

## CITY COUNCIL REGULAR MEETING

MARCH 21, 2017

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on March 21, 2017 at 6:00 p.m.

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

Staff Present: City Manager Paul Grimes; 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; Fire Chief Danny Kistner; Director of Strategic Services Chandler Merritt; Planning Manager Matt Airport Executive Director Ken Wiegand; CIP and Transportation Engineering Manager Gary Graham; IT Helpdesk Technician Robert Lisenby; Engineering – Kyle Odom and Blake Sills; Assistant Fire Chief Chris Lowry; Housing and Community Services Manager Janay Tieken; Police Officer Tyler Lewis; Court Administrator April Morman; Fire Department – Mike Smith; David Herron, and Kyle Easley.

There were approximately seventy guests present.

Mayor Loughmiller called the meeting to order at 6:03 p.m. after determining a quorum was present. Invocation was given by Pastor Jeff Nyberg, Stepping Stones Church. Mayor Loughmiller led the Pledge of Allegiance.

**17-305** Presentation of Texas Fire Chiefs Association Best Practice Recognition to the McKinney Fire Department. Mr. Bernie Basket, Texas Fire Chief's Association presented the Best Practice Recognition to the McKinney Fire Department.

Mayor Loughmiller called for Citizen Comments.

Ms. Steffanie Shepherd, 2424 CR855, McKinney, spoke in opposition to the U.S. 380 Bypass.

Mr. Gavin Nicholson, 604 Fortinpas Drive, McKinney, spoke about the number of accidents along U.S. 380.

Ms. Juanita Horne, 2580 Collin McKinney Parkway, McKinney, thanked the City Manager for getting the Senior Center equipment repairs, and spoke about the high cost of apartments and the speeding of drivers along Hardin Road.

Ms. Deborah Kilgore, 1013 Howell Street, McKinney, invited everyone to the Collin County History Museum to see the new exhibit.

The following individuals did not wish to speak but wanted their opposition to the U.S. 380 bypass entered into the record:

Mr. Mike Shepherd, 2424 CR855, McKinney

Ms. Melinda Pierce, 2214 CR856, McKinney

Mr. Gary Pierce, 2214 CR856, McKinney

Ms. Jan Clare, 8469 CR858, McKinney

Ms. Lynette Terrell, 8564 CR858, McKinney

Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to approve the following consent items:

- 17-306** Minutes of the City Council Work Session of March 6, 2017
- 17-307** Minutes of the City Council Regular Meeting of March 7, 2017
- 17-308** Minutes of the City Council and the McKinney Community Development Corporation Joint Meeting of February 23, 2017
- 17-237** Minutes of the Historic Preservation Advisory Board Regular Meeting of January 5, 2017
- 17-248** Minutes of the McKinney Armed Services Memorial Board Meeting of February 8, 2017
- 17-276** Minutes of the McKinney Housing Finance Corporation Meeting of October 14, 2016
- 17-282** Minutes of the Planning and Zoning Commission Regular Meeting of February 28, 2017
- 17-281** Minutes of the Planning and Zoning Commission Work Session of February 28, 2017
- 17-310** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2016-2017 Annual Budget to Provide Funds for Consulting Services: Municipal

Courts Software. Caption reads as follows:

ORDINANCE NO. 2017-03-034

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2016-2017 ANNUAL BUDGET FOR THE PURPOSE OF CONSULTING SERVICES: MUNICIPAL COURTS SOFTWARE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 17-311** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Sciens, LLC, of McKinney, Texas, for Consulting Services: Municipal Courts Software Project. Caption reads as follows:

RESOLUTION NO. 2017-03-070 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF CONTRACT TO SCIENS, LLC OF MCKINNEY, TEXAS, FOR CONSULTING SERVICES TO PROVIDE FOR A COURT SOFTWARE SYSTEM SELECTION AND IMPLEMENTATION SERVICES

END OF CONSENT

- 17-309** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Repealing Chapter 30 of the Code of Ordinances and Adopting a New Chapter 30 with Updated Revisions Regarding Airport Minimum Standards and Rules and Regulations. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to table this item to the April 4, 2017 meeting.

- 17-312** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution of the City Council of the City of McKinney, Texas, Amending the Policy for the Review and Consideration of Requests for Resolutions in Support of Housing Developments Seeking or Utilizing Low Income Housing Tax Credits and Providing for an Effective Date Upon Passage. Mayor Pro Tem Pogue stated that due to City Council's work session discussion last night, the motion on this item would be to revise item 13 to read "land use that would be permitted". Council unanimously

approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to approve a Resolution of the City Council of the City of McKinney, Texas, amending the Policy for the Review and Consideration of requests for Resolutions in Support of Housing Developments seeking or utilizing low income housing tax credits and providing for an effective date upon passage subject to the modification previously discussed and stated here tonight. Caption reads as follows:

RESOLUTION NO. 2017-03-071 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE POLICY FOR THE REVIEW AND CONSIDERATION OF REQUESTS FOR RESOLUTIONS IN SUPPORT OF HOUSING DEVELOPMENTS SEEKING OR UTILIZING LOW INCOME HOUSING TAX CREDITS AND PROVIDING FOR AN EFFECTIVE DATE UPON PASSAGE

**16-336A2** Mayor Loughmiller called for a Public Hearing to Consider and Discuss a Petition to Annex the Subject Property, Located Approximately 2,200 Feet West of Lake Forest Drive and on the North Side of County Road 123 (Future Bloomdale Road) and the South Side of Baxter Well Road. Planning Manager Matt Robinson stated the applicant is requesting to annex approximately 54 acres of land west of Lake Forest Drive and north of future Bloomdale Road. The City considers a number of factors prior to annexing property into the city limits. These include the ability to serve and provide City services and utilities, the current population of the land to be annexed, and the fiscal impact to the City. Staff has evaluated these factors and has no concerns. State law requires public hearings be held. Tonight is the second public hearing, last night was the first. The third public hearing will take place on April 18<sup>th</sup> at 6:00 p.m. when a rezoning request will also be considered. Mayor Loughmiller stated there will be no action tonight as this item is only for public input. The third and final public hearing and the rezoning case will be heard on April 18<sup>th</sup>.

Mayor Loughmiller called for public comment.

The following individuals spoke in opposition of the proposed annexation:

Mr. Kevin Voigt, 6290 CR 123, McKinney

Ms. Stephanie Weyenberg, 5861 Baxter Well, McKinney

Mr. David Wellborn, 5750 Baxter Well, McKinney

Mr. Jason Lowe, 7015 Sleepy Hollow, McKinney

Ms. Janet Anders, 8168 CR 859, McKinney

Ms. Tina Marr, 5855 Baxter Well, McKinney

Mr. Imran Haq, 5770 Baxter Well, McKinney

Mr. Will Pry, 6303 CR 163, McKinney

The following individuals spoke in favor of the proposed annexation:

Mr. Gene Dale, 6200 CR 123, McKinney

Mr. David Siciliano, 17943 Windflower Way, Dallas

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

Ms. Karla Tripp, 5859 Baxter Well, McKinney

Mr. Matthew Weyenberg, 5861 Baxter Well, McKinney

Ms. Holly Pry, 6303 CR 163, McKinney

Mr. Stephan Ware, 5859 Baxter Well, McKinney

Mr. Tim Anders, 8168 CR 859, McKinney

Mr. Dustin Marr, 5855 Baxter Well, McKinney

Ms. Maria Mercer, 8137 CR 859, McKinney

The following individuals did not wish to speak but wanted their support of the proposed annexation entered into the record:

Mr. Jerry Barrow, 6180 CR 123, McKinney

Ms. Sharon Barrow, 6180 CR 123, McKinney

Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to close the public hearing. Mayor Pro Tem Pogue requested that Transportation Engineering Manager Gary Graham conduct research to see if a Traffic Impact Analysis was done in conjunction with the subdivisions just south of Bloomdale Road. If the study was done, please report to us the results of that study. Also, research the impact this subdivision, if given the SF5 zoning, would have

on Bloomdale Road in regards to traffic demands, current traffic flow, any improvements needed, and future impact as the area develops, and report this information prior to the Council's consideration of the rezoning request at the April 18<sup>th</sup> meeting. Mr. Graham stated we would not require a Traffic Impact Analysis for a development of this size. The City has taken ownership of CR123 east to Lake Forest, however, to the west toward Custer Road is generally outside of the city limits. We do not have any responsibility to Baxter Well Road as it is a County Road. Mayor Loughmiller also inquired as to the timeline for the City's responsibility of CR123. Mr. Graham stated that generally the thoroughfares are built as development occurs. We have been able to use CIP dollars to get infrastructure hurdles completed and allow development to open up. Mayor Loughmiller stated the County's focus continues to be on the major north/south arterials and their priority list for projects they fund is not in line with our priority list. There is a change within the County to shift the responsibility back to the City to build the infrastructure or have the adjacent developer build it. There is no action on this item tonight.

**16-367SU3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Bed and Breakfast (Waddill Street Bed and Breakfast Inn), Located at 215 North Waddill Street, and Accompanying Ordinance. Planning Manager Matt Robinson stated the applicant is requesting approval of a Specific Use Permit to allow for a bed and breakfast at 215 N. Waddill Street. The item was tabled at the February 21<sup>st</sup> meeting so the applicant and the adjacent property owner to the west could agree on screening for vehicle parking. An agreement has been reached whereby fencing will be provided on the adjacent property to screen parking at the bed and breakfast facility. Staff has reviewed the request and recommends approval. Ms. Joanna Joplin, 216 E. Virginia, McKinney, on behalf of the applicant, stated that an

agreement has been reached with the adjacent property owners and they have withdrawn their objection to the SUP. She stated this will be a high-end facility with rates of \$400 to \$500 per night and will bring tourism to the downtown area of McKinney. Mayor Loughmiller called for public comment.

The following individuals spoke in favor of the proposed Specific Use Permit:

Ms. Sue Sanderson, 611 N. Sherman, McKinney

Mr. Ken Montgomery, 1209 W. Hunt Street, McKinney

Mr. Joe Joplin, 407 S. Tennessee, McKinney

The following individuals spoke in opposition of the proposed Specific Use Permit:

Ms. Mari McGowan, Hunt Street, McKinney

Mr. Nate Henderson, 1105 W. Lamar Street, McKinney

The following individual did not wish to speak but wanted their opposition to the Specific Use Permit entered into the record:

Mr. Richard McGowan, Hunt Street, McKinney

The following individuals did not wish to speak but wanted their support to the Specific Use Permit entered into the record:

Mr. Jim Sanderson, 611 N. Sherman, McKinney

Ms. Kathryn Johnston, 405 W. Louisiana Street, McKinney

Ms. Susan Kennedy, 902 W. Lamar Street, McKinney

Mr. Bryan Masters, 1201 W. Lamar Street, McKinney

Ms. Mary Beth Williams, 3015 Teal Lane, McKinney

Ms. Edith Stella, 2605 Lexington Place, McKinney

Ms. Amanda Scott, 5909 Pine Meadow Lane, McKinney

Ms. Amanda Solomon, 2101 Germantown, McKinney

Ms. Carrie Johnson, 2609 Lexington Place, McKinney

Ms. Colleen Pfutzenreuter, 2601 W. Point, McKinney

Mr. Jason Reiss, 6221 Dark Forest Drive, McKinney

Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to close the public hearing. Ms. Joanna Joplin stated that there will be no events held at this location. Owner, Ms. Tiffany Bellino stated that upon approval of the SUP, the fencing on both properties will be installed at that time. Mr. Robinson stated the SUP for the bed and breakfast does run with the land. Council approved the motion by Council member Branch, seconded by Council member Day, to approve an Ordinance granting a Specific Use Permit Request for a Bed and Breakfast (Waddill Street Bed and Breakfast Inn), located at 215 North Waddill Street, with a vote of 5-1-0, with the following special Ordinance provision: the property shall generally develop in accordance with the associated site layout exhibit. Council member Ussery voting against. Caption reads as follows:

ORDINANCE NO. 2017-03-035

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 A BED AND BREAKFAST AT 215 N. WADDILL STREET; 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

**16-193Z2** 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 520 Feet East of Community Avenue and on the South Side of U.S. Highway 380 (University Drive), and Accompanying Ordinance. Director of Planning Brian Lockley stated this request is to allow the property to develop with commercial uses. There is a companion item tonight to request approval of a SUP for an automotive care center at this location. Attempts to develop this property



in the past have failed due to the amount of floodplain and trees. If the SUP does not pass, the zoning, if approved, would remain in place on this property. If rezoned, other uses that would be permitted on this property include fitness facilities, park or playground, swim or tennis club, indoor theater, bakeries, banks, barber shop, and similar type uses. Mr. S.I. Abed, DDC, Inc. 503 Wade Court, Euless, representing the applicant, stated that others had unsuccessfully tried to develop this property, as it was a difficult property to develop due to various issues. Mr. Abed stated that they were creating a buffer on the south side by not cutting the trees, adding a fence, and satisfying all of the City's screening requirements. Mayor Loughmiller called for public comment and there were none. Council approved the motion by Mayor Pro Tem Pogue, seconded by Council member Ussery, to close the public hearing and approve the item as submitted, by a vote of 5-1-0, with Council member Branch voting against. Caption reads as follows

ORDINANCE NO. 2017-03-036

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 1.50 ACRE PROPERTY, LOCATED APPROXIMATELY 520 FEET EAST OF COMMUNITY AVENUE AND ON THE SOUTH SIDE OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE), 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

**16-192SUP2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for an Automotive Care Center, Located Approximately 520 Feet East of Community Avenue and on the South Side of U.S. Highway 380 (University Drive), and Accompanying Ordinance. Director of Planning Brian Lockley stated this is the companion case to the previous rezoning. This is a specific use permit

request for an automotive care center at this location. The bay doors would open to the northeast facing Highway 380 with the back of the building facing the adjacent residential area. The applicant is providing a ten foot buffer and a 20 foot landscape buffer around the area. The applicant will be required to develop the site with the plan as presented for automotive uses. There will only be one access point on Highway 380. There are two traffic signals in close proximity to the property but it does meet the minimum spacing required. Mr. S.I. Abed, DDC, Inc. 503 Wade Court, Euless, representing the applicant, was available for questions and there were none. Mayor Loughmiller called for public comments and there were none. Council approved the motion by Mayor Pro Tem Pogue, seconded by Councilwoman Rath, to approve an Ordinance granting a Specific Use Permit for an Automotive Care Center, located approximately 520 feet east of Community Avenue and on the south side of U.S. Highway 380 (University Drive), with a vote of 5-1-0, Council member Branch voting against with the following condition: the subject property shall generally develop in accordance with the attached Site Layout Exhibit. Caption reads as follows:

ORDINANCE NO. 2017-03-037

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 AUTOMOTIVE CARE CENTER, APPROXIMATELY 1.50 ACRES, LOCATED APPROXIMATELY 520 FEET EAST OF COMMUNITY AVENUE AND ON THE SOUTH SIDE OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE); 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

- 16-318Z2** Mayor Loughmiller called for 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 for Single Family Residential Detached and Attached Uses, Located

Approximately 900 Feet West of McDonald Street and on the South Side of Stewart Road, and Accompanying Ordinance. Planning Manager Matt Robinson stated that the applicant is requesting that the public hearing be continued and the item tabled until the April 4<sup>th</sup> meeting. Mr. Randy Hullett, 1700 Redbud Drive, Suite 300, McKinney, stated the applicant is requesting a two week delay in order to resolve minor issues between the applicant and a homeowner. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Council member Branch, seconded by Mayor Pro Tem Pogue, to continue the public hearing and table the item until the April 4<sup>th</sup> meeting.

**17-030Z2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C2" - Local Commercial District and "TH" - Townhome Residential District, Located Approximately 1,200 Feet East of Custer Road and on the South Side of Eldorado Parkway, and Accompanying Ordinance (WITHDRAWN). Director of Planning Brian Lockley stated the applicant has requested that this item be withdrawn. There is no action necessary on this item.

Mayor Pro Tem Pogue stepped down from the dais for the following agenda item.

**17-313** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution of the City of McKinney, Texas, Authorizing Variances to the No Floodplain Rise Restriction of the Stormwater Ordinance for Certain Properties Along Honey Creek and the East Fork of the Trinity River Near U.S. 75. Director of Engineering Mark Hines stated the developer of this property is requesting a variance to the Stormwater Ordinance that precludes any activity that would cause the floodplain to rise at all. There has been a fair amount of construction in this area which caused a significant rise in the floodplain downstream from the Highway 75 project.

The FM543 project mitigated that somewhat and caused the floodplain in the area of the development to rise. The developer has plans to reclaim part of the floodplain which does cause a rise in the areas downstream and adjacent to the development. They range from 2/100<sup>th</sup> of a foot to 1/10<sup>th</sup> of a foot but most are in the range of 0.6 feet. Staff is recommending approval of this variance request. At staff's request, the owner did send out letters to all affected property owners. Staff did not receive any protests to this request. Council approved the motion made by Council member Ussery, seconded by Council member Branch, to approve a Resolution of the City of McKinney, Texas, authorizing variances to the No Floodplain Rise Restriction of the Stormwater Ordinance for certain properties along Honey Creek and the East Fork of the Trinity River near U.S. 75 with a vote of 5-0-1, Mayor Pro Tem Pogue abstaining. Caption reads as follows:

RESOLUTION NO. 2017-03-072 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING VARIANCE REQUESTS TO THE STORMWATER MANAGEMENT ORDINANCE RELATED TO DEVELOPMENT PROPOSED ADJACENT TO BOTH HONEY CREEK AND THE EAST FORK OF THE TRINITY RIVER ALONG BOTH SIDES OF LAUD HOWELL PARKWAY AT U.S. 75

Mayor Pro Tem Pogue returned to the dais.

- 17-314** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Approving an Amendment to the McKinney Housing Authority (MHA) Revolving Loan for Newsome Homes Redevelopment Pursuant to a Chapter 393 Loan Agreement Between the City of McKinney and the McKinney Housing Authority. Housing and Community Development Manager Janay Tieken stated this request by the McKinney Housing Authority is to approve a six-month extension of the construction period on the loan agreement from April 1<sup>st</sup> to October 1<sup>st</sup>. They have submitted a letter of request and proof of construction delays. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to approve a Resolution approving an amendment to

the McKinney Housing Authority (MHA) Revolving Loan for Newsome Homes Redevelopment Pursuant to a Chapter 393 Loan Agreement between the City of McKinney and the McKinney Housing Authority. Caption reads as follows:

RESOLUTION NO. 2017-03-073 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE EXISTING LOAN AGREEMENT WITH THE MCKINNEY HOUSING AUTHORITY ("MHA") UNDER TEXAS LOCAL GOVERNMENT CODE CHAPTER 393 FOR THE NEWSOME HOMES PROJECT

**17-315** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Amending the Fiscal Year 2017 - 2021 Capital Improvements Program to Provide Funds for the Hardin Boulevard Lanes 5 & 6 Project (ST3211). CIP and Transportation Engineering Manager Gary Graham stated this item is moving funds that were allocated to the McKinney Ranch project over to the Hardin project so that we can track the funds appropriately. Council unanimously approved the motion by Council member Branch, seconded by Mayor Pro Tem Pogue, to approve a Resolution amending the Fiscal Year 2017 - 2021 Capital Improvements Program to provide funds for the Hardin Boulevard Lanes 5 & 6 Project (ST3211). Caption reads as follows:

RESOLUTION NO. 2017-03-074 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE FISCAL YEAR 2017 - 2021 CAPITAL IMPROVEMENT PROGRAM TO TRANSFER FUNDS TO HARDIN BOULEVARD LANES 5 & 6 PROJECT (ST3211)

**17-316** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with McMahon Contracting, L.P. for the Construction of Hardin Boulevard Lanes 5 & 6 and McKinney Ranch Parkway Improvements. CIP and Transportation Engineering Manager Gary Graham stated this item awards the construction contract for lanes 5 and 6 on Hardin and completing lanes 3 and 4 on McKinney Ranch

Parkway from Hardin to US 75 to McMahon Contracting, L.P. We anticipate starting construction on April 3<sup>rd</sup> with anticipated substantial completion in November 2017. 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 and all necessary change orders with McMahon Contracting, L.P. for the construction of Hardin Boulevard Lanes 5 & 6 and McKinney Ranch Parkway Improvements. Caption reads as follows:

RESOLUTION NO. 2017-03-075 (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 \$3,368,249.16 WITH MCMAHON CONTRACTING, L.P. FOR THE CONSTRUCTION OF HARDIN BOULEVARD LANES 5 & 6 AND MCKINNEY RANCH PARKWAY IMPROVEMENTS AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$3,700,000

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Councilwoman Rath stated that with a lot of negativity surrounding the upcoming election, she is grateful to be a part of the McKinney community, to see our staff stand together in support of one of their own at the funeral of Assistant Fire Chief Mock's family members.

Council member Branch echoed Ms. Rath's comments. It makes me appreciate the staff we have here in the City of McKinney. Council and staff needs to look at the improvements we can make to Highway 380 to improve the flow and safety of this roadway.

Council member Day had no comments.

Council member Ussery expressed his sympathy to Assistant Chief Mock. Congratulations to the Fire Department on their recognition. This is an example of the exemplary staff we have and the great job they do day in, day out that does not go unnoticed. Congratulations to the Horned Frogs going to New York to the NIT finals.

Mayor Pro Tem Pogue also sent out condolences to Assistant Chief Mock and his family and also congratulations to the Fire Department for their recognition of the Texas Fire Chiefs Association Best Practices. This is an additional testament to the City.

Mayor Loughmiller sent out his condolences to the Mock family. He lost his father and sister in that tragic accident on Highway 380. Our prayers are with him and his family. He is very resilient and has proven his strength during this time.

City Manager Grimes stated that several staff and Council will be attending Collin County Days at the State Capitol next week. The North Texas Municipal Water District has scheduled dates for member cities and customer communities to participate in a tour of the Wylie Water Treatment Plant. The dates are June 9<sup>th</sup>, August 11<sup>th</sup>, and October 12<sup>th</sup>. Staff reports that we had more single family lots approved for construction, at 407, in February 2017 which was more than in the first four months combined in 2016. If we keep this pace we will break the record just set in 2016. Texas Trash-Off and the annual Arts in Bloom will be held April 8<sup>th</sup>. Residents are invited to help keep the City beautiful by picking up trash along roadways that morning and then head downtown for the Arts in Bloom Festival which is April 7<sup>th</sup> through 9<sup>th</sup> with music, food, fun and shopping for the whole family. Information about all of these events can be found on our website.

Mayor Loughmiller recessed the meeting into executive session at 8:13 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), Section 551.071 (A). Litigation / Anticipated Litigation, Section 551.072 Discuss Real Property, and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Loughmiller recessed back into open session at 8:20 p.m.

Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Councilwoman Rath, to adjourn. Mayor Loughmiller adjourned the meeting at 8:20 p.m.

---

BRIAN LOUGHMILLER  
Mayor

ATTEST:

---

SANDY HART, TRMC, MMC  
City Secretary