

CITY COUNCIL REGULAR MEETING

MARCH 15, 2022

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, March 15, 2022, at 6:00 p.m.

Mayor Fuller called the meeting to order at 6:00 p.m. upon determining a quorum of the council consisting of himself and the following members was present: Mayor Pro Tem Rainey Rogers, and Council Members Justin Beller, Geré Feltus, Rick Franklin, Charlie Philips, and Patrick Cloutier.

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, City Secretary Empress Drane, City Secretary Administrative Assistant Blenda Sims, Director of Strategic Services Trevor Minyard, Director of McKinney Performing Arts Center (MPAC) & Main Street Programs Amy Rosenthal, Director of Engineering Gary Graham, Capital Improvement Projects Manager Nicholas Ataie, Facilities Construction Manager Patricia Jackson, Planning Manager Paula Nasta, Planning Manager Caitlyn Strickland, Procurement Services Manager Lisa Littrell, Assistant Procurement Services Manager Ian Coubrough, Procurement Services Supervisor Tonya Hall, Buyer Mindy Smith, Buyer Michelle Michaelis, Buyer Trey Benton, Contract Administrator Rosanne Lemus, and Police Officer Jonathan Losawyer

Approximately fifty (50) members of the public were present including former City Council Member Frederick Frazier, Board Chair of the McKinney Community Development Corporation (MCDC) Angela Richardson-Woods, Historic Preservation Advisory Board Member Nina Ringley, and players, coaches and parents of the McKinney High School Boys Varsity Basketball team.

Mayor Fuller called for the Invocation, which was given by Victory Church of McKinney Pastor Matthew Long, and the Pledge of Allegiance.

Mayor Fuller and City Council welcomed and congratulated the McKinney High School Boys Basketball team successful season which included advancing to the State

Championship game for the first time in more than ninety years. The team finished as Class 6A Runner-up to Duncanville High School.

Mayor called for the following Information Sharing item:

22-0236 Proclamation for Procurement Month

City Procurement Services Staff received the proclamation and stood for photographs with Mayor Fuller.

Mayor Fuller called for Public Comments regarding Non-Public Hearing Agenda Items at which time there were no requests to address the City Council on such matters.

Mayor Fuller called for the Consent Agenda. Council unanimously approved the motion by Council Member Rick Franklin, seconded by Council Member Geré Feltus to approve the following Consent Agenda:

- 22-0237** Minutes of the City Council Work Session of March 1, 2022
- 22-0238** Minutes of the City Council Regular Meeting of March 1, 2022
- 22-0117** Minutes of the Board of Adjustment Meeting of June 23, 2021
- 21-0544** Minutes of the Board of Adjustment Meeting of May 26, 2021
- 22-0095** Minutes of the Historic Preservation Advisory Board Meeting of January 6, 2022
- 22-0153** Minutes of the Library Advisory Board Meeting of January 20, 2022
- 22-0112** Minutes of the McKinney Armed Services Memorial Board Meeting of January 12, 2022
- 22-0159** Minutes of the McKinney Community Development Corporation Promotional and Community Events Grants Subcommittee of January 19, 2022
- 22-0158** Minutes of the McKinney Community Development Corporation Finance Committee Meeting of January 25, 2022
- 22-0156** Minutes of the McKinney Community Development Corporation Meeting of January 27, 2022
- 22-0157** Minutes of the McKinney Community Development Corporation TUPPS Subcommittee Meeting of February 1, 2022
- 22-0014** Minutes of the McKinney Urban Transit District Board Meeting of

September 22, 2021

22-0224 Minutes of the Planning and Zoning Commission Regular Meeting of February 8, 2022

22-0239 Consider/Discuss/Act on an Ordinance Ordering a Local Option Election for November 8, 2022, for the Purpose of Submitting to the Qualified Voters of the City of McKinney, Texas, One Local Option Election Proposition to Consider Legalizing the Sale of All Alcoholic Beverages for Off-Premise Consumption Only; Designating Polling Places; Appointing the Early Voting Polling Place; Designating the Early Voting Clerk; and Providing for Notice and Publication of the Election. Ordinance caption:

ORDINANCE NO. 2022-03-033

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CALLING A SPECIAL ELECTION FOR NOVEMBER 8, 2022, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF MCKINNEY, TEXAS, ONE (1) LOCAL OPTION ELECTION PROPOSITION TO CONSIDER LEGALIZING THE SALE OF ALL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION ONLY; DESIGNATING POLLING PLACES; APPOINTING THE EARLY VOTING POLLING PLACE; DESIGNATING THE EARLY VOTING CLERK; AND PROVIDING FOR NOTICE AND PUBLICATION OF THE ELECTION

22-0240 Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2021-2022 Annual Budget to Provide additional Funds for Phase II of the McKinney Silos Restoration Project (GR2109). Ordinance caption reads:

ORDINANCE NO. 2022-03-034

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2021-2022 ANNUAL BUDGET FOR THE MCKINNEY SILOS ART MURAL PROJECT (GR2109); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

22-0241 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Western Specialty Contractors for Phase 2A Design / Build (D/B) Services Related to the McKinney Silos Restoration Project (GR2109). Resolution caption reads:

RESOLUTION NO. 2022-03-040 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A

AMENDMENT TO THE DESIGN/BUILD SERVICES AGREEMENT WITH WESTERN SPECIALITY CONTRACTORS OF AMERICA FOR PHASE 2A CONSTRUCTION AND ENGINEERING SERVICES RELATED TO THE MCKINNEY SILOS RESTORATION PROJECT (GR2109)

22-0242 Consider/Discuss/Act on a Resolution of Support for North Central Texas Council of Governments (NCTCOG) Autonomous Vehicle Project. Resolution caption reads as follows:

RESOLUTION NO. 2022-03-041 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, SUPPORTING THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENT (NCTCOG) AUTONOMOUS VEHICLE PROJECT

Mayor Fuller called for the following Regular Agenda and Public Hearing items:

22-0243 Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Certain Property for Public Use by Eminent Domain for Right-of-Way (in Fee Simple Associated with the Green & Andrews Infrastructure Improvements Project which Property is Located at the Intersection of Green and Murray Streets Commonly Known as 208 South Murray Street and Authorizing the City Manager to Establish Procedures for Acquiring the Right-of-Way (in Fee Simple) on Said Property, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions.

The Council approved by roll call vote the motion by Council Member Charlie Philips, seconded by Mayor Pro Tem Rainey Rogers "that the City of McKinney, Texas, City Council approve this item as written and adopt the Resolution described in this agenda item and authorize the use of the power of eminent domain to acquire for public use all necessary right-of-way (in fee simple from the owners of the property depicted on and described by metes and bounds attached to said Resolution, said depictions and descriptions being incorporated in their entirety into this motion for all purposes including the construction, access and maintenance of infrastructure improvements at the intersection of Green and Murray Street associated with the Green & Andrews Infrastructure Improvement Project," the roll call vote concluding as following:

Mayor George Fuller..... Yes

Mayor Pro Tem Rainey Rogers Yes

- Council Member Charlie Philips..... Yes
- Council Member Geré Feltus..... Yes
- Council Member Patrick Cloutier Yes
- Council Member Rick Franklin..... Yes
- Council Member Justin Beller..... Yes

Resolution caption reads as follows:

RESOLUTION NO. 2022-03-042 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTY FOR PUBLIC USE BY EMINENT DOMAIN FOR RIGHT-OF-WAY (IN FEE SIMPLE ASSOCIATED WITH THE GREEN AND ANDREWS INFRASTRUCTURE IMPROVEMENTS PROJECT ROAD FROM GREEN STREET (DUNGAN STREET TO MURRAY STREET) AND ANDREWS STREET (GREEN STREET TO GREENVILLE ROAD); AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING THE RIGHT-OF-WAY (IN FEE SIMPLE) ON SAID PROPERTY, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS

22-0001RW Conduct a Public Hearing to Consider/Discuss/Act on a Right-of-Way Abandonment of a Portion of an Unnamed Alley located east of Sherman Street and west of Coleman Street, approximately 150 feet south of Berry Avenue, being part of the Millie Muse Addition, and Accompanying Ordinance (22-0001RW)

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council Member Patrick Cloutier, to close the public hearing and approve a Right-of-Way Abandonment of a Portion of an Unnamed Alley located east of Sherman Street and west of Coleman Street, approximately 150 feet south of Berry Avenue, being part of the Millie Muse Addition, and Accompanying Ordinance (22-0001RW). Ordinance caption reads as follows:

ORDINANCE NO. 2022-03-035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, VACATING A PORTION OF AN UNNAMED ALLEY LOCATED EAST OF SHERMAN STREET AND WEST OF COLEMAN STREET, APPROXIMATELY 150 FEET SOUTH OF BERRY AVENUE, BEING PART OF THE MILLIE MUSE ADDITION, AND CONTAINING APPROXIMATELY 0.065 ACRES; PROVIDING FOR THE CONVEYANCE OF SAID RIGHT-OF-WAY TO THE ADJOINING PROPERTY OWNERS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 21-** Conduct on a Public Hearing to Consider/Discuss/Act a Specific Use
0017SUP2 Permit Request to Allow for an Indoor Gun Range, Located at 2100 North McDonald Street (REQUEST TO BE WITHDRAWN)

Council unanimously approved the motion by Council Member Geré Feltus, seconded by Council Member Rick Franklin to close the public hearing and table the item indefinitely.

- 22-0244** Consider/Discuss/Act on an Amendment to Chapter 98 (Taxation) of the City of McKinney, Texas, Code of Ordinances Modifying the Program Requirements and Annual Aggregate Cap for the Historic Neighborhood Improvement Zone Incentive Program and Relocating the Program Requirements for the Neighborhood Empowerment Zone; and Accompanying Ordinance

Council unanimously approved the motion by Council Member Geré Feltus, seconded by Council Member Rick Franklin to approve an Amendment to Chapter 98 (Taxation) of the City of McKinney, Texas, Code of Ordinances Modifying the Program Requirements and Annual Aggregate Cap for the Historic Neighborhood Improvement Zone Incentive Program and Relocating the Program Requirements for the Neighborhood Empowerment Zone; and Accompanying Ordinance. Ordinance caption:

ORDINANCE NO. 2022-03-036

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 98, ARTICLE III OF THE CITY OF MCKINNEY CODE OF ORDINANCES BY AMENDING SECTION 98-84 BY UPDATING THE PROGRAM REQUIREMENTS AND REGULATIONS RELATING TO THE HISTORIC NEIGHBORHOOD IMPROVEMENT ZONE PROGRAM AND BY AMENDING SECTION 98-85 BY SETTING FORTH THE PROGRAM REQUIREMENTS RELATING TO THE NEIGHBORHOOD EMPOWERMENT ZONE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY PROVISION; AND PROVIDING FOR AN EFFECTIVE DATE

- 22-0245** Consider/Discuss/Act on Appointing a Member to the Parks, Recreation & Open Space (PROS) Advisory Board

Council unanimously approved the motion by Council Member Patrick Cloutier, seconded by Council Member Rick Franklin, to appoint Alternate Member Windy Gallagher to the Regular Member vacancy and for Ad-hoc Member Bruce Meade to replace Wendy Gallagher as the Alternate Member.

Wendy Gallagher's Regular membership and Bruce Meade's Alternate membership are both effective this date until September 30, 2023.

Mayor Fuller called for Public Comments regarding matters not on the agenda.

Bill Daniel, 410 Fannin Rd, Melissa TX 75454, spoke regarding Zoning Case #21-0038Z.

Daniel Porzio, 5500 McKinney Place Dr, McKinney TX 75070, spoke regarding social issues in communities and schools.

Tracy Thomas, 5124 Grovewood Dr, McKinney TX 75071, spoke regarding the administration of the McKinney Fire Department.

Rhett Dollins, 706 Wood Duck Ln, McKinney TX 75072, spoke regarding Zoning Case #21-0038Z.

Janet Gagnon, 1991 Sunset Trail, McKinney TX 75071, spoke regarding the proposed annexation and zoning at Fannin Road.

Mayor Fuller called for Council and Manager Comments.

Council Member Patrick Cloutier announced an Open House event for the McKinney Chamber of Commerce Leadership McKinney program will be held Thursday, March 22, 2022 (4:30-6:00 p.m.) at Local Yocal, encouraging those interested in serving the community to attend.

City Manager Paul Grimes announced the Parks & Recreation Summer Activity Guides are available online at www.MckinneyParks.org/ParksGuides.

Mayor Fuller called for a motion to adjourn at 7:00 p.m., so moved by Council Member Geré Feltus, seconded by Council Member Charlie Philips, which the Council unanimously approved.

Video recording of this meeting available to the public through the City of McKinney archives. These minutes approved by the City Council on April 19, 2022.

GEORGE C. FULLER, Mayor
City of McKinney, Texas

ATTEST:

EMPRESS DRANE, City Secretary
JOSHUA STEVENSON, Deputy City Secretary