

CITY COUNCIL REGULAR MEETING

AUGUST 16, 2016

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on August 16, 2016 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro Tem Randy P. Pogue, Council members: Chuck Branch, Don Day, Tracy Rath, Rainey Rogers, and Travis Ussery.

Staff Present: City Manager Paul Grimes; Deputy City Manager Jose Madrigal; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Planning Director Brian Lockley; Executive Director of Development Services Michael Quint; Director of Engineering Mark Hines; Assistant Director of Parks and Recreation Ryan Mullins; Fire Chief Danny Kistner; Assistant Fire Chief Chris Lowry; Assistant Fire Chief Tim Mock; Director of Public Works David Brown; Assistant Director of Public Works Paul Sparkman; Director of Strategic Services Chandler Merritt; Planning Manager Matt Robinson; Planning Manager Samantha Pickett; Facilities Construction Manager Patricia Jackson; IT Service Desk Supervisor Amy Greer; Emergency Management Coordinator Karen Adkins; Police Corporal Melissa Taylor; and Police Sergeant Rusty May.

There were approximately 65 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Pastor Alex Camacho, Director of Baptist Immigration Center of McKinney. Cub Scout Pack 4187 led the Pledge of Allegiance.

Mayor Loughmiller called for Citizen Comments.

Ms. Celeste Kennedy spoke about the request and denial of a booth for the Democratic Party at Oktoberfest.

The following individuals spoke in favor of naming the Wilson Creek Softball/Baseball Complex after Grady Littlejohn:

Ms. Stacy Edwards, 1006 S. Wellington Point, McKinney

Mr. Jeff Taylor, 1129 Nocona Drive, McKinney

Mr. Joe Day, 1033 County Road 4605, Trenton

Mr. Larry Offerdahl, 2411 Peachtree Lane, McKinney

Ms. Joyce South, 809 Cold Stream Drive, McKinney

The following individuals did not wish to speak but wanted their support for naming a McKinney Park after George Webb or Dr. Mack Hill entered into the record:

Ms. Betsy Crum, 903 Parker, McKinney

Ms. Nina Dowell Ringley, 313 N. Benge, McKinney

Ms. Pat Dowell, 700 W. Virginia, McKinney

Ms. Martha Davis, 601 Tucker, McKinney

Ms. Shirley Bloomer, 1200 Westmoreland, McKinney, spoke about the need for public transportation in McKinney.

Ms. Juanita Horne, 258 Collin McKinney, McKinney, spoke about the natural beauty of McKinney going away with the increase in development.

Council unanimously approved the motion by Council member Ussery, seconded by Council member Rogers, to approve the following consent items:

- 16-822** Minutes of the City Council Regular Meeting of August 1, 2016
- 16-762** Minutes of the McKinney Community Development Corporation Meeting of June 23, 2016
- 16-779** Minutes of the Planning and Zoning Commission Work Session of July 12, 2016
- 16-780** Minutes of the Planning and Zoning Commission Regular Meeting of July 12, 2016
- 16-823** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2015-2016 Annual Budget to Transfer Funds to the McKinney On-Street Bicycle Treatment Project (GR1412). Caption reads as follows:

ORDINANCE NO. 2016-08-064

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE FISCAL YEAR 2015-2016 ANNUAL BUDGET TO TRANSFER FUNDS TO THE MCKINNEY ON-STREET BICYCLE TREATMENT PROJECT (GR1412); AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 16-825** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Cooperative Service Agreement with North Texas Municipal Water District and North Collin Special Utility District to Provide Temporary Water Supply Service to North Collin Special Utility District Customers in the Vicinity of Trinity Falls. Caption reads as follows:

RESOLUTION NO. 2016-08-115 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATIVE SERVICE AGREEMENT WITH NORTH TEXAS MUNICIPAL WATER DISTRICT AND NORTH COLLIN SPECIAL UTILITY DISTRICT TO PROVIDE TEMPORARY WATER SUPPLY SERVICE TO NORTH COLLIN SPECIAL UTILITY DISTRICT CUSTOMERS IN THE VICINITY OF TRINITY FALLS

- 16-826** Consider/Discuss/Act on a Resolution Authorizing the Application and Acceptance, if Awarded, of a North Central Texas Council of Governments' Grant Application to the Texas Water Development Board for the Purchase and Installation of Advance Warning Stations for High Water Crossings. Caption reads as follows:

RESOLUTION NO. 2016-08-116 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR AND ACCEPT, IF AWARDED, THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS' GRANT APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR THE PURCHASE AND INSTALLATION OF ADVANCE WARNING STATIONS FOR HIGH WATER CROSSINGS

- 16-827** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Agreement with McKinney Independent School District for Crossing Guards. Caption reads as follows:

RESOLUTION NO. 2016-08-117 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MCKINNEY INDEPENDENT SCHOOL DISTRICT FOR CROSSING GUARDS

- 16-828** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Agreement with Frisco Independent School District

for Crossing Guards. Caption reads as follows:

RESOLUTION NO. 2016-08-118 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH FRISCO INDEPENDENT SCHOOL DISTRICT FOR CROSSING GUARDS

- 16-829** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Agreement with Prosper Independent School District for Crossing Guards. Caption reads as follows:

RESOLUTION NO. 2016-08-119 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH PROSPER INDEPENDENT SCHOOL DISTRICT FOR CROSSING GUARDS

- 16-830** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Interlocal Agreement with Allen Independent School District for Crossing Guards. Caption reads as follows:

RESOLUTION NO. 2016-08-120 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH ALLEN INDEPENDENT SCHOOL DISTRICT FOR CROSSING GUARDS

- 16-831** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract for an Owner's Representative Services for Multiple Projects Managed by the Public Works Department's Facilities Construction Division. Caption reads as follows:

RESOLUTION NO. 2016-08-121 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR OWNER'S REPRESENTATIVE SERVICES FOR MULTIPLE PROJECTS MANAGED BY THE FACILITIES CONSTRUCTION DIVISION

- 16-832** Consider/Discuss/Act on a Resolution Awarding a Contract to Got You Covered Uniforms of Fort Worth, Texas, and Lawmen's & Shooter's Supply, Inc. of Vero Beach, Florida, for the Purchase of Firefighter Uniforms. Caption reads as follows:

RESOLUTION NO. 2016-08-122 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO GOT YOU COVERED UNIFORMS OF FORT WORTH, TEXAS, AND LAWMEN'S & SHOOTER'S SUPPLY, INC. OF VERO BEACH, FLORIDA, FOR THE PURCHASE OF FIREFIGHTER UNIFORMS

- 16-833** Consider/Discuss/Act on a Resolution Awarding a Contract to Hanes Geo Components of Grand Prairie, Texas, for the Purchase of Erosion Control Materials. Caption reads as follows:

RESOLUTION NO. 2016-08-123 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO HANES GEO COMPONENTS OF GRAND PRAIRIE, TEXAS, FOR THE PURCHASE OF EROSION CONTROL MATERIALS

END OF CONSENT

- 16-725** Mayor Loughmiller called for the Minutes of the Library Advisory Board Meeting June 16, 2016. Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Pogue, to table this item to allow the Library Advisory Board to consider corrections to the Minutes.
- 16-728** Mayor Loughmiller called for the Minutes of the McKinney Arts Commission Meeting of April 21, 2016. Council unanimously approved the motion by Councilwoman Rath, seconded by Mayor Pro Tem Pogue, to table this item to allow the McKinney Arts Commission to consider corrections to the Minutes.
- 16-824** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Wall Enterprises for the McKinney On-Street Bicycle Treatment Project (GR1412). Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to table this item until the September 6, 2016 meeting.

16-166SP Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Site Plan and Façade Plan for a Mixed-Use Development (Downtown McKinney Blocks A & B), Located on the Southeast Corner of Davis Street and Tennessee Street. Planning Manager Samantha Pickett stated that the applicant is requesting approval of a site plan and façade plan for a mixed-use development located on the southeast corner of Davis Street and Tennessee Street, known as the nine-acre site. The Site Plan includes a multi-family component featuring 330 units and approximately 20,000 square feet of non-residential. Per the agreement, the applicant is seeking action on the plan prior to the September 1, 2016 deadline. The applicant has requested nineteen design exceptions to the space limits, screening, design and materials for the project. Staff has no objections and recommends approval. Applicant, Mr. Mark Wolf, JHP, stated that relative to some of the design exceptions, some of those are attributable to the concept plan which was hammered out over many work sessions. We are requesting exceptions for some of the setbacks of the building. That is predicated on providing the on-street parking or saving trees while providing a good active retail zone between the building and street so we could provide dining outside of the retail. We have an exception for a curb cut on Davis to get to the parking garage. Another aspect, the issue of transparency, which is great for the retail. The only exception is the residential use. We have residents living at grade on Tennessee where more transparency means more window coverings and blinds. Mr. Wolf stated that they have been faithful to the original rendering in terms of the basic concept. Mr. Wolf stated that what you can't see in the elevation is that Davis Street is broken down to seven or eight components and while there is not much brick on the hard corner, we think that corner is bold which draws people down the street to this block. The other thing going on about mid-block is the garage,

which is purposely set back 40 feet from the face of the retail and 65 feet from the curb, which really breaks up the whole block into two pieces. Council member Day stated he cannot approve it the way it looks. Council member Rainey stated that there is something that does not fit and it needs to fit downtown. Councilwoman Rath asked about awnings and why there is such a uniformity of them. Our square is so unique that every awning is different and that gives it personality. Ms. Rath also feels the color palette is too dark. Mr. Wolf stated that the storefront canopies on the renderings are just a placeholder. The intention is each tenant will design their own unique storefront canopy and it will have to comply with the basic PD. We fully expect the retail to have a variety of entrances, canopies, and graphics. The exceptions to the material used for the panels is an upgrade. It is a good durable product that is more substantial than stucco or plaster. Mayor Pro Tem Pogue stated that in regards to the design exceptions on this list, Council is concerned with the number of exceptions and setting a precedent for future development. He stated that he understands that each storefront will be customized by the user and that is good, but the only caveat is what we approve tonight from a façade perspective is what we are adopting. As far as the tripartite design, I think in all these elevations you can see that we've achieved that unless there is a full block length of building. Mr. Wolf stated that one of the exceptions requested is for functional purposes. On Tennessee Street, there is a courtyard with a pool so we asking for a seven foot wall to screen that from the street. Mayor Loughmiller asked about the community outreach they did with the residents in the historic neighborhood district and their vision of the project being developed. Mr. Wolf stated they have had only positive feedback from the Chestnut Square group and to his knowledge have not received any negative comments. Mayor Loughmiller called for public comments. Mr. TJ Lane, 802 W. Hunt Street, McKinney, asked how much public

subsidy was provided to this project, will this property be private property and on the tax rolls, and if there were any other incentives provided.

The following individuals spoke against the proposed Site Plan:

Ms. Fredda Perkins, 523 W. Hunt Street, McKinney

Mr. Tom Michero, 1108 Tucker Street, McKinney

Ms. Coryanne Ettiene, 510 Jones Street, McKinney

Ms. Cathy Woodyard, 406 S. Chestnut Street, McKinney

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

Ms. Diane Craig, 309 N. Benge Street, McKinney

Ms. Dusti Calandar, 211 N. College Street, McKinney

Mr. Clint Scofield, 1101 Hill Street, McKinney

Ms. JoAnn Scofield, 1101 Hill Street, McKinney

Ms. Sharon Carter, 412 W. Louisiana Street, McKinney

Mr. Charles Carter, 412 W. Louisiana Street, McKinney

Ms. Kathryn Waite, 417 W. Louisiana Street, McKinney

Ms. Kim Black, 509 N. Kentucky Street, McKinney

Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to close the public hearing.

Mayor Loughmiller stated that this project is important to the City of McKinney and to the Council. The Council has spent a lot of time, effort and energy trying to find a development that will work within the downtown area. One of the commitments we made in this process was that we were willing to take the time to come up with something that would fit into the fabric of the downtown area and work with the historic nature of our square and the interest and concerns of the residents that live around the area. I want to make sure we understand that my goal is to make sure that we have a project that we are all proud of and is unique to our community. Mr. Loughmiller requested that this item be tabled. I know that we have some requirements in our agreement as it relates to

timing but I'm less concerned about the timing element as I am about making sure the project goes forward and we have something everybody wants. Council member Ussery stated that the significance of this project to McKinney and to the downtown area can't be understated. Mr. Ussery stated that we are fortunate to have a quality developer with Columbus Realty. I think it is essential that all this is reconciled to our expectation and the public's expectation. In my mind, what would go a long way to improve this design would be a stronger cap at the top, a lot less panels on that corner building, and a stronger color palette. I support this project and want it to happen but I want it to be a spectacular piece of architecture. Mayor Pro Tem Pogue stated that he wants the project to happen and wants it to have that wow factor. I am in favor of tabling it and allowing for an alternate session in which a new presentation could be made with the altered changes and allow for public input at that time. I would also ask the City Manager to look into the subsidy component just for clarification. The project incentive, for public record, was the land value was put in as the project. For the phase 1 component was \$1.25 million, phase 2, the office component, was another \$250,000, and the waiver of fees. What that entailed was the 200 parking spaces for public use for that value and for this project. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to table this item indefinitely and ask our City Manager to work with staff and our developer to come up with a new timeline to come back to Council.

16-835 Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Renaming the Wilson Creek Softball/Baseball Complex Located at 1401 Wilson Creek Parkway the "Grady Littlejohn Softball/Baseball Complex". Assistant Director of Parks and Recreation Ryan Mullins stated this item is to rename the Wilson Creek complex to Grady Littlejohn Softball/Baseball Complex. The Parks Department

submitted an online survey requesting suggestions for naming the 16-acre park located at 1849 Reagan Drive. The survey was left blank so that the public could submit any name. Of the 200 submittals received from that online process, 160 were for Grady Littlejohn. The Park Board decided that since this park site did not have ball fields or concessions, it was not the best fit nor appropriate to name it after Mr. Littlejohn. Therefore, the Park Board has brought this item forward to rename the Wilson Creek Softball/Baseball Complex to the Grady Littlejohn Softball/Baseball Complex. Recognizing how many people submitted Grady Littlejohn's name, they wanted to do something to honor this great man. Mayor Loughmiller stated that he played softball at Town Lake right after moving here from out of state. The reason I mention that is because Grady and Flip were always there and always so nice. When you move into a new community, it's special when you get embraced by the people that have grown up here and lived here their whole life so that was one of my first experiences with Grady. My daughter and son played there so I had very similar experiences to those that spoke previously. I was very excited to see this item and am very supportive of it. Council member Ussery stated that this is very appropriate. I remember Mr. Littlejohn when I was in Little League. He certainly connects our past to our future and this is very appropriate action. Council member Rogers stated that he never knew his name was Littlejohn. I only knew him as Grady. I have nothing but good memories of knowing him for 20 years when I was in Little League as well. Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to approve a Resolution renaming the Wilson Creek Softball/Baseball Complex located at 1401 Wilson Creek Parkway the "Grady Littlejohn Softball/Baseball Complex". Caption reads as follows:

RESOLUTION NO. 2016-08-124 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, RENAMING THE WILSON CREEK
SOFTBALL/BASEBALL COMPLEX AT 1401 WILSON CREEK

PARKWAY, THE "GRADY LITTLEJOHN SOFTBALL/BASEBALL COMPLEX"

- 16-16722** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Northeast Corner of Christian Street and Chestnut Street, and Accompanying Ordinance. Planning Manager Matt Robinson stated the applicant is requesting to rezone a .516 acre tract of land from "BN" Neighborhood Business to "PD" Planned Development to modify the development standards. The applicant is requesting approval with modified building setbacks and landscaping standards in order to develop the property in a more urban manner. The property will generally develop according to the C-1 Commercial District except as modified by the development regulations including a proposed 0 to 20 foot build to zone along McDonald Street. In addition to the building setback, the applicant has proposed to provide a 10 foot sidewalk to create a more pedestrian-friendly environment. The proposed development regulations are intended to foster the vision recommended in Phase I for the Town Center District Study and State Highway 5 Corridor Study. The proposed development serves as an urban transition into the McKinney Town Center (MTC) located to the north of the property. In our opinion, the proposed request will help with the city's vision to revitalize this area and will incur similar development patterns surrounding the subject property and as such staff recommends approval. Mr. Robinson noted that there will be a 10 foot sidewalk on the McDonald Street side and a 5 foot sidewalk on Christian and Chestnut Streets. The main elements where this zoning mirrors the MTC District is in the setback where it is pulled up to McDonald Street, the 0 to 20 foot build to zone, and the 10 foot sidewalk along SH 5. It varies a little bit from the Town Center standards as far as the storefront design but it follows the commercial standards for regular development in the city as

