

**CITY COUNCIL REGULAR MEETING**

**JULY 7, 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 7, 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>.

Mayor George C. Fuller called the meeting to order at 6:18 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, City Attorney Mark Houser, City Secretary Empress Drane, Director of Planning Jennifer Arnold, Director of Parks & Recreation Michael Kowski, Chief of Police Greg Conley, Police Officer Cherie Silas, Strategic Services Manager Trevor Minyard

There were approximately thirty (30) members of the public present.

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

The Invocation was given by Minister Keith Lambert of the McKinney Central Church of Christ.

Mayor Fuller called for the following Information Sharing item:

**20-0546** Proclamation for Park and Recreation Month

Director of Parks & Recreation Michael Kowski was present to receive the proclamation.

Mayor Fuller called for Public Comments.

The following individuals spoke in support of removing the Governor James Throckmorton statue from the city town square:

LaTanya Malvern, 405 Watt, McKinney TX 75069

Ada Simmons, 512 Cypress Hill, McKinney TX 75071

Claire Oldner, 1708 Waters Edge Dr, McKinney TX 75072

Tamara Johnson, PO Box 2514, McKinney TX 75070

Cissy Oldner, 1708 Waters Edge Dr, McKinney TX 75072

Louise Jordan, 7914 Royal Troon Ct, McKinney TX 75072

Sean Howe, 4209 Hawkins Drive, McKinney TX 75072

Martha Nelson, 1034 Murray, McKinney TX 75069

The following individuals spoke in opposition to removing the Governor James Throckmorton statue from the city town square:

Jesse LeVasseur, 225 Gosnell Rd, Whitewright TX 75491

Bonnie Daily, 3075 Willow Grove Blvd #1603, McKinney 75070

Daniel Bernal, 1000 Patrician Ct, McKinney TX 75069

Alexander Micheletti, 2607 Bordeaux Dr, McKinney TX 75070

The following individuals spoke in opposition to #20-0555 (Declaration of and Necessity to Remedy the Incomplete FBO Terminal at McKinney National Airport)

Chad Green, 2717 Sunny Meadow, McKinney TX 75072

Tracy Thomas, 5124 Grovewood, McKinney TX 75071

The following individual spoke in support of further consideration to determine what to do with the Governor James Throckmorton statue from the city town square and in opposition to the face mask requirements due to COVID-19:

Serena Ashcroft, 1016 Orchard Hill Trail, McKinney TX 75071

The following individual spoke in support of Council Member La'Shadion Shemwell and the Black State of Emergency, and in support of the removal of confederate monuments from public spaces:

James Schulze, 1505 Timberline Dr, McKinney TX 75072

The following individual spoke in opposition to the face mask requirements due to COVID-19, and in support of the removal of the Governor James Throckmorton statue from public space:

Chris Eklund, 5212 Forest Lawn, McKinney TX 75071

The following individual spoke in opposition to the face mask requirements due to COVID-19, and addressed Mayor Fuller regarding public comments on Facebook:

Tammy Warren, 3109 Westview Dr, McKinney TX 75070

The following individual spoke regarding the Dawoodi Bohra Community of Collin County and the Masjid (Mosque) development project in the city, and in support of community diversity and engagement regarding current issues:

Rashida Rasheed, 1410 S Tennessee St, McKinney TX 75069

The following individual spoke in support of agenda item #20-0542 (Interlocal Agreement with Collin County Jail Services), and in support of allocating resources to address social issues:

Philip Lucia, 4490 Eldorado, McKinney TX 75070

The following individual spoke in opposition of agenda item #20-0555, opposition to face mask requirements due to COVID-19, and opposition to removing the Governor James Throckmorton statue:

Stephen Kallas, 6801 Columbia Falls, McKinney TX 75070

See Minutes Appendix A for Written Comments Submitted In-Person.

See Minutes Appendix B for Written Comments Submitted via Email.

The following individual declined to speak when called: Jessica Hulcy.

Mayor Fuller called for the Consent Agenda. Agenda item #20-0548 was pulled from the Consent Agenda for individual consideration.

Council unanimously approved the motion by Council member Scott Elliott, seconded by Mayor Pro Tem Rainey Rogers, to approve the following Consent items:

- 20-0547** Minutes of the City Council Special Meeting of June 23, 2020
- 20-0366** Minutes of the Community Grants Advisory Commission Meeting of October 20, 2019
- 20-0508** Minutes of the Community Grants Advisory Committee Meeting of May 13, 2020
- 20-0509** Minutes of the Community Grants Advisory Committee Meeting of May 14, 2020

- 20-0516** Minutes of the Library Advisory Board Meeting of February 20, 2020
- 20-0517** Minutes of the Library Advisory Board Meeting of May 21, 2020
- 20-0520** Minutes of the McKinney Community Development Corporation Meeting of May 28, 2020
- 20-0480** Minutes of the McKinney Economic Development Corporation Meeting of May 19, 2020
- 20-0471** Minutes of the Main Street Board Meeting of May 14, 2020
- 20-0116** Minutes of the McKinney Urban Transit District (MUTD) Board Meeting of November 13, 2019
- 20-0279** Minutes of the McKinney Urban Transit District (MUTD) Board Meeting of February 5, 2020
- 20-0510** Minutes of the McKinney Urban Transit District (MUTD) Board Meeting of April 15, 2020
- 20-0475** Minutes of the Parks, Recreation, Open Space and Advisory Board Meeting of May 14, 2020
- 20-0549** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with Schrickel Rollins/ PSC, Inc. of Arlington, Texas for Landscape Architectural and Engineering Services Related to the Indoor Tennis Facility, Located at 3253 Alma Road. Resolution caption reads as follows:

**RESOLUTION NO. 2020-07-082 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH SCHRICKEL ROLLINS/PSC, INC. OF ARLINGTON, TEXAS FOR LANDSCAPE ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE DESIGN OF THE INDOOR TENNIS FACILITY, LOCATED AT 3253 ALMA ROAD**

- 20-0550** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Kimley-Horn to Provide Consulting Engineering Services for the TR2023 - Traffic Signal Detection Upgrades Design along US380 and Authorizing Any Supplemental Agreements. Resolution caption reads as follows:

**RESOLUTION NO. 2020-7-083 (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 \$84,500 WITH KIMLEY-HORN FOR CONSULTING ENGINEERING SERVICES FOR THE TRAFFIC SIGNAL DETECTION UPGRADES DESIGN PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$95,000**

- 20-0551** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Begin the Design Process for the New McKinney Municipal Community Complex. Resolution caption reads as follows:

**RESOLUTION NO. 2020-07-084 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ALLOW FOR THE INITIATION OF THE DESIGN PROCESS FOR THE NEW MCKINNEY MUNICIPAL COMMUNITY COMPLEX PROJECT**

- 20-0552** Consider/Discuss/Act on a Resolution Authorizing an Interlocal Agreement with Collin County for Jail Services. Resolution caption reads as follows:

**RESOLUTION NO. 2020-07-085 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF MCKINNEY AND COLLIN COUNTY FOR JAIL SERVICES**

- 20-0553** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract for Construction Manager at Risk (CMAR) Services with Pogue Construction Company, LP of McKinney, Texas for Pre-construction Services Related to the Public Safety Building Phase 5 Expansion and Renovation Project Located at 2200 Taylor Burke Drive, McKinney, Texas. Resolution caption reads as follows:

**RESOLUTION NO. 2020-07-086 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PRECONSTRUCTION SERVICES ONLY WITH POGUE CONSTRUCTION COMPANY, LP OF MCKINNEY, TEXAS FOR CONSTRUCTION MANAGER AT RISK SERVICES RELATED TO THE PUBLIC SAFETY BUILDING (PSB) PHASE 5 EXPANSION AND RENOVATION PROJEC**

- 20-0554** Consider/Discuss/Act on a Resolution Awarding a Fixed Price Contract to

Maverick Harley-Davidson of Carrollton, TX for Harley-Davidson Police Motorcycle Parts and Service. Resolution caption reads as follows:

**RESOLUTION NO. 2020-07-087 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO MAVERICK HARLEY-DAVIDSON OF CARROLLTON, TX FOR HARLEY-DAVIDSON PARTS AND SERVICE**

