

## CITY COUNCIL REGULAR MEETING

FEBRUARY 21, 2017

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on February 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, Rainey Rogers, and Travis Ussery.

Staff Present: City Manager Paul Grimes; Deputy City Manager Jose Madrigal; 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; Director of Parks and Recreation Rhoda Savage; Assistant Director of Parks and Recreation Ryan Mullins; Director of Strategic Services Chandler Merritt; Planning Manager Matt Robinson; McKinney Economic Development Corporation President Darrell Auterson; Airport - Ken Wiegand, Mark Jaraczewski, and Eric Pratt; IT Desktop Support Technician Robert Lisenby; Parks Planning Development Manager Jenny Baker; Community Services Administrator Shirletta Best; Director of Finance Trudy Mathis; Chief Financial Officer Mark Holloway; Police Officer Bruno Siqueira; and Communications and Media Specialist Frances Hooker.

There were approximately 200 guests present.

Mayor Loughmiller called the meeting to order at 6:05 p.m. after determining a quorum was present. Invocation was given by Dr. J. D. Kennedy, Interim Executive Pastor, First Baptist McKinney. Children from the Boys and Girls Club of McKinney led the Pledge of Allegiance.

**17-181** Proclamation for Bishop Curry V. Mayor Loughmiller presented a Proclamation to Bishop Curry V for his intellectual invention to save toddlers from dying while left in vehicles.

Mayor Loughmiller called for Citizen Comments.

The following individuals spoke against the proposed US 380 Bypass.

Ms. Stephanie Weyenberg, 5861 Baxter Well Rd, McKinney, Texas, 75071

Mr. Matthew Weyenberg, 5861 Baxter Well Rd, McKinney, Texas, 75071

Ms. Linda Pritchard, 2099 CR 856, McKinney, Texas, 75071

Mr. Brent Thomas, 5124 Grovewood, McKinney, Texas, 75071

Ms. Amy Limas, 7505 Darrow Drive, McKinney, Texas, 75071

Ms. Kimberly Ryan, 7213 Darrow Drive, McKinney, Texas, 75071

Ms. Jan Matlock, 8185 CR 860, McKinney, Texas, 75071

Mr. John Fernandez, 5309 Grove Cove Drive, McKinney, Texas, 75071

Mr. Richard Clare, 8469 CR 858, McKinney, Texas, 75071

Mr. Tim Biggio, 8108 CR 859, McKinney, Texas, 75071

Mr. R.J. Matlock, 8185 CR 860, McKinney, Texas, 75071

Mr. Jerry Bradham, 2159 CR 852, McKinney, Texas, 75071

Mr. Robert Carter, 8110 CR 860, McKinney, Texas, 75071

Mr. Harvey Graham, 2485 CR 852, McKinney, Texas, 75071

Ms. Karin Kerby, 5236 Pinewood Drive, McKinney, Texas, 75071

Ms. Maria Mercer, 8137 CR 859, McKinney, Texas, 75071

Mr. Stephan Ware, 5859 Baxter Well, McKinney, Texas, 75071

Ms. Shannon Blake, 800 CR 1200, McKinney, Texas, 75071

Mr. John Grant, 7617 Darrow Drive, McKinney, Texas, 75071

Ms. Holly Pry, 6303 CR 163, McKinney, Texas, 75071

Mr. James Holland, 2805 Laurel Oak Drive, McKinney, Texas, 75071

Mr. Kyle Rosene, 2168 CR 852, McKinney, Texas, 75071

Mr. Cedrick Cascio, 2605 Fitzgerald, McKinney, Texas, 75071

Mr. Scott Elliott, 5601 Grove Cove Drive, McKinney, Texas, 75071

Mr. Mark Bunker, 7401 Townsend Blvd., McKinney, Texas, 75071

Mr. Jim Smith, 7104 Ripley St, McKinney, Texas, 75071

Mr. Kelvin McKernan, 2316 Grassmere Lane, McKinney, Texas, 75071

Mr. John Braselton, 2486 CR 856, McKinney, Texas, 75071

Mr. Fred LaChance 5408 Datewood Lane, McKinney, Texas, 75071

Ms. Amanda Blair, 5508 Fringe Tree, McKinney, Texas, 75071

Mr. Tim Anders, 8168 CR 859, McKinney, Texas, 75071

Ms. Janet Anders, 8168 CR 859, McKinney, Texas, 75071

Laine Koons, 2604 Pearl Street, McKinney, Texas, 75071

Mr. Bill Walker, 1722 Routh Street, Ste. 770, Dallas, Texas, 75201

Mr. Jason Blake, 800 CR 1200, McKinney, Texas, 75071

The following individuals did not wish to speak but wanted their opposition to the proposed US 380 Bypass entered into the record:

Mr. Chris Cooper, 4692 CR 164, McKinney, Texas, 75071

Ms. Lindsey Cavener-Sumner, 8650 CR 858, McKinney, Texas, 75071

Mr. Harold Sumner, 8650 CR 858, McKinney, Texas, 75071

Ms. Tisha Davis, 2740 CR 856, McKinney, Texas, 75071

Mr. Beau Davis, 2740 CR 856, McKinney, Texas, 75071

Mr. Mike Coseo, 6327 CR 161, McKinney, Texas, 75071

Ms. Sarah Schwartz, 8161 CR 860, McKinney, Texas, 75071

Ms. Marilee Evans, 2721 CR 856, McKinney, Texas, 75071

Mr. Jason Lowe, 7015 Sleepy Hollow Rd, McKinney, Texas, 75071

Mr. Jerry West, 5712 Ivyridge Lane, McKinney, Texas, 75071

Ms. Jan West, 5712 Ivyridge Lane, McKinney, Texas, 75071

Mr. Mike Shepherd, 2424 CR 855, McