

**CITY COUNCIL REGULAR MEETING**

**JULY 21, 2020**

The City Council of the City of McKinney, Texas met in regular session in the McKinney City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, July 21, 2020 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; and online at <http://mckinney.legistar.com>. Some participants joined the meeting remotely in an effort to contain the spread of COVID-19.

Mayor George C. Fuller called the meeting to order at 6:12 p.m. upon determining a quorum of the Council was present, consisting of himself and the following members:

- La'Shadion Shemwell ..... District 1
- Rainey Rogers, Mayor Pro Tempore ..... District 2
- Scott Elliott ..... District 3
- Rick Franklin ..... District 4
- Charlie Philips ..... At Large
- Frederick Frazier ..... At Large

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, Strategic Services Manager Trevor Minyard, Police Chief Greg Conley, Police Officer Adrian Guzman, Police Officer Bruno Siqueira, Police Officer Damon Farrow, Police Officer Adrian Linwood, Information Technology Supervisor Nicholas Martin, Facilities Construction Manager Patricia Jackson, Assistant Director of Public Works Paul Sparkman, Director of Planning Jennifer Arnold, Assistant Director of Planning Mark Doty, City Secretary Records Specialist Juametta Terrell, City Secretary Empress Drane

There were approximately sixty (60) members of the public in attendance.

Mayor Fuller called for the Invocation and recital of the Pledge of Allegiance. Pastor Mark Turman of Crosspoint Church joined the meeting by telephone to give the Invocation.

Mayor Fuller called Public Comments about non-Public Hearing agenda items:

The following individuals spoke regarding agenda item #20-0626 (Ad Hoc Advisory Board for the Statue of James Throckmorton located on City-owned Property):

Rolanda Mocharia, 1824 Douglas

Tamara Johnson, PO Box 2514, McKinney TX 75070

J. Eric Schulze, 1505 Timberline Dr, McKinney TX 75072

The following individual did not wish to speak but requested to register their opposition to agenda item #20-0626)

Marco Nobles (no address provided)

The following individual spoke regarding agenda item #20-0625 (Tri-City Collin County Small Business Grant Program):

Debi Ladd, 2022 Wayside Dr, McKinney TX 75071

The following individuals were not present but submitted written comments regarding agenda items and / or issues not on the agenda: Reilly Clark, Christopher Mounger, Joshua Murray, Brian Quigley, Steven Spainhouer. The written comments were submitted through the online comments form or by email between the time of the agenda posting and the start of the meeting. (See Minutes Appendix A for Written Comments Submitted Online or by Email).

Mayor Fuller called for the Consent Agenda.

Council unanimously approved the motion by Council Member Scott Elliott, seconded by Council Member Rick Franklin, to approve the following Consent items:

- 20-0613** Minutes of the City Council Special Meeting and Work Session of January 28, 2020
- 20-0614** Minutes of the City Council Work Session of February 4, 2020
- 20-0615** Minutes of the City Council Regular Meeting of February 4, 2020
- 20-0616** Minutes of the City Council Strategic Goals Work Session of February 7, 2020
- 20-0617** Minutes of the City Council Work Session of July 7, 2020
- 20-0618** Minutes of the City Council Regular Meeting of July 7, 2020
- 20-0563** Minutes of the McKinney Housing Finance Corporation Meeting of February 14, 2020

- 20-0564** Minutes of the McKinney Housing Finance Corporation Meeting of June 5, 2020
- 20-0539** Minutes of the Planning and Zoning Commission Regular Meeting of June 9, 2020
- 20-0619** Consider/Discuss/Act on an Ordinance of the City Council of the City of McKinney, Texas, Amending Chapter 90, "Streets and Sidewalks," of the Code of Ordinances of the City of McKinney, Texas, by Amending Article IV, "Rights-of-Way Use and Management," in Part, By and Through the Deletion of Sections 90-227, "Certificated Telecommunication Providers," and 90-228, "Network Providers," in Their Entirety and By the Adoption of a New Article V, Entitled "Small Wireless Facilities," to Provide Regulations for the Use of the City's Rights-of-Way By Certificated Telecommunications Providers in Accordance with Chapter 283 of the Texas Local Government Code; Adopting a Small Wireless Facilities Design Manual, Dated July 21, 2020, to Replace the Existing Public Right-of-Way Wireless Services Design Manual in its Entirety; and Amending Appendix A - Schedule of Fees by Deleting the Fees Associated with Section 90-228 and Adopting new Fees Applicable to Network Providers in Accordance with Article V; Repealing All Conflicting Ordinances; Providing a Severability Clause; Reserving All Existing Rights and Remedies; Providing for Immunity; Providing for Injunctions; Providing for the Publication of the Caption of this Ordinance; and Providing for an Effective Date. Ordinance caption reads as follows:

**ORDINANCE NO. 2020-07-051**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KINNEY, TEXAS, AMENDING CHAPTER 90, "STREETS AND SIDEWALKS," OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, BY AMENDING ARTICLE IV, "RIGHTS-OF-WAY USE AND MANAGEMENT," IN PART, BY AND THROUGH THE DELETION OF SECTIONS 90-227, "CERTIFICATED TELECOMMUNICATION PROVIDERS," AND 90-228, "NETWORK PROVIDERS," IN THEIR ENTIRETY AND BY THE ADOPTION OF A NEW ARTICLE V, ENTITLED "SMALL WIRELESS FACILITIES," TO PROVIDE REGULATIONS FOR THE USE OF THE CITY'S RIGHTS-OF WAY BY CERTIFICATED TELECOMMUNICATIONS PROVIDERS IN ACCORDANCE WITH CHAPTER 283 OF THE TEXAS LOCAL GOVERNMENT CODE;**

**ADOPTING A SMALL WIRELESS FACILITIES DESIGN MANUAL, DATED JULY 21, 2020, TO REPLACE THE EXISTING PUBLIC RIGHTOF-WAY WIRELESS SERVICES DESIGN MANUAL IN ITS ENTIRETY; AND AMENDING APPENDIX A – SCHEDULE OF FEES BY DELETING THE FEES ASSOCIATED WITH SECTION 90-228 AND ADOPTING NEW FEES APPLICABLE TO NETWORK PROVIDERS IN ACCORDANCE WITH ARTICLE V; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE**

- 20-0620** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Professional Service Industries, Inc. (PSI) for Materials Testing Services for the Accessibility Improvements Eastside Phase I Project (ST1649). Resolution caption:

**RESOLUTION NO. 2020-07-090 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH PROFESSIONAL SERVICE INDUSTRIES, INC. (PSI) FOR ADDITIONAL MATERIALS TESTING SERVICES FOR PROJECT ST1649 ACCESSIBILITY IMPROVEMENTS EASTSIDE PHASE I AND AUTHORIZING ALL NECESSARY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY ADDITIONAL SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$66,000**

- 20-0621** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with McRight-Smith Construction whose local office is in Plano, Texas for Construction Manager at Risk (CMAR) Services Related to the Design and Construction of the TKI Executive Terminal located at 1508 Industrial Blvd, at the McKinney National Airport, McKinney Texas. Resolution caption:

**RESOLUTION NO. 2020-07-091 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH MCRIGHT-SMITH CONSTRUCTION WHOSE LOCAL OFFICE IS IN PLANO, TEXAS FOR CONSTRUCTION MANAGER AT RISK SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE TKI EXECUTIVE TERMINAL AT THE MCKINNEY AIRPORT**

- 20-0622** Consider/Discuss/Act on a Resolution Awarding a Contract to Jerry Carpenter Excavation of Allen, Texas for the Mowing and Cleanup Services for Dams. Resolution caption reads as follows:

**RESOLUTION NO. 2020-07-092 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO JERRY CARPENTER EXCAVATION FOR THE MOWING AND CLEANUP SERVICES FOR DAMS**

- 20-0623** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with JBI Partners, Inc. of Carrollton, Texas for Landscape Architectural and Engineering Services Related to the Improvement of Finch Park. Resolution caption:

**RESOLUTION NO. 2020-07-093 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH JBI PARTNERS, INC. OF CARROLLTON, TEXAS FOR LANDSCAPE ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE DESIGN FOR IMPROVEMENTS TO FINCH PARK**

- 20-0624** Consider/Discuss/Act on a Resolution Renaming the Existing McKinney Community Center, located at 2001 S. Central Expressway, to the Recreation Center at Towne Lake. Resolution caption reads as follows:

**RESOLUTION NO. 2020-07-094 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, RENAMING A PARK FACILITY LOCATED AT 2001 S. CENTRAL EXPRESSWAY, RECREATION CENTER AT TOWNE LAKE**

- 20-0625** Consider/Discuss/Act on a Resolution Increasing the Program Budget for the Tri-City Collin County Small Business Grant Program in an Amount not to Exceed \$5,600,000 of Collin County Direct Allocation Cares Act Funds; and Providing for an Effective Date. Resolution caption reads as follows:

**RESOLUTION NO. 2020-05-095 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, INCREASING THE BUDGET FOR THE TRI-CITY COLLIN COUNTY SMALL BUSINESS GRANT PROGRAM IN AN AMOUNT NOT TO EXCEED \$5,600,000 OF COLLIN COUNTY DIRECT ALLOCATION CARES ACT FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

Mayor Fuller called for plat items for consideration under Texas Local Government

Code Chapter 212

**20-0083PF** Consider/Discuss/Act on a Preliminary-Final Plat for the JBC Real Estate Addition, Located in the ETJ of McKinney, Approximately 1,600 Feet North of County Road 408 and on the East Side of Farm-to-Market Road 1827

Council unanimously approved the motion by Council Member Rick Franklin, seconded by Council Member Frederick Frazier, to approves staff recommendations on a Preliminary-Final Plat for the JBC Real Estate Addition, Located in the ETJ of McKinney, Approximately 1,600 Feet North of County Road 408 and on the East Side of Farm-to-Market Road 1827.

Mayor Fuller called for the Regular Agenda and Public Hearing items:

**20-0004Z2** 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 Use and Development Standards and to Allow for an Indoor and Outdoor Wedding / Event Venue or Banquet Facility, Located on the Southwest Corner of Virginia Parkway and Lake Forest Drive, and Accompanying Ordinance (REQUEST TO BE TABLED)

This request was withdrawn by the applicant after the agenda posting. The Public Hearing was not opened, and no action was taken on the item.

**20-0040Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS 60" - Single Family Residence District to "DR" - Duplex Residential District, Located on the East Side of Rockwall Street and approximately 615 Feet North of Gerrish Street

Director of Planning Jennifer Arnold stated additional protest signatures were validated after the posting of the agenda. The final number of valid protest signatures reached the amount required to a super majority vote by the Council to overturn the Planning & Zoning Commission's original decision of denying the request. (see Minutes Appendix B for Additional Validated Protest Signatures)

The applicant was not present.

The following individuals spoke in opposition to the request:

Kimberly Palmer, 904 Rockwall St, McKinney TX 75069

Jonas Palmer, 904 Rockwall St, McKinney TX 75069

Jazzmine Burns, (no address provided)

Gerardo Sefuentez, 605 Gerrish St, McKinney TX 75069

Roshon Palmer, 2336 North Ridge Rd, McKinney TX 75072

The following individuals declined to speak but requested to register their opposition to the request:

Jamin Palmer, 904 Rockwall, McKinney TX 75069

Christopher Palmer, 904 Rockwall St, McKinney TX 75069

Maya Burns, (no address provided)

Sheila Simmons, PO Box 1773, McKinney TX 75070

Angela Henderson, 824 Rockwall, McKinney TX 75069

Mimi Norris, 1000 Lindsey St, McKinney TX 75069

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council member Scott Elliott, to Close the public hearing. Council unanimously approved the motion by Council Member La'Shadion Shemwell, seconded by Council Member Charlie Philips, to deny the request.

**20-0048Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District to "RED-1" - Residential Estates District, Located Approximately 600 Feet West of U.S. Highway 75 (Central Expressway) and Approximately 200 Feet North of White Avenue, and Accompanying Ordinance

Jonathan Hake of Cross Engineering Consultants, Inc., 1720 W Virginia St, McKinney TX 75069, spoke on behalf of the applicant in support of the request.

Council unanimously approved the motion by Council Member Charlie Philips, seconded by Council Member Rick Franklin, to close the public hearing and approve the Request to Rezone the Subject Property from "C" - Planned Center District to "RED-1" - Residential Estates District, Located Approximately 600 Feet West of U.S. Highway 75 (Central Expressway) and Approximately 200 Feet North of White Avenue, and Accompanying Ordinance. Ordinance caption reads as follows:

**ORDINANCE NO. 2020-07-052**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 3.83 ACRE PROPERTY, LOCATED APPROXIMATELY 600 FEET WEST OF U.S. HIGHWAY 75 (CENTRAL EXPRESSWAY) AND APPROXIMATELY 200 FEET NORTH OF WHITE AVENUE, IS REZONED FROM "C" – PLANNED CENTER DISTRICT TO "RED-1" – RESIDENTIAL ESTATES 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**

**20-** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit

**0002SUP3** Request to Allow for an Indoor Gun Range, Located on the Northeast

Corner of Industrial Boulevard and Millwood Road, and Accompanying Ordinance

Thom Beyer of ONYX2-RD, LLC., 3526 Lakeview Pkwy, Rowlett TX 75088, spoke on behalf of the applicant in support of the request.

The following individuals spoke in support of the request:

John Feltus, 2817 Mayfair, McKinney

Vicente Torres, 3300 Brentwood Dr, McKinney TX 75070

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council member La'Shadion Shemwell, to close the public hearing and approve a Specific Use Permit Request to Allow for an Indoor Gun Range, Located on the Northeast Corner of Industrial Boulevard and Millwood Road, and Accompanying Ordinance. Ordinance caption reads as follows:

**ORDINANCE NO. 2020-07-053**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR AN INDOOR GUN RANGE, LOCATED AT THE NORTHEAST CORNER OF INDUSTRIAL BOULEVARD AND MILLWOOD ROAD, PROVIDING REGULATIONS; 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**

**20-0006Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone



the Subject Property from "C2" - Local Commercial District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow Multi-Family Uses, Located on the Southeast Corner of Hardin Boulevard and Virginia Parkway, and Accompanying Ordinance (REQUEST TO BE TABLED)

Council unanimously approved the motion by Council Member Charlie Philips, seconded by Council Member Rick Franklin, to table the item until the City Council Regular Meeting of August 18, 2020.

**20-0626** Consider/Discuss/Act on a Resolution Authorizing the Creation of an Ad Hoc Throckmorton Statue Advisory Board to Oversee Staff and Expert Research Related to the Throckmorton Statue Located on City-Owned Property; and Providing for an Effective Date

No action was taken on the item.

Mayor Fuller called for a recess at 7:18 p.m., reconvening at 7:24 p.m. with all Council Members present.

Council approved the motion made by Council member George Fuller, seconded by Mayor Pro Tem Rainey Rogers, to adjourn the meeting at 7:24 p.m. with a vote of 6 - 0 - 1, Council Member La'Shadion Shemwell not voting.

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GEORGE C. FULLER  
Mayor of McKinney, Texas

ATTEST:

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EMPRESS DRANE  
McKinney City Secretary

MINUTES APPENDIX A

Written Comments Submitted Online or by Email

## Empress Drane

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**From:** noreply@civicplus.com  
**Sent:** Sunday, July 19, 2020 1:41 PM  
**To:** Deana Smithee; Joanne Isom; Linda Jones; Terri Ramey; Kathy Wright; Akia Pichon; City Secretary  
**Subject:** Online Form Submittal: Citizen Comments

[EXTERNAL MAIL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

### Citizen Comments

My comment is for the: McKinney City Council

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Date of Meeting: 7/21/2020

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My public comments are for an item ON the Agenda

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Agenda Item # 20-0626

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Support or Oppose Agenda Item? Support

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#### Public Comments

*Due to legal requirements, the Council or specified Board cannot take action on Citizen Comments topics; however they can:*

- *Provide statements of fact regarding the topic,*
  - *Request the topic be included as part of a future meeting, and / or*
  - *Refer the topic to city staff for further study, conclusion, or assistance.*
- 

#### Comments

Dear Councilmen,

My name is Reilly Clark. Last month, I spoke to you about our city's statue of James Webb Throckmorton and the failure of values that it represents. I am imploring you a second time to make a statement about who we are as a city – who we want to be – and remove this disgraceful and misleading monument. Yes, the statue of Throckmorton is a problem that needs to be solved. But more than that, it is an opportunity to set the record straight.

When I first spoke to this council, I laid out the facts. Throckmorton fought in open rebellion against this country for the explicit purpose of perpetuating slavery. This is not an opinion. This is a matter of historical fact.

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Alexander Stephens, the Vice-President of the Confederacy and the man to whom Throckmorton pledged his allegiance, called slavery -- by name -- the cornerstone of the Confederacy.

This is cause for which James Webb Throckmorton pledged his life. As an officer in the Confederate Army, he would have died to keep enslaved people enslaved. This man now watches over our streets. Councilmen, removing his statue would not be "erasing history." Rather, removal recognizes of history as it really was. Throckmorton decided what side of history he wanted to be on long ago. Now, we face the same choice.

Thank you.

First Name	Reilly
Last Name	Clark
Address 1	5912 Spring Hill Drive
Address 2	<i>Field not completed.</i>
City	McKinney
State	TX
Zip	75072
Email Address	reilly@reillyclark.com

Email not displaying correctly? [View it in your browser.](#)

## Empress Drane

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**From:** noreply@civicplus.com  
**Sent:** Tuesday, July 21, 2020 5:00 AM  
**To:** Deana Smithee; Joanne Isom; Linda Jones; Terri Ramey; Kathy Wright; Akia Pichon; City Secretary  
**Subject:** Online Form Submittal: Citizen Comments

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### Citizen Comments

My comment is for the: McKinney City Council

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Date of Meeting: 7/21/2020

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My public comments are for an item: NOT on the Agenda

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I wish to comment about: Councilman La'Shadion Shemwell's unconscionable behavior using a racial slur regarding Congressman Allen West.

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#### Public Comments

*Due to legal requirements, the Council or specified Board cannot take action on Citizen Comments topics; however they can:*

- *Provide statements of fact regarding the topic,*
  - *Request the topic be included as part of a future meeting, and / or*
  - *Refer the topic to city staff for further study, conclusion, or assistance.*
- 

Comments: Councilman La'Shadion Shemwell's unconscionable behavior using a racial slur regarding Congressman Allen West.

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First Name: Christopher

---

Last Name: Mounger

---

Address 1: 1815 Erwin Place

---

Address 2: *Field not completed.*

---

City: McKinney

---

State: Texas

---

Zip: 75069

---

Email Address: smrestoration@hotmail.com

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## Empress Drane

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**From:** noreply@civicplus.com  
**Sent:** Tuesday, July 21, 2020 8:45 AM  
**To:** Deana Smithee; Joanne Isom; Linda Jones; Terri Ramey; Kathy Wright; Akia Pichon; City Secretary  
**Subject:** Online Form Submittal: Citizen Comments

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### Citizen Comments

My comment is for the: McKinney City Council

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Date of Meeting: 7/21/2020

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My public comments are for an item: NOT on the Agenda

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I wish to comment about: Shemwell's racist post about Allen West on Facebook

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#### Public Comments

*Due to legal requirements, the Council or specified Board cannot take action on Citizen Comments topics; however they can:*

- *Provide statements of fact regarding the topic,*
  - *Request the topic be included as part of a future meeting, and / or*
  - *Refer the topic to city staff for further study, conclusion, or assistance.*
- 

#### Comments

Yesterday, Monday 7/20, Councilman Shemwell made a post on his Facebook page, making bigoted and racist remarks about Allen West, specifically calling him a "coon", an extremely offensive slur for a Black person. McKinney has no place for racism or bigotry, especially from a so-called "leader" in a very diverse district. A person's race does not excuse them from being racist or bigoted. Unfortunately, the Councilman believes he has done no wrong further highlighting his ineptitude to be a successful councilman and positive influence in District 1. I am going to be the father of a biracial child this Fall, and it's unsettling to know my child will be growing up in a district with a proud, openly racist councilman who's perpetuating the regression of race relations in our community. The community he is affecting and transforming with his radical message may not be a safe place to live for my family in the future. Myself along with many other residents in District 1 are embarrassed to have Councilman Shemwell represent us. To restore dignity and decency back to the District 1 councilman seat, we request Councilman Shemwell resigns effective

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immediately. If he chooses not to, we will vote him out, and he can finally disappear into a state of obscurity where he belongs. We are watching. Thank you.

---

First Name	Brian
Last Name	Quigley
Address 1	829 Inwood Drive
Address 2	<i>Field not completed.</i>
City	McKinney
State	TX
Zip	75069
Email Address	Bjq1991@gmail.com

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## Empress Drane

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**From:** noreply@civicplus.com  
**Sent:** Tuesday, July 21, 2020 6:02 PM  
**To:** Deana Smithee; Joanne Isom; Linda Jones; Terri Ramey; Kathy Wright; Akia Pichon; City Secretary  
**Subject:** Online Form Submittal: Citizen Comments

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### Citizen Comments

My comment is for the: McKinney City Council

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Date of Meeting: 7/15/2020

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My public comments are for an item: NOT on the Agenda

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I wish to comment about: *Field not completed.*

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#### Public Comments

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- *Provide statements of fact regarding the topic,*
  - *Request the topic be included as part of a future meeting, and / or*
  - *Refer the topic to city staff for further study, conclusion, or assistance.*
- 

#### Comments

As People that live in afforded the ability to live free within our society from oppressive restrictions imposed by authority on ones way or life behavior or political views.

With that being said, just because you can do something doesn't mean it's right.

As Elected leaders a lot is expect of you to the between the constitution, Texas constitution, and the City charter.

I don't agree with the fact that an independent grand jury exonerated an Elected Leader and instead of taking this opportunity to celebrate; it was seen as an opportunity to cast doubt.

Mayor Fuller I respect you and in my opinion are one of the more genuine Elected Leaders in Collin County.

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However, I do not agree with the remarks that were made by you on record in June 2019 according to the Dallas morning news.

To be more specific the statement that" a majority of the time, domestic violence cases are not prosecuted, and that's a tragedy in this country," That fact] truly is a travesty."

I do not agree with this statement and feel this broad statement undermines the integrity of our judicial system. The Truth is a good number of courts have Domestic Violence Divisions with prosecutors and resources allocated with the sole intent of seeking justice for victims of domestic violence.

Combined the statement with the fact the petition circulated to recall Council Member Shemwell makes ref

First Name	Joshua
Last Name	Murray
Address 1	1762 Lake rd
Address 2	<i>Field not completed.</i>
City	Lavon
State	Tx
Zip	75166
Email Address	Gojoshuamurray@gmail.com

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## Empress Drane

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**From:** Steven Spainhouer <spainhouer@gmail.com>  
**Sent:** Tuesday, July 21, 2020 11:09 AM  
**To:** City Secretary; Mayor; Paul Grimes  
**Subject:** PUBLIC COMMENT MEETING COMMENTS for 6pm JULY 21, City Council Meeting  
**Attachments:** City of McKinney on Line Public Comment issues .jpg

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I can't put my comments into the newly created on line system because it limits the comments to an unspecified length, cutting off my comments, so I am reverting to the old way of doing things. Can we please fix this issue so citizens have a way of having the entirety of their comments submitted on line. . . ( see my screen-shot photo attached)

### MY PUBLIC COMMENTS:

I am sending in this note for public comment, because a work commitment would not allow me to be present today and because warnings have been issued to me, this past week, that give me concern about my safety and the safety of my family.

It is sad when any member of this community is targeted with such warnings, especially when the warning comes from a sitting city council member. I am grateful that the McKinney Police investigated the matter and that they have a record of the incident on file.

I am also concerned about a recent Facebook posting by a member of the McKinney City Council, Councilman La'Shadiion Shemwell, where he used what appeared to be a racially insensitive slur in a Facebook posting. The posting has now been inexplicably removed from Mr. Shemwell's personal Facebook account.

I would like the entire Council to join with me, in publicly denouncing Mr. Shemwell's recent activities that resulted in an investigation by the McKinney Police and in denouncing the recent social media activities of the Councilman. His activities are a poor reflection on himself and the position he holds on the Council. If any other city employee engaged in these activities, I am sure they would have their employment terminated. Unfortunately, the city council can not remove Mr. Shemwell from his position on the Council but our City Ethics Policies allow for Council to admonish, reprimand and/or publicly censure the Councilman, and I sincerely hope the Council will consider such a move, given these recent activities.

The Council represents the voices of many, and as such, needs to be good stewards of the offices to which each member is elected. We cannot, and we must not, allow any one individual to tarnish the good image of our city and our city Council.

Please join with me in condemning the shameful actions of Mr. Shemwell. Any member on this Council can entertain a motion to censure, admonish and /or reprimand, and second the motion, and I sincerely hope . . . . that at some point, to see that motion made and approved.

Steven Spainhouer

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# COVID-19 UPDATES

July 10 - Got Masks?  
[Learn more](#)

July 2 - Governor Issues Executive Order on Face Coverings  
[Learn more](#)



About

Government

Departments

Doing Business

Culture & Recreation

I'm Looking

Date of Meeting:\*  
07/21/2020

### My public comments are for an item\*

- ON the Agenda
- NOT on the Agenda

### I wish to comment about:

McKinney City Council Ethics Issues

### Public Comments

Due to legal requirements, the Council or specified Board cannot take action on Citizen Comments topics; however they can:

- Provide statements of fact regarding the topic.
- Request the topic be included as part of a future meeting, and / or
- Refer the topic to city staff for further study, conclusion, or assistance.

### Comments\*

Shemwell from his position on the Council but our City Ethics Policies allow for Council to admonish, reprimand and/or publicly censure the Councilman, and I sincerely hope the Council will consider such a m...

### First Name\*

Steven

### Last Name\*

Spainhouer

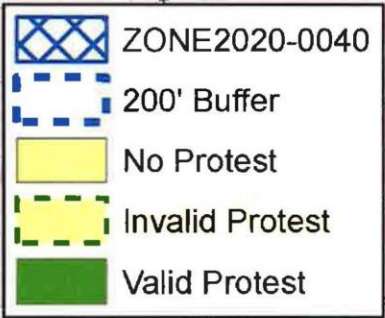
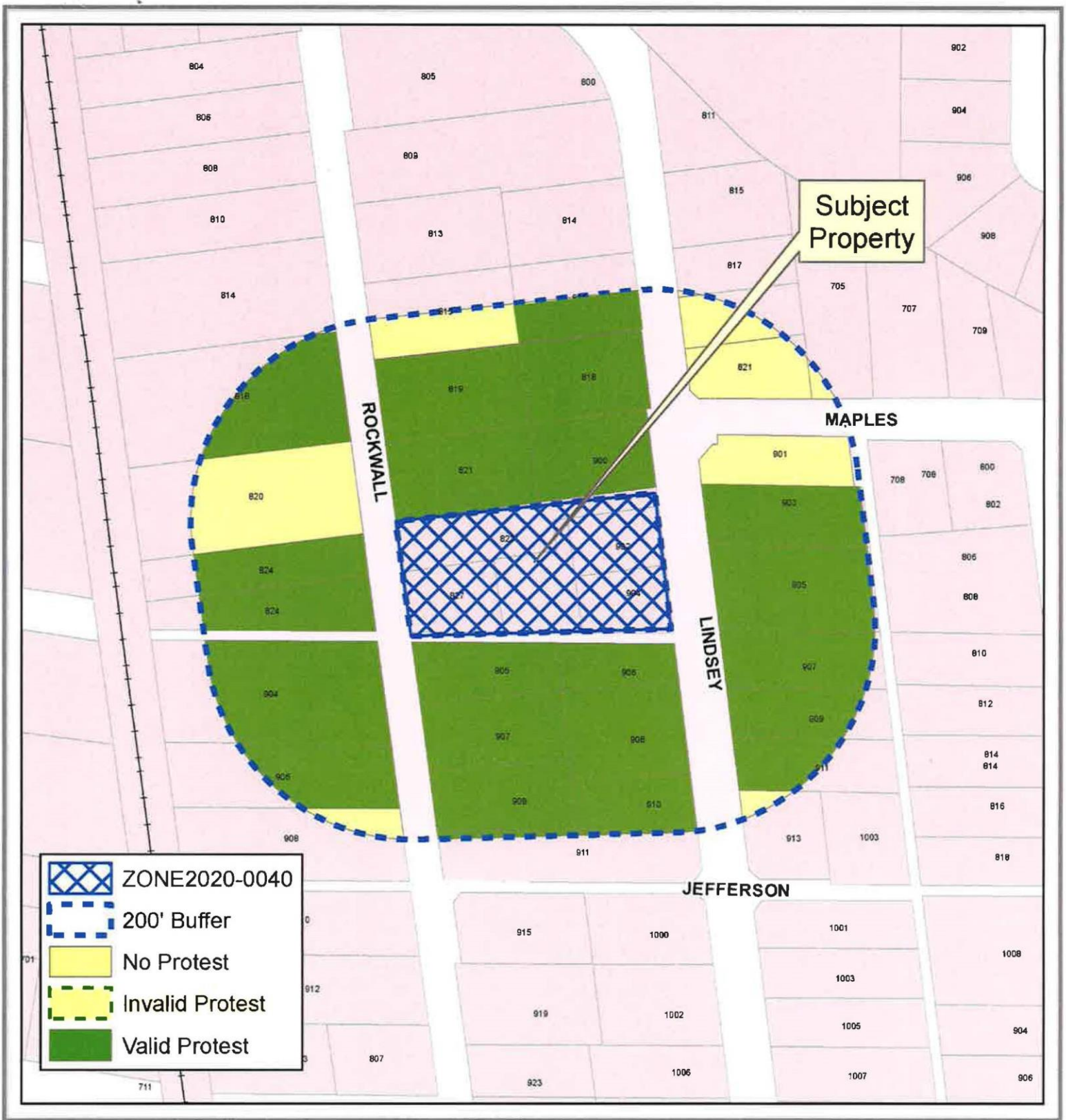
### Address 1\*

1836 West Virginia

APPENDIX B page (1) of 13

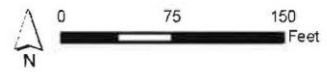
Minutes of City Council Regular Meeting of July 21, 2020

APPENDIX B – Additional Validated Protest Signatures  
Regarding Agenda Item #20-0040Z2



## ZONE2020-0040 Protest Map

Property within 200 ft: 6.354 Acres  
 Total area protesting within 200 ft: 4.245242 Acres  
 Percent of total area with valid protest = 66.8%



**DISCLAIMER** This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

PROTESTERS

Listed are 26 Community And Mt. Pilgrim

Baptist Church members



RECEIVED **ZONING CHANGE**  
**WRITTEN PROTEST**  
JUL 09 2020

**CITY SECRETARY**

In accordance with Subsection 146-164(5) "Negative Recommendations; Written Protest Procedures." of the Zoning Ordinance, a valid, written protest to a proposed zoning amendment, supplement, or change must be filed by the owners of at least 20 percent of either the area of the lots or land covered by the proposed change or the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

If a valid, written protest is received by the City Secretary's Office before 5:00 p.m. on the fourth working day immediately preceding the date advertised for the City Council public hearing, the proposed zoning amendment, supplement, or change shall require a favorable vote of three-fourths of all members of the City Council.

This written protest must bear the original signatures of ONLY the owners of property that is: (1) subject to the proposed zoning change; or, (2) situated within 200 feet of the property which is the subject of the proposed zoning change. The individual(s) collecting the signatures contained on the pages submitted with and made a part of this Zoning Change Written Protest form shall be required to complete the Zoning Change Written Protest Signature Witness Affidavit. (Please note that individual owners of eligible property may submit an individual Zoning Change Written Protest form, which form is available from the City, rather than sign this form.)

For additional information on submitting a written protest to a proposed zoning case, please contact the City Secretary's Office at 972-547-7500 or the Planning Department at 972-547-2000. Once this written protest form has been completed, please deliver it to the City Secretary's Office at 222 N. Tennessee Street, McKinney, TX 75070.

Zoning Case Number or Description: Rockwall St Duplexes.  
Date and Time of Protest Submittal: July 9, 2020 3:40 PM  
Total Number of Pages Submitted: 5

PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
Johnnie BARRETT	513 OAK Point DR McKinney, TX 75071	<i>Johnnie Barrett</i>
KeySLA Square	4029 SHADY Meadow Lane Princeton, TX 75407	<i>KeySLA Square</i>


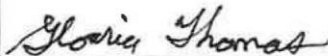






PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
Dorothy Bradley	902 Healy St. McKinney TX. 75069	Dorothy Bradley
Ruby Bollin	7005.1417 apt 6205 Sherman Tx	Ruby Bollin
William Bradley	902 Healy St. McKinney TX. 75069	William Bradley
Martha Nelson	1034 Murray St McKinney TX. 75069	Martha Nelson
Marta Qis	1450 Amcott st #1312 McKinney TX 75069	Marta Qis
Polly Maxwell	904 P... .. ... .. 75002	Polly Maxwell
David McChelland	911 Lindsey St McKinney TX 75069	David McChelland
Lester Jefferson	1111 Lindsey St McKinney TX 75069	Lester Jefferson

Please use as many of these pages as necessary to provide information for all protesting parties.



PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
Emily Simmons	1404 Anthony & McKinney TX 75268	Emily Simmons
Pamela Simmons	1404 Anthony St. McKinney TX 75268	Pamela Simmons
Deborah Liggins	1007 Lindsey	Deborah Liggins
Brenda Williams	1008 Jefferson	Brenda Williams
Nancy Timmons	1008 Jefferson	Nancy Timmons
Eddie Burns	2328 Brookview dr McKinney TX	Eddie Burns
Patrick Palmer	2336 North Ridge Rd McKinney TX	Patrick Palmer
Penny Wilson	Mount Pilgrim Baptist Church 82 Rockwall St. McKinney	Penny Wilson

Please use as many of these pages as necessary to provide information for all protesting parties.

PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
Andrew Thomas	Mount Pilgrim Church 821 Rockwall St McKinney TX	
Gloria Thomas	Mount Pilgrim Church 821 Rockwall St McKinney TX	
Tonyo Burns	Mount Pilgrim 821 Rockwall St McKinney	
Julian Palmer	904 Rockwall Street McKinney, TX, 75069	
Jazzmine Burns	911 Rockwall St	
Charla Boram	513 Oak Point Dr McKinney TX 75071	
Phil McNEARY	513 OAK POINT DR McKinney TX 75071	
Anthony Ware	2016 Meadow Park Dr Princeton TX 75407 Mt Pilgrim	

Please use as many of these pages as necessary to provide information for all protesting parties.

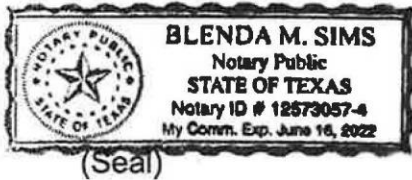
**ZONING CHANGE WRITTEN PROTEST SIGNATURE WITNESS AFFIDAVIT**

I Johnnie M. BARRETT personally circulated the foregoing petition, that it bears 26 signatures, that all signatures appended thereto were made in my presence, and that I believe them to be the genuine signatures of the persons whose names they purport to be.

Johnnie M. Barrett

STATE OF TEXAS                   §  
COUNTY OF COLLIN           §

Before me, a notary public, on this 9<sup>th</sup> day of July,  
None personally appeared JOHNNIE BARRETT, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.



Blenda M. Sims Notary  
Public, State of Texas

\* Homeowners that are 200 feet from the subject property.



## ZONING CHANGE WRITTEN PROTEST

In accordance with Subsection 146-164(5) "Negative Recommendations; Written Protest Procedures." of the Zoning Ordinance, a valid, written protest to a proposed zoning amendment, supplement, or change must be filed by the owners of at least 20 percent of either the area of the lots or land covered by the proposed change or the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

If a valid, written protest is received by the City Secretary's Office before 5:00 p.m. on the fourth working day immediately preceding the date advertised for the City Council public hearing, the proposed zoning amendment, supplement, or change shall require a favorable vote of three-fourths of all members of the City Council.

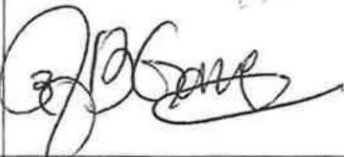

This written protest must bear the original signatures of ONLY the owners of property that is: (1) subject to the proposed zoning change; or, (2) situated within 200 feet of the property which is the subject of the proposed zoning change. The individual(s) collecting the signatures contained on the pages submitted with and made a part of this Zoning Change Written Protest form shall be required to complete the Zoning Change Written Protest Signature Witness Affidavit. (Please note that individual owners of eligible property may submit an individual Zoning Change Written Protest form, which form is available from the City, rather than sign this form.)

For additional information on submitting a written protest to a proposed zoning case, please contact the City Secretary's Office at 972-547-7500 or the Planning Department at 972-547-2000. Once this written protest form has been completed, please deliver it to the City Secretary's Office at 222 N. Tennessee Street, McKinney, TX 75070.

Zoning Case Number or Description: Agenda 200402 Rockwall Rezoning  
Date and Time of Protest Submittal: July 10, 2020 3:56pm  
Total Number of Pages Submitted: 5

PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
Annie Jones	819 Rockwall ST McKinney TX 75069	
Herbert Hutz	905 ROCKWALL ST. MCKINNEY TX 75069	






RECEIVED  
JUL 10 2020  
CITY SECRETARY

PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
maria Gaytan	906 Rockwall	Maria Gaytan
Juvenicio Gaytan	906 Rockwall	Juvenicio Gaytan
Irene Fuentes	909 Rockwall	Irene Fuentes
Jacqueline Gomez	816 Lindsey St	
Ben Hargraves	907 Lindsey St. McKinney TX 75069	Ben H.
Jimmie Watson	910 Lindsey St	Jimmie Watson
Irene Fuentes	907 Rockwall	
Dennis Palmer	908 Lindsey St. McKinney TX 75069	Dennis Palmer

Please use as many of these pages as necessary to provide information for all protesting parties.

PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
Betty Palmer	908 Lindsey St. McKinney TX 75069	<i>Betty Palmer</i>
Betty Palmer	906 Lindsey St McKinney TX 75069	<i>Betty Palmer</i>
Dennis Palmer	911 Lindsey St. McKinney TX 75069	<i>Dennis Palmer</i>
Betty Palmer	911 Lindsey St. McKinney TX 75069	<i>Betty Palmer</i>
Estate of George Howell Jr	824 1/2 Rockwall St McKinney TX 75069	<i>Angela Howell Henderson</i>
Estate of Guy Howell	824 Rockwall St McKinney TX. 75069	<i>Angela Howell Henderson</i>
Mt Pilgrim Baptist Church Richard Russell (Trustee)	818 Rockwall St. McKinney TX 75069	<i>Richard Russell</i>
Mt Pilgrim Baptist Church Richard Russell (Trustee)	821 Rockwall St. McKinney TX 75069	<i>Richard Russell</i>

Please use as many of these pages as necessary to provide information for all protesting parties.

PRINTED NAME OF PROTESTING PARTY (AS IT APPEARS ON THE CITY'S TAX ROLL)	ADDRESS/DESCRIPTION OF PROPERTY AFFECTED WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE FOR WHICH THIS PROTEST IS SUBMITTED	SIGNATURE OF PROTESTING PARTY
Mt Pilgrim Baptist Church Richard Russell (Trustee)	900 Lindsey St. McKinney TX 75069	Richard Russell
Richard Russell	911 <del>Rockwall</del> <sup>Rockwall</sup> St. McKinney TX 75069	Richard Russell
Juan Moreno	818 Lindsey St. McKinney TX	Juan Moreno
BOBBY OLIPHANT	905 LINDSEY ST. McKINNEY TX	
Charles Oliphant	903 Lindsey St McKinney TX	
Kimberly <sup>Ann</sup> Palmer	904 Rockwall St. McKinney TX 75069	
Christopher C Palmer	904 Rockwall St. McKinney TX 75069	
Jandra Bell	909 Lindsey St.	

Please use as many of these pages as necessary to provide information for all protesting parties.

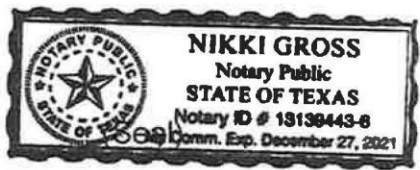
ZONING CHANGE WRITTEN PROTEST SIGNATURE WITNESS AFFIDAVIT

I Kimberly Palmer personally circulated the foregoing petition, that it bears 36 signatures, that all signatures appended thereto were made in my presence, and that I believe them to be the genuine signatures of the persons whose names they purport to be.

[Handwritten Signature]

STATE OF TEXAS §  
COUNTY OF COLLIN §

Before me, a notary public, on this 10 day of July, 2020 personally appeared Kimberly Palmer, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.



Nikki M Gross Notary  
Public, State of Texas