**20-0555** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Declare the Incomplete FBO Terminal located at 1508 Industrial Blvd at the McKinney National Airport an Emergency and Declare it a Necessity to Remedy said Emergency. Resolution caption reads as follows:

**RESOLUTION NO. 2020-07-088 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DECLARING THE INCOMPLETE FBO TERMINAL AT THE MCKINNEY NATIONAL AIRPORT AN EMERGENCY AND DECLARING IT A NECESSITY TO REMEDY SAID EMERGENCY; DIRECTING THE CITY MANAGER TO MOVE FORWARD WITH THE SELECTION OF A COMPLETION CONTRACTOR TO FINISH THE CONSTRUCTION OF THE INCOMPLETE FBO TERMINAL PURSUANT TO THE PROCUREMENT PROVISIONS OF TEXAS LOCAL GOVERNMENT CODE §§ 252.022(a)(2) AND 252.022(a)(3), SUBJECT TO CERTAIN LIMITATIONS AS REFERENCED HEREIN; MAKING FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE**

**20-0556** Consider/Discuss/Act on a Resolution Making Written and Evidentiary Findings Relative to the Denial of a Request from Skyway Towers, LLC, to Change the Zoning on Approximately 5.3 Acres of Land from PD - Planned Development District for RS-84 Single-Family Residential Uses to PD - Planned Development District Uses with a Base Zoning of C-1 - Neighborhood Commercial District Uses Plus a Telecommunications Tower to Allow a Telecommunications Tower at the Southeast Corner of Virginia Parkway and Dogwood Trail having a street address of 2705 Virginia Parkway, McKinney, Texas; and Providing for an Effective Date. Resolution caption reads as follows:

**RESOLUTION NO. 2020-07-089 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, MAKING WRITTEN AND EVIDENTIARY FINDINGS RELATIVE TO THE DENIAL OF A REQUEST FROM SKYWAY TOWERS, LLC, TO CHANGE THE ZONING ON APPROXIMATELY 5.3 ACRES OF LAND FROM PD - PLANNED DEVELOPMENT DISTRICT FOR RS-84 SINGLE FAMILY RESIDENTIAL USES TO PD - PLANNED DEVELOPMENT**

**DISTRICT USES WITH A BASE ZONING OF C-1 – NEIGHBORHOOD COMMERCIAL DISTRICT USES PLUS A TELECOMMUNICATIONS TOWER TO ALLOW A TELECOMMUNICATIONS TOWER AT THE SOUTHEAST CORNER OF VIRGINIA PARKWAY AND DOGWOOD TRAIL HAVING A STREET ADDRESS OF 2705 VIRGINIA PARKWAY, MCKINNEY, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE**

Mayor Fuller called for the following item for individual consideration:

- 20-0548** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2019-2020 Annual Budget for the Food Card Assistance Program

Council Member Scott Elliott recused himself for discussion and action on this item. The motion by Mayor Pro Tem Rainey Rogers, seconded by Council member Charlie Philips, to approved 20-0548 Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2019-2020 Annual Budget for the Food Card Assistance Program carried with a vote of 6-0, none voting against and Council Elliott being recused from the vote. Ordinance caption reads as follows:

**ORDINANCE NO. 2020-07-049**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2019-2020 ANNUAL BUDGET, TO PROVIDE FUNDING FROM THE CITIES OF ALLEN, FRISCO AND PLANO FOR THE DIRECT PROVISION AND ADMINISTRATION OF THE FOOD CARD ASSISTANCE PROGRAM, FROM THE COUNTY ALLOCATION OF "CARES ACT" FUNDING; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

Mayor Fuller called for the plat items for Consideration under Texas Local Government Code Chapter 212.

Council unanimously approved the motion by Council member Charlie Philips, seconded by Council member Frederick Frazier, to approve Staff recommendations for the following plat items:

- 20-0032PF2** Consider/Discuss/Act on a Preliminary-Final Plat for Highland Lakes, Located on the Northwest Corner of Bloomdale Road and County Road 163
- 20-0074PF** Consider/Discuss/Act on a Preliminary-Final Plat for the Rose Family Addition, Located in the ETJ of McKinney, Approximately 1,160 Feet South of F.M. Highway 2933 and on the East Side of County Road 410
- 20-0076PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lots 1R, 2R and Lots

3-7, Block A of the Hardin Crossing Addition, Located on the Southwest corner of Virginia Parkway and South Hardin Boulevard

**19-0049PFR** Consider/Discuss/Act on a Preliminary-Final Replat for Lot 3R, Block 1, of the Keene Estates Addition, Located in the ETJ of McKinney, Approximately 1,000 Feet East of Ivy Lane and on the North Side of County Road 168

**20-0075PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lots 1-3, Block A of Luxe Addition, Located in the ETJ of McKinney, Approximately 1,100 Feet West of Trinity Falls Parkway and on the South Side of Weston Road (FM 543)

Mayor Fuller called for the Regular Agenda:

**20-0558** Consider/Discuss/Act on Election of Mayor Pro Tem

Council unanimously approved the motion by Council member Frederick Frazier, seconded by Council member Rick Franklin, to elect Rainey Rogers as Pro Tem, with term expiring the first City Council Regular Meeting of June 2021.

Mayor Fuller called for Council and Manager Comments.

Council Member Charlie Philips commended and thanked Mayor Fuller in his role as Mayor, stating that he acts according to what he feels are the best interest on the city, is open to input from fellow Council Members and citizens and is the “hardest working Mayor in the country – not just the state.”

Council Member Scott Elliott thanked Mayor Fuller, Mayor Pro Tem Rainey Rogers, and City Manager Paul Grimes for their time and work for the city; and thanked the members of the public for making comments at the meeting.

Council Member Frederick Frazier expressed his appreciation for the July 4 drive-thru parade created as an alternative to the traditional celebrations, in response to COVID-19, and thanked city staff. Council Member Frazier expressed support of wearing masks in consideration of other’s wellness; opposition to removing the Governor James Throckmorton statue; support of additional consideration to make a decision about the statue; acknowledged the four year anniversary of the killings of five Dallas officers during a protest. Council Member Frazier stated McKinney has one of the best police chiefs in all of Texas.



Council Member Rick Franklin thanked Amy Rosenthal and all the city staff for coordinating the July 4 reverse parade, he and thanked the citizens for speaking at the meeting to express their feelings.

Council Member La'Shadion Shemwell commented on the influence of history on contemporary issues of whether to remove confederate statues, policing, protesting, COVID-19, and racial issues and crime.

Mayor Pro Tem Rainey Rogers thanked the Council for his re-election as Mayor Pro Tem for another year and acknowledged the families of Dallas police officers killed four years ago; stated the issue of masks COVID-19 is an issue of trust between citizens and government; stated there's a problem when government determines religion is non-essential, but alcohol, marijuana shops, and animals are essential.

City Manager Paul Grimes made announcements:

- The Parks & Recreation department has a new Facebook page: [www.facebook.com/McKinneyTxParks](https://www.facebook.com/McKinneyTxParks)
- Summer Drive-in Concert Series at Tupps Brewery presented by McKinney Performing Arts Center (MPAC); Tickets on sale at [www.visitmpac.com](https://www.visitmpac.com)
- Mr. Grimes thanks city staff for the July 4 drive-thru parade
- August 14 - City Council Budget Proposal Workshop at 8:30 a.m.

Mayor Fuller stated the no-bid process for the Airport project arose due to a related company undergoing bankruptcy; the bid process was followed, and the second-ranking bidder was selected. Mayor Fuller stated he will continue to encourage the public to follow the law of the land; stated he cares more about increasing commercial tax base, increasing diversity and unity, revitalizing east McKinney, and moving the city forward. Mayor Fuller stated he will stand against actions against the best interest of the city regardless of party affiliation; and stated a Cultural Diversity task force would be established to address relevant issues. Mayor Fuller expressed a statewide business closures could happen if COVID-19 cases increase and encouraged the public to wear masks as a matter of following the law and in the interest of helping businesses to remain open.

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council member Scott Elliott, to adjourn the meeting at 7:54 p.m

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GEORGE C. FULLER  
Mayor of McKinney, Texas

ATTEST:

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EMPRESS DRANE  
McKinney City Secretary

APPENDIX A – Written Comments Submitted In-Person

APPENDIX B - Written Comments Submitted via Email