to adjourn the meeting at 7:51 p.m.

These minutes were approved by the City Council on January 17, 2023.

SIGNED:

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GEORGE C. FULLER  
Mayor

ATTEST:

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EMPRESS DRANE  
City Secretary

City of McKinney, Texas