

CITY COUNCIL WORK SESSION

APRIL 7, 2020

The City Council of the City of McKinney, Texas met in work session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, April 7, 2020 at 4:00 p.m.

The meeting was broadcast live on cable television and through the City's website on Spectrum Channel 16; AT&T U-Verse Channel 99; and <http://mckinney.legistar.com>. Some members chose to participate from remote locations in an effort to contain the spread of COVID-19.

Mayor George C. Fuller called the meeting to order at 4:00 p.m. upon determining a quorum of the Council was present, consisting of himself and the following members: La'Shadion Shemwell.....District 1

(Council Member Shemwell participated remotely by telephone.)

Rainey Rogers, Mayor Pro Tempore..... District 2

Scott Elliott District 3

Rick Franklin District 4

Charlie Philips At Large

Frederick Frazier At Large

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Barry Shelton, Assistant City Manager Kim Flom, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Director of Parks & Recreation Michael Kowski, President of McKinney Community Development Corporation (MCDC) Cindy Schneible, Water Utilities Craig Sherwood, Police Chief Greg Conley, Assistant Director of Engineering Michael Hebert, Capital Improvement Projects Manager Nicholas Ataie, Community Services Administrator Shirletta Best, Director of Planning Jennifer Arnold, Video Producer Joey Barr, Strategic Services Manager Trevor Minyard, and City Secretary Empress Drane

Mayor Fuller called for Public Comments, and read the public comment from Laura Tye, which was submitted to meeting via email. (see Minutes Appendix A – *Public Comments Submitted by Email*)

Mayor Fuller called for discussion of the agenda items for the City Council Regular Meeting to be held on Tuesday, April 7, 2020 at 6:00 p.m. There was no discussion of those agenda items.

Mayor Fuller called for the Work Session item:

20-0267 COVID-19 Business Support and Stimulus Overview

Mayor Fuller called for the Executive Session at 4:46 p.m., in accordance with the Texas Government Code:

A. Section 551.071(2) Consultations with Attorney on any Work Session, Special Session, or Regular Session agenda item requiring confidential attorney/client advice necessitated by the deliberation or discussion of said items (as needed)

B. Section 551.071 (A) Pending or contemplated litigation

- City of McKinney, Texas vs. Westerra Stonebridge, L.P., Newland Real Estate Group, LLC d/b/a Newland Communities, LLC, and ClubCorp Golf of Texas, L.P.

C. Section 551.072. Deliberations about Real Property

- Municipal Facilities

D. Section 551.074. Personnel Matters

E. Section 551.087. Deliberation Regarding Economic Development Matters

- Project Moe

- Project Beppo

Mayor Fuller reconvened the public meeting at 5:38 p.m. with all members present, at which time Council Member Charlie Philips read the public comment from Steven Spainhouer, which was submitted to meeting via email. (see Minutes Appendix A – *Public Comments Submitted by Email*)

Council unanimously approved the motion by Council Member Scott Elliott, seconded by Council Member Rick Franklin, to adjourn at 5:40 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary

Minutes Appendix A – Public Comments Submitted by Email

LAURA TYE

From: Laura Tye Photography <lauratyephoto@gmail.com>
Sent: Tuesday, April 7, 2020 4:01 PM
To: George Fuller <gfuller@mckinneytexas.org>
Subject: Statement for council meeting

My name is Laura Tye, I own Laura Tye Photography on the square, which was forced to cease operating under the emergency orders for COVID-19. I am a proud 14 year resident of McKinney.

Although my lease permitted rent to be paid up to the 5th of the month without penalty, my landlord, S Five Partners, locked me out of my studio on April 3rd without notice. S Five Partners did not post on the door the place where rent could be paid and a new access code could be obtained. By locking me out before rent was due without notice and failing to provide the information required by law, S Five Partners illegally denied me the opportunity to secure my tools of the trade -- my photography equipment. S Five Partners to this day continues to deny me access to my equipment or to provide me with a way to pay rent with all penalties and fees and obtain access to the studio.

When I tried to reach Mr. Schwalls to discuss the situation, he refused to speak to me by phone, insisting that all communications be by email. I made at least five phone attempts. I also attempted to text him several times and he also refused to text. I then communicated very timely and thoroughly by email as he instructed. Mr. Schwalls' public statements that I was "unwilling to communicate" with him are simply not true as he was the one who refused to even have a simple telephone conversation. And even then, he offered no real solution to the situation -- he gave no instructions on how to pay rent and regain access. His only "solution" was to give me a 20% discount for this ONE month that I cannot work at all (max two months in the event that Emergency Order is extended for May) but either are ONLY if I signed up a new two-year lease at full market rate. He is aware that even in normal times I do not sign more than 1 year leases.

In light of the COVID-19 pandemic and the uncertainty of the emergency orders, Mr. Schwalls' proposal was unrealistic and, really, made in bad faith. I can't even work until the emergency orders are lifted, so Mr. Schwalls was just "piling it on." In fact, he wrote that he wouldn't help us unless there is something in it for him.

I paid my rent on time every month of the nearly two years I leased from S Five Partners. They acted illegally by locking us out while we were still in our grace period and by not leaving proper instructions as to where to pay rent and obtain an access code. Because S Five Partners has not only failed to show compassion in these difficult times, but they have tried to exploit the pandemic to hurt us, to hurt our tenant neighbors and to hurt the spirit of McKinney.

STEVEN SPAINHOUER

From: Steven Spainhouer <spainhouer@gmail.com>
Sent: Tuesday, April 7, 2020 3:34 PM
To: Contact-City Council
Subject: PUBLIC COMMENTS 4/7/2020_ WORK SESSION AND GENERAL MEETING

Thank you to Paul Grimes for coming up with a solution to help keep the trash off the sidewalks and streets in downtown McKinney. The placement of temporary trash containers helps tremendously.

Steven Spainhouer