well as standards in the MTC District. The access requirements along SH 5 are mandated by TxDOT so there are restrictions placed as far as where the driveways can be. Adam Wilkinson, 1519 Surveying & Engineering, LLC, 5054 Franklin Avenue, Suite A, Waco, addressed the Council. He stated that the entrance to the building was not connected to State Highway 5 because of limitations set out by TxDOT. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to approve the request to rezone the subject property from "BN" - Neighborhood Business District to "PD" - Planned Development District, generally to modify the Development Standards, located on the Northeast corner of Christian Street and Chestnut Street, with the following special Ordinance provisions: the property shall develop in accordance with the attached development regulations (Exhibit C), the property shall generally conform to the attached concept plan exhibit (Exhibit D), and the property shall generally conform to the attached architectural elevations (Exhibit E). Caption reads as follows:

ORDINANCE NO. 2016-08-065

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 .516 ACRE PROPERTY, LOCATED ON THE NORTHEAST CORNER OF CHRISTIAN STREET AND CHESTNUT STREET, IS REZONED FROM "BN" – NEIGHBORHOOD BUSINESS 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

- 16-171Z2** Mayor Loughmiller called for a public hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Northeast Corner of Chestnut Street and Short Street, and Accompanying Ordinance.

Planning Manager Matt Robinson stated this is a similar request to the one just approved and is located a block or two north of the previous rezoning request. It is requesting the same development regulations, the 0 to 20 foot build to setback. One of the major differences between this request and the previous request is the length of the building. The developer is preserving a large tree located at the corner of the building. Staff recommends approval of this item. Staff had conversations with the developer about taking Walnut Street off-line as it is not constructed at this point. The developer talked about constructing the street all the way through or abandoning it and creating an access point. If the street is abandoned, that will come forward at a later time. If they choose not to abandon this portion of roadway, then they will have to improve the entire section of roadway. If they come back in for site plan approval they will address the issue at that time. Adam Wilkinson, 1519 Surveying & Engineering, LLC, 5054 Franklin Avenue, Suite A, Waco, addressed the Council. He stated that in regards to Walnut Street, the developer will be re-doing and resurfacing that street. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Ussery, seconded by Council member Rogers, to approve the request to rezone the subject property from "BN" - Neighborhood Business District to "PD" - Planned Development District, generally to modify the Development Standards, located on the Northeast corner of Chestnut Street and Short Street, with the following special Ordinance provisions: the property shall develop in accordance with the attached development regulations (Exhibit C), the property shall generally conform to the attached concept plan exhibit (Exhibit D), and the property shall generally conform to the attached architectural elevations (Exhibit E).
Caption reads as follows:

ORDINANCE NO. 2016-08-066

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

.45 ACRE PROPERTY, LOCATED ON THE NORTHEAST CORNER OF CHESTNUT STREET AND SHORT STREET, IS REZONED FROM "BN" – NEIGHBORHOOD BUSINESS 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

16-182Z2 Mayor Loughmiller called for 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 "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located Approximately 290 Feet South of U.S. Highway 380 (University Drive) and on the West Side of Community Avenue, and Accompanying Ordinance. Planning Manager Matt Robinson stated the applicant is requesting to rezone 2.4 acres from "PD" Planned Development and "CC" Corridor Commercial Overlay District to "C2" Local Commercial and "CC" Corridor Commercial Overlay District. Currently, the subject property is split by two PD zoning districts, both with base retail zoning, General Business and C Plan Center. The applicant is requesting to rezone the subject property to the C2 Local Commercial District to be able to develop the site for retail uses and a Montessori Academy. It is staff's opinion that the proposed rezoning will remain compatible with existing uses and recommends approval. Speaking on behalf of the applicant, Ms. Katie Tijerina, 5313 Comanche Wells Drive, McKinney, stated the applicant has completed other Montessori schools in other cities and is aware of the Ordinance and the two PDs that are in place on this property. They have already applied for the preliminary plan with a tentative layout for the school and retail level on top and have met all requirements of the permits. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council

member Branch, to approve the Request to Rezone the Subject Property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located Approximately 290 Feet South of U.S. Highway 380 (University Drive) and on the West Side of Community Avenue, and Accompanying Ordinance. Caption reads as follows:

ORDINANCE NO. 2016-08-067

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 2.3 ACRE PROPERTY, LOCATED APPROXIMATELY 290 FEET SOUTH OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE) AND ON THE WEST SIDE OF COMMUNITY AVENUE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "C2" – LOCAL COMMERCIAL DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY 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

- 16-194Z2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "ML" - Light Manufacturing District to "LI" - Light Industrial District, Located Approximately 170 Feet North of U.S. Highway 380 (University Drive) and on the East Side of Church Street, and Accompanying Ordinance. Director of Planning Brian Lockley stated this request is to rezone the subject property from "ML" Light Manufacturing to "LI" Light Industrial to allow for the Collin County Mental Health Center to allow for extended services. The change in land use is prompted by changes in legislation that will allow Collin County to offer overnight stays. The zoning will need to change on the subject property. Other than that specific use, the applicant is also planning some minor physical changes to the structure to allow patients to come in and stay for a minimum of 48 hours and up to five days at the facility. There are no other similar type uses in this area.

Beginning this year, legislature gave Collin County authority to be the local mental health provider, transferring the authority and providing the services to Collin County residents. Ed Rawls, Principle of Rawls Architects, 901 N. McDonald Street, #203, McKinney, addressed Council. He stated this is an interior renovation with the exception of one restroom wing being added. The facility is owned by Collin County Mental Health and will continue to be owned and operated like it has been for years with the exception that they will now offer overnight stays. The current zoning is old zoning that does not exist anymore. The new zoning follows suit with other properties within the industrial type zoning and would allow the overnight stay. Randy Routon, 1515 Heritage, McKinney, stated the Center is very excited to be opening this project and appreciates Council's support. This is a valuable addition to our crisis response countywide. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Branch, seconded by Council member Rogers, to approve the Request to Rezone the Subject Property from "ML" - Light Manufacturing District to "LI" - Light Industrial District, Located Approximately 170 Feet North of U.S. Highway 380 (University Drive) and on the East Side of Church Street, and Accompanying Ordinance. Caption reads as follows:

ORDINANCE NO. 2016-08-068

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 1.137 ACRE PROPERTY, LOCATED APPROXIMATELY 170 FEET NORTH OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE) AND ON THE EAST SIDE OF CHURCH STREET, IS REZONED FROM "ML" – LIGHT MANUFACTURING DISTRICT TO "LI" – LIGHT INDUSTRIAL DISTRICT, PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 16-834** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution to Name a 16-Acre Neighborhood Park Site Located at 1849

Reagan Drive. Assistant Director of Parks and Recreation Ryan Mullins stated this item is for the naming of the park located next to Sonntag Elementary School. The naming of the park was submitted to the public through the online survey process as previously discussed. On July 14th, the Park Board formally voted to submit the name of Monarch Park, a name that was submitted via the online process. The park has a Monarch butterfly structure and the name Monarch was submitted with that in mind. The PROS Board also provided two alternative names, George Webb Park and Dr. Mack Hill Park out of respect to these individuals' outstanding contributions to the community. Council member Ussery thanked the Park Board for their work. He stated we have two names here that are legends in our community. I cannot support the Monarch name given the alternatives before us. Mr. Mullins stated the Park Board felt that, given the large contributions of Mr. Webb and Mr. Hill, a larger park should be named in their honor but we do not have that available right now. The next park for naming is the approximately 216 acre Gray Branch site. The precedent has been set to name parks for individuals who have made significant contributions to the City such as Gabe Nesbitt, Al Ruschhaupt, and Erwin Park. Mayor Loughmiller stated Council changed the policy several years ago about naming parks after people while they are still alive so they could experience the event. It seems like we are getting away from this method of recognizing McKinney residents that have lived a long, exceptional life and have given so much to the community. I cannot support naming this Monarch Park. To give the Park Board direction on the policy issue, since we don't have a liaison at this time, it seems the consensus of the Council for naming of parks is if there is a person of merit that should be considered, they be given the first priority before considering another name. Council member Rogers stated that he does not feel the smallness of the park has anything to do with honoring someone and both of these gentlemen

would be thrilled to have a park named after them. Mayor Pro Tem Pogue suggested that we decide on one of these two names and perhaps give the Park Board additional direction with regards to the other name as a future naming potential. Councilwoman Rath would like for the Park Board to contact the families of the two gentlemen and get additional history to determine if one may be a better fit or has some personal affiliation to the park. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to table the item and return the item to the Park Board for submittal of a recommendation for either George Webb or Dr. Mack Hill and bring that recommendation back to the Council. Mayor Loughmiller requested that the City Manager bring forward to a future Work Session a discussion about the direction and policy on what Council is looking for in regards to naming rights.

16-836 Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Sale of Land to the North Texas Municipal Water District, Which Land Contains 10.763 Acres Situated in the John R. Jones Survey, Abstract No. 497, City of McKinney, Collin County, Texas and Generally Located East of McLarry Drive and South of Bloomdale Road; and Authorizing the City Manager to Execute Deeds and Documents Regarding the Sale of Said City-Owned Property to the North Texas Municipal Water District. Director of Engineering Mark Hines stated that this item will authorize the sale of land, a little over 10 acres out of a 100 acre tract purchased for the water utility so we would sell it to the North Texas Municipal Water District (NTMWD). The City acquired approximately 100 acres in the vicinity of the intersection of US 75 and Bloomdale Road for the future Bloomdale Pump Station. NTMWD approached the City several years ago to discuss locating a pump station (McKinney No. 4) on the aforementioned City owned parcel. The City anticipates the Bloomdale Pump Station to be operational by

2018, while the anticipated completion date of NTMWD's McKinney No. 4 pump station is 2025. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to approve a Resolution authorizing the sale of land to the North Texas Municipal Water District, which land contains 10.763 acres situated in the John R. Jones Survey, Abstract No. 497, City of McKinney, Collin County, Texas and generally located east of McLarry Drive and south of Bloomdale Road; and authorizing the City Manager to execute deeds and documents regarding the sale of said City-owned property to the North Texas Municipal Water District. Caption reads as follows:

RESOLUTION NO. 2016-08-125 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE SALE OF A PARCEL OF LAND TO THE NORTH TEXAS MUNICIPAL WATER DISTRICT, WHICH PARCEL CONTAINS 10.763 ACRES OF LAND SITUATED IN THE JOHN R. JONES SURVEY, ABSTRACT NO. 497, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS GENERALLY LOCATED EAST OF McLARRY DRIVE AND SOUTH OF BLOOMDALE ROAD; AND AUTHORIZING THE CITY MANAGER TO EXECUTE DEEDS AND DOCUMENTS REGARDING THE SALE OF SAID CITY-OWNED PROPERTY TO THE NORTH TEXAS MUNICIPAL WATER DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

16-837 Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Amending the 2016 - 2020 Capital Improvements Projects Budget by Transferring Funds from the Facilities Construction Fund Balance to Project FI3244 for the Construction of McKinney Fire Station #9 Located at 4900 Summit View Drive, McKinney, Texas. Council unanimously approved the motion by Council member Ussery, seconded by Council member Branch, to approve an Ordinance amending the 2016 - 2020 Capital Improvements Projects Budget by transferring funds from the Facilities Construction Fund Balance to Project FI3244 for the construction of McKinney Fire Station #9 located at 4900 Summit View Drive, McKinney, Texas. Caption reads as follows:

ORDINANCE NO. 2016-08-069

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE 2016 - 2020 CAPTIAL

IMPROVEMENTS PROJECTS BUDGET TO TRANSFER FUNDS TO THE MCKINNEY FIRE STATION #9 PROJECT (FI3244); AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 16-838** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing a Contract for the Construction Materials Testing Services Related to the Construction of McKinney Fire Station #9 Located at 4900 Summit View Drive, McKinney, Texas. Council unanimously approved the motion by Council member Rogers, seconded by Council member Branch, to approve a Resolution authorizing a contract for the Construction Materials Testing Services related to the construction of McKinney Fire Station #9 located at 4900 Summit View Drive, McKinney, Texas. Caption reads as follows:

RESOLUTION NO. 2016-08-126 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PROFESSIONAL SERVICES INDUSTRIES (PSI) FOR CONSTRUCTION MATERIALS TESTING SERVICES ASSOCIATED WITH MCKINNEY FIRE STATION #9 LOCATED AT 4900 SUMMIT VIEW DRIVE, MCKINNEY, TEXAS

- 16-839** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract Amendment to the Construction Manager at Risk (CMAR) Services Contract with Lee Lewis Construction, Inc. of Dallas, Texas, for a Guaranteed Maximum Price (GMP) Related to the Construction of McKinney Fire Station #9 Located at 4900 Summit View Drive, McKinney, Texas. Council unanimously approved the motion by Council member Branch, seconded by Mayor Pro Tem Pogue, to approve a Resolution authorizing the City Manager to execute a contract amendment to the Construction Manager at Risk (CMAR) Services Contract with Lee Lewis Construction, Inc. of Dallas, Texas, for a Guaranteed Maximum Price (GMP) related to the construction of McKinney Fire Station #9 located at 4900 Summit View Drive, McKinney,

Texas. Caption reads as follows:

RESOLUTION NO. 2016-08-127 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH LEE LEWIS CONSTRUCTION, INC. OF DALLAS, TEXAS, FOR A GUARANTEED MAXIMUM PRICE (GMP) FOR CONSTRUCTION MANAGEMENT SERVICES ASSOCIATED WITH MCKINNEY FIRE STATION #9 LOCATED AT 4900 SUMMIT VIEW DRIVE, MCKINNEY, TEXAS

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Council member Branch did not have any comments.

Council member Day did not have any comments.

Council member Rogers reminded everyone that school starts next week. Start watching out for our kids as they will be on the streets before and after school. Mr. Rogers wished for all the students to do well this school year.

Councilwoman Rath did not have any comments.

Council member Ussery expressed his thanks and appreciation to staff for what they do. Mr. Ussery expressed a special thanks to MPAC/Main Street Director Amy Rosenthal. Mr. Ussery stated that she's a wonderful asset to the downtown community and to Main Street and offers continuity when there might not be otherwise.

Mayor Pro Tem Pogue expressed his thanks to all of the citizens who came out tonight to let your voice be heard with regards to the downtown nine acres development.

Mayor Loughmiller reminded everyone that next Monday the Council will be meeting to conduct the board and commission selection process. Mr. Loughmiller reminded Council members to provide their interview committee recommendations to City Secretary Sandy Hart to allow her an opportunity to prepare the preferencing sheets in advance of the meeting. Mr. Loughmiller clarified his comments from Monday night to Council to include all existing board members on their recommendation list if they are to be considered next Monday night. All Council members will have the option next Monday night to add any individuals they would like to have considered for appointment.

City Manager Grimes expressed his thanks to everyone who came out to National Night Out that was held on August 2. Mr. Grimes stated that this was his first National Night Out in McKinney and was a different format than what he was familiar with. The City had 49 neighborhood parties this year which is 18 more than last year. Mr. Grimes stated that his group struck gold at one of the parties where they had terrific barbeque brisket. Mr. Grimes announced that the new Parks and Recreation fall and winter activity guide should be in residents' mailboxes. The guide is also available online at the City of McKinney's website. The guide provides pages that are dedicated to details about swimming, golfing, ice-skating, Park events, and the new Apex Centre.

Mayor Loughmiller recessed the meeting into executive session at 8:10 p.m. per Texas Government Code Section 551.071 (2) Consultation with City Attorney on any Work Session, Special or Regular Session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed), and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Loughmiller recessed to the open session at 8:22 p.m.

Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Rogers, to adjourn. Mayor Loughmiller adjourned the meeting at 8:25 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary