

CITY COUNCIL REGULAR MEETING

AUGUST 17, 2021

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, August 17, 2021 at 6:00 p.m.

Council Present: Mayor George Fuller, Mayor Pro Tem Rainey Rogers, and Council Members Charlie Philips, Geré Feltus, Frederick Frazier, Rick Franklin, and Justin Beller.

Council Member Frazier participated remotely for the duration of the meeting.

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Steve Tilton, Assistant City Manager Barry Shelton, Assistant City Manager Kim Flom, City Attorney Mark Houser, City Secretary Empress Drane, Deputy City Secretary Joshua Stevenson, City Secretary Records Specialist Juametta Terrel, City Secretary Administrative Assistant Blenda Sims, Facilities Construction Manager Patricia Jackson, Director of Planning Jennifer Arnold, Environmental Manager Kyle Odom, Chief of Police Greg Conley, Police Financial Analyst Cammie Martin, IT Services Desk Manager Nicholas Martin, and McKinney Community Development Corporation (MCDC) President Cindy Schneible.

There were approximately thirty-two (32) Members of the public present in the audience.

Mayor Fuller called the meeting to order at 6:02 p.m. upon determining a quorum of the Council was present.

Mayor Fuller called for the Invocation and Pledge of Allegiance. The Invocation given by Senior Pastor Dr. Mark Turman of Crosspoint Church. The Pledge of Allegiance led by Mayor Fuller.

Mayor Fuller called for Public Comments regarding Agenda items.

David Hemer, 8616 Wakefield Dr., McKinney, TX 75070, spoke regarding Ghost Kitchens.

Tyler Dawson, 6205 Heron Bay Ln., McKinney, TX 75070, spoke regarding Ghost Kitchens.

Steve Andelman, 5917 River Highlands Dr., McKinney, TX 75070, spoke regarding Ghost Kitchens.

Greg Houx, 2104 Waterbrook, McKinney, TX 75072, spoke regarding Agenda item # 21-0730.

Robert Darling, 1717 Savannah Dr., McKinney, TX 75072, spoke regarding Agenda item # 21-0730 was called to speak

Mason Griffin, 6423 Tulip, Dallas, TX 75230, spoke regarding Agenda item # 21-0730.

Mayor Fuller called for the Consent Agenda.

Mayor Pro Tem Rogers requested Agenda item #21-0730 to be considered separately.

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

- 21-0719** Minutes of the City Council Work Session of August 3, 2021
- 21-0720** Minutes of the City Council Regular Meeting of August 3, 2021
- 21-0701** Minutes of the Joint Meeting with City Council and Planning & Zoning Commission of July 27, 2021
- 21-0382** Minutes of the McKinney Armed Services Memorial Board Meeting of April 14, 2021
- 21-0489** Minutes of the McKinney Main Street May 13, 2021
- 21-0593** Minutes of the Main Street Board Meeting of June 10, 2021
- 21-0665** Minutes of the Historic Preservation Advisory Board Regular Meeting of March 4, 2021
- 21-0597** Minutes of the McKinney Housing Finance Corporation Meeting March 12, 2021
- 21-0702** Minutes of the Planning & Zoning Commission Regular Meeting of July 27, 2021
- 21-0721** Consider/Discuss/Act on an Ordinance to Establish a Schedule of Fees for Payment for Services at the Request of a Health Care Provider or Insurer Pursuant to the City Fire Department for the Administrative and

Logistics Cost of the Community Healthcare Program. Ordinance caption reads as follows:

ORDINANCE NO.2021-08-085

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, THROUGH THE AMENDMENT OF CHAPTER 18, "AMBULANCES" BY AMENDING SECTION 18-1, "DEFINITIONS," IN PART, BY ADDING A DEFINITION FOR "COMMUNITY HEALTHCARE PROGRAM," BY AMENDING SECTION 18-2, "GENERAL DUTY OF FIRE DEPARTMENT," BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 18-2, ALSO ENTITLED "GENERAL DUTY OF FIRE DEPARTMENT," AUTHORIZING A COMMUNITY HEALTHCARE PROGRAM, BY AMENDING SECTION 18-3, "FEES CHARGED FOR SERVICES," BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 18-3, ALSO ENTITLED "FEES CHARGED FOR SERVICES," THAT ALLOWS A FEE TO BE CHARGED FOR CERTAIN SERVICES UNDER THE COMMUNITY HEALTHCARE PROGRAM; THROUGH THE AMENDMENT OF APPENDIX A, "SCHEDULE OF FEES," BY AMENDING CHAPTER 18, "AMBULANCES," BY DELETING SECTION 18-28, "AMOUNTS OF CHARGES," IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 18-28, ALSO ENTITLED "AMOUNTS OF CHARGES," THAT ADDS FEES FOR CERTAIN SERVICES UNDER THE COMMUNITY HEALTHCARE PROGRAM; REPEALING ALL CONFLICTING ORDINANCES; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING A PENALTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

21-0722 Consider/Discuss/Act on an Ordinance to Modify the Effective Reduced Speed School Times for Rock Hill High School and Roach Middle School.

Ordinance caption reads as follows:

ORDINANCE NO. 2021-08-086

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS TO MODIFY THE EFFECTIVE REDUCED SPEED SCHOOL TIMES FOR ROCK HILL HIGH SCHOOL AND ROACH MIDDLE SCHOOL; 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

21-0723 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Interlocal Agreement and Memorandum of Understanding Between the City of Plano, City of McKinney, City of Frisco and Collin County for the Application and Administration of the Department of Justice 2021 Byrne Justice Assistance Grant and Designating the City Manager or Designee, as Official Representative of the City in Matters Relating to the

Program. Resolution caption reads as follows:

RESOLUTION NO. 2021-08-095 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT AND MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PLANO, THE CITY OF MCKINNEY, THE CITY OF FRISCO AND COLLIN COUNTY FOR THE APPLICATION FOR AND ADMINISTRATION OF THE DEPARTMENT OF JUSTICE 2021 BYRNE JUSTICE ASSISTANCE GRANT, AND DESIGNATING THE CITY MANAGER, OR DESIGNEE, AS OFFICIAL REPRESENTATIVE OF THE CITY IN MATTERS RELATING TO THE PROGRAM

- 21-0724** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Approve the Revised City of McKinney Grants Policies and Procedures.

RESOLUTION NO. 2021-08-096 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ADOPTION OF THE UPDATED CITY OF MCKINNEY GRANT POLICIES AND PROCEDURES

- 21-0725** Consider/Discuss/Act on a Resolution Authorizing a Contract to Bassco Services, Incorporated of Dallas, Texas for Aviation Fuel Systems & Ground Support Equipment Maintenance and Repairs. Resolution caption reads as follows:

RESOLUTION NO. 2021-08-097 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO BASSCO SERVICES, INCORPORATED OF DALLAS, TEXAS FOR AVIATION FUEL SYSTEMS & GROUND SUPPORT EQUIPMENT MAINTENANCE AND REPAIRS

- 21-0726** Consider/Discuss/Act on a Decision to Amend and Correct Resolution No. 2021-07-078(R) Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Lake | Flato + Parkhill of Frisco, Texas for Architectural and Engineering Services, Including Additional Services in Conjunction with the Design and Construction of the McKinney Municipal Complex (FC1707) Project. Resolution caption reads as follows:

RESOLUTION NO. 2021-08-098 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING AND CORRECTING RESOLUTION NO. 2021-07-078(R); AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH

LAKE | FLATO + PARKHILL, OF FRISCO, TEXAS FOR ARCHITECTURAL AND ENGINEERING SERVICES, INCLUDING ADDITIONAL SERVICES, IN CONJUNCTION WITH THE DESIGN AND CONSTRUCTION OF THE MCKINNEY MUNICIPAL COMPLEX PROJECT (FC1707), MCKINNEY, TEXAS

- 21-0727** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Agreement with the Regional Transportation Council for Award of Transportation Development Credits for Various Federally Funded Transportation Projects. Resolution caption reads as follows:

RESOLUTION NO. 2021-08-099 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE REGIONAL TRANSPORTATION COUNCIL FOR AWARD OF TRANSPORTATION DEVELOPMENT CREDITS FOR VARIOUS FEDERALLY FUNDED TRANSPORTATION PROJECTS IN THE CITY OF MCKINNEY, TEXAS

- 21-0728** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter Into an Interlocal Agreement with McKinney Municipal Utility District No. 1 of Collin County for Funding the Construction of the Trinity Falls East Feed Water Line and Redbud Pump Link. Resolution caption reads as follows:

RESOLUTION NO. 2021-08-100 (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 MUNICIPAL UTILITY DISTRICT NO. 1 OF COLLIN COUNTY FOR FUNDING THE CONSTRUCTION OF THE TRINITY FALLS EAST FEED WATER LINE AND REDBUD PUMP LINK; AND PROVIDING AN EFFECTIVE DATE

- 21-0729** Consider/Discuss/Act on a Resolution Nominating Encore Wire Corporation to the Office of the Governor, Economic Development and Tourism and the Economic Development Bank for Designation as a Qualified Business and Enterprise Project Under the Texas Enterprise Zone Program Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code. Resolution caption reads as follows:

RESOLUTION NO. 2021-08-101 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, NOMINATING ENCORE WIRE CORPORATION TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM AND THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS

ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE

Mayor Fuller called for the Consent item to be considered separately.

21-0730 Consider/Discuss/Act on a Resolution Making Written and Evidentiary Findings Relative to the Denial of a Request from Hemphill, LLC, to Change the Zoning on Approximately 10.7 Acres of Land occupied by Furr Elementary School from PD - Planned Development District, Ordinance No. 2001-02-024, for an elementary school and a park to PD - Planned Development District with a Base Zoning of "GC"-Government Complex District and to Allow a Telecommunications Tower, at the Southeast Corner of Bluestem Drive and Hidden Haven Drive having a Street Address of 551 South Bluestem Drive, McKinney, Texas; and Providing for an Effective Date

Council approved the motion by Council Member Philips, seconded by Council Member Feltus, to approve a Resolution Making Written and Evidentiary Findings Relative to the Denial of a Request from Hemphill, LLC, to Change the Zoning on Approximately 10.7 Acres of Land occupied by Furr Elementary School from PD - Planned Development District, Ordinance No. 2001-02-024, for an elementary school and a park to PD - Planned Development District with a Base Zoning of "GC"-Government Complex District and to Allow a Telecommunications Tower, at the Southeast Corner of Bluestem Drive and Hidden Haven Drive having a Street Address of 551 South Bluestem Drive, McKinney, Texas; and Providing for an Effective Date with a vote of 6 - 1, Mayor Pro Tem Rogers voting no. Resolution caption reads as follows:

RESOLUTION NO. 2021-08-102 (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 HEMPHILL, LLC, TO CHANGE THE ZONING ON APPROXIMATELY 10.7 ACRES OF LAND OCCUPIED BY FURR ELEMENTARY SCHOOL FROM PD - PLANNED DEVELOPMENT DISTRICT, ORDINANCE NO. 2001-02-024, FOR AN ELEMENTARY SCHOOL AND A PARK TO PD - PLANNED DEVELOPMENT DISTRICT WITH A BASE ZONING OF "GC"-GOVERNMENT COMPLEX DISTRICT AND TO ALLOW A TELECOMMUNICATIONS TOWER, AT THE SOUTHEAST CORNER OF BLUESTEM DRIVE AND HIDDEN HAVEN DRIVE

HAVING A STREET ADDRESS OF 551 SOUTH BLUESTEM DRIVE, MCKINNEY, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

21-0731 Citizen Input on the FY 2021-22 Budget

Steve Spainhouer, 1836 Virginia, McKinney, TX 75069, spoke regarding the FY 2021-22 Budget.

21-0732 Consider/Discuss/Act on an Ordinance Supporting a Municipal Setting Designation (MSD) Certification for Multiple Parcels of Land Totaling Approximately 31.12 Acres Located East of Highway 5 or North McDonald Street to Prohibit Potable Use of the Groundwater Beneath the Designated Property

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Franklin, to approve an Ordinance Supporting a Municipal Setting Designation (MSD) Certification for Multiple Parcels of Land Totaling Approximately 31.12 Acres Located East of Highway 5 or North McDonald Street to Prohibit Potable Use of the Groundwater Beneath the Designated Property. Ordinance caption reads as follows:

ORDINANCE NO. 2021-08-087

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS PROHIBITING THE USE OF DESIGNATED GROUNDWATER FROM BENEATH THE PROPERTY AS DESCRIBED IN EXHIBIT "A" AND CONTAINING APPROXIMATELY 31.12 ACRES OF LAND, LOCATED IN THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, TO FACILITATE THE CERTIFICATION OF SAID PROPERTY WITH A MUNICIPAL SETTING DESIGNATION BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY PURSUANT TO THE TEXAS SOLID WASTE DISPOSAL ACT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR CRIMINAL PENALTIES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

21-0095Z2 Conduct a Public Hearing to Consider / Discuss / Act on a Request to Rezone the Subject Property from "RS-60" - Single Family Residence District and "TMN" Traditional McKinney Neighborhood Overlay District to "GC" - Governmental Complex District and "TMN" Traditional McKinney Neighborhood Overlay District, Located at 511 Green Street and 701

Anthony Street

Council unanimously approved the motion by Council Member Feltus, seconded by Mayor Pro Tem Rogers, to close the public hearing and approve a Request to Rezone the Subject Property from "RS-60" - Single Family Residence District and "TMN" Traditional McKinney Neighborhood Overlay District to "GC" - Governmental Complex District and "TMN" Traditional McKinney Neighborhood Overlay District, Located at 511 Green Street and 701 Anthony Street. Ordinance caption reads as follows:

ORDINANCE NO. 2021-08-088

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 0.78 ACRE PROPERTY, LOCATED AT 511 GREEN STREET AND 701 ANTHONY STREET, IS REZONED FROM "RS-60" - SINGLE FAMILY RESIDENCE DISTRICT AND "TMN" TRADITIONAL MCKINNEY NEIGHBORHOOD OVERLAY DISTRICT TO "GC" - GOVERNMENTAL COMPLEX DISTRICT AND "TMN" TRADITIONAL MCKINNEY NEIGHBORHOOD OVERLAY DISTRICT, GENERALLY TO ALLOW FOR GOVERNMENTAL USES; 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

Mayor Fuller called for Citizen Comments on matters not on the Agenda. There were none when called.

Mayor Fuller called for Council and Manager Comments.

Council Member Philips spoke regarding Highschool Football and McKinney North Senior Dylan Frazier.

Council Member Feltus spoke regarding trash around McKinney and McKinney Citizen Maria Schroder.

Mayor Pro Tem Rogers spoke regarding school starting and asked residents to slow down around schools.

Council Member Franklin spoke regarding trash around McKinney.

Council Member Frazier agreed with Council Members Franklin and Feltus.

City Manager Grimes updated the Council of the following items:

- McKinney Parks & Rec and APEX activity guides are now available.

- McKinney Library activity guides are now available.
- School is back in session and to watch out for school zones.

Mayor Fuller spoke regarding McKinney resident Maria Schroder.

Council unanimously approved the motion by Council Member Philips, seconded by Council Member Franklin, to adjourn the meeting at 6:58 p.m.

The video recording of this meeting is available online through the City of McKinney video archives.

These minutes were approved by the City Council on September 7, 2021.

SIGNED:

GEORGE C. FULLER, Mayor

ATTEST:

EMPRESS DRANE, City Secretary
JOSHUA STEVENSON, Deputy City Secretary

City of McKinney, Texas