

## CITY COUNCIL REGULAR MEETING

**AUGUST 1, 2011**

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on August 1, 2011 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro-Tem Travis Ussery, Council members: Ray Ricchi, Don Day, Roger Harris, and David Brooks. Absent: Council member GERALYN KEVER.

Staff Present: City Manager Jason Gray; Deputy City Manager Joe Williams; Deputy City Manager Rick Chaffin; City Attorney Mark Houser; City Secretary Sandy Hart; Director of Development Services Rob Daake; Director of Engineering Jack Carr; Planning Director Jennifer Cox; Senior Planner Michael Quint; Help Desk Technician Richard Sewell; Police - Sherby Holmes, Randy Haak, and Ron Jones; Chief of Police Doug Kowalski; Affordable Housing Coordinator Cristel Todd; and Communications and Media Manager Anna Clark.

There were 8 guests present.

Mayor Loughmiller called the meeting to order at 6:05 p.m. after determining a quorum was present. Invocation was given by Pastor Jason Duke, Ranchland Church. Mayor Loughmiller led the Pledge of Allegiance.

**11-367** Mayor Loughmiller presented the National Night Out Proclamation to Chief of Police Doug Kowalski.

Mayor Loughmiller called for Citizen Comments.

Mr. Peter Bailey, 2003 Skyline Drive, McKinney, spoke about Code Enforcement issues regarding the placement of flyers on residential doors.

Ms. Marta Gore, 1821 Savannah Drive, McKinney, requested that the proposed redistricting maps submitted by Alonzo Tutson and Curtis Rath be considered.

Council unanimously approved the motion by Mayor Pro-tem Ussery, seconded by Council member Harris, to approve the following consent items:

**11-351** Minutes of the City Council Work Session of July 19, 2011

**11-352** Minutes of the City Council Regular Meeting of July 19, 2011

- 11-354** Minutes of the Library Advisory Board Meeting of June 16, 2011
- 11-355** Minutes of the McKinney Airport Development Corporation Meeting of June 9, 2011
- 11-356** Minutes of the McKinney Armed Services Memorial Board Meeting of June 8, 2011
- 11-357** Minutes of the McKinney Convention & Visitors Bureau Board Strategic Planning Meeting of July 9, 2011
- 11-358** Minutes of the McKinney Housing Finance Corporation Meeting of May 13, 2011
- 11-359** Minutes of the McKinney Main Street Board Meeting of June 9, 2011
- 11-360** Consider/Discuss/Act on a Resolution to Authorize City Manager to Participate in Execution of Special Warranty Deed for 406 Washington Avenue. Caption reads as follows:

RESOLUTION NO. 2011-08-078 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE AND THE MCKINNEY ISD

- 11-361** Consider/Discuss/Act on a Resolution to Authorize City Manager to Participate in Execution of Special Warranty Deed for 1107 Fitzhugh Street. Caption reads as follows:

RESOLUTION NO. 2011-08-079 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE AND THE MCKINNEY ISD

- 11-362** Consider/Discuss/Act on a Resolution to Authorize City Manager to Participate in Execution of Special Warranty Deed for 1000 New Street. Caption reads as follows:

RESOLUTION NO. 2011-08-080 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE

CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE AND THE MCKINNEY ISD

- 11-363** Consider/Discuss/Act on a Resolution to Authorize City Manager to Participate in Execution of Special Warranty Deed for 407 Carver Street.

Caption reads as follows:

RESOLUTION NO. 2011-08-081 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE AND THE MCKINNEY ISD

- 11-364** Consider/Discuss/Act on a Resolution to Authorize City Manager to Participate in Execution of Special Warranty Deed for 704 Rike Street.

Caption reads as follows:

RESOLUTION NO. 2011-08-082 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE AND THE MCKINNEY ISD

- 11-365** Consider/Discuss/Act on a Resolution to Authorize City Manager to Participate in Execution of Special Warranty Deed for 407 Wilson Street.

Caption reads as follows:

RESOLUTION NO. 2011-08-083 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE SALE OF PROPERTY HELD IN TRUST BY THE CITY OF MCKINNEY, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE AND THE MCKINNEY ISD

- 11-366** Consider/Discuss/Act on the Termination of Inactive Campaign Treasurer Appointment

END OF CONSENT

- 11-353** Mayor Loughmiller called for Action on the Minutes of the Historic Preservation Advisory Board Meeting of April 7, 2011 Council

unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Harris, to tabled this item to the August 16, 2011 meeting.

**11-093Z2** Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Action on the Request by Cross Engineering Consultants, Inc., on Behalf of McKinney N. Central Business Park, L.P., for Approval of a Request to Rezone Approximately 10.26 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Allow for Open Storage, Located on the East Side of Graves Street and Approximately 500 Feet South of Corporate Drive, and Accompanying Ordinance. Senior Planner Michael Quint stated that the applicant is requesting to rezone to expand the limits for open storage. He stated that Staff is recommending denial of the rezoning request as specified in the staff report. Mr. Quint stated that the reasons for denial are security and incompatibility with the adjacent residences to the south. Council member Brooks stated he drove by and saw that they were at least 2 pods high around all 3 sides. Applicant, Mr. Kirby Jones, 3924 Wilshire Drive, Plano, stated that he has been told that as long as there were no complaints and that there was an application on file with the City, that the current zoning would not be strictly enforced. He stated that they will comply with the Planning and Zoning Commission's recommendations. Mr. Jones stated that there will be no storage units placed adjacent to the residences. Mayor Pro-Tem Mr. Ussery stated that that code issues should be addressed with the Code Department. Council member Ricchi stated that he would like to see code enforcement address this issue. Mayor stated that there are 2 different issues, (1) What is the zoning going to allow whether it gets approved or not. (2) Code Department will need to make sure that the ordinance is followed. Mr. Jones stated that the applicant will be in compliance with the ordinance. Mayor Loughmiller called for public comment. The

following individual spoke against the zoning request:

Mr. Keith Clifton, 1550 Bray Central, McKinney

Council approved the motion by Council member Day, seconded by Mayor Pro-Tem Ussery, to approve an Ordinance rezoning approximately 10.26 acres from "PD" - Planned Development District to "PD" - Planned Development District, generally to allow for open storage, located on the east side of Graves Street and approximately 500 feet south of Corporate Drive, with the following special ordinance provisions: that the north side could be double stacked to 16 feet, the east side of the property could be single stacked to eight feet, and there be no open storage of portable storage containers on the south side of the property, with a vote of 4 - 2 - 0, Council member Ricchi and Council member Brooks voting against.

Mayor Loughmiller called for Council and Manager Comments

Council member Harris did not have any comments

Council member Brooks did not have any comments

Mayor Pro-Tem Ussery thanked staff for what they do day in and day out in not the most of pleasant of times. Mr. Ussery thanked the Boyd High School Band for allowing him to show some of his snare drum skills.

Council member Ricchi commended the Parks, Recreation, and Open Space Board, Jack Carr and Rob Daake for talking and meeting with residents on their concerns regarding the skateboard park. Mr. Ricchi stated that he and Council member Day are requesting an item on the next City Council Work Session regarding the policy on Board and Commission appointment and eligibility.

Council member Day had no comments.

Mayor Loughmiller announced that this week the Mickey Mantle World Series will be opening on Wednesday night. Mr. Loughmiller expressed his appreciation for all those individuals who applied to serve on one of McKinney's Boards and Commissions. The interviews will be completed at the end of this week with appointments to be made at a Special Meeting on August 29<sup>th</sup>.

City Manager Gray stated that the Council was provided binders tonight with the proposed FY12 Budget and a full line item detail. Mr. Gray thanked the Budget Staff as well as the Directors and Managers that have worked hard to bring forth some very considered recommendations on how we are to make sure that we are as financially sustainable as we can be for the foreseeable future.

Mayor Loughmiller called for Citizen Comments and there were none.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Day, to adjourn. Mayor Loughmiller adjourned the meeting at 6:35 p.m.

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BRIAN LOUGHMILLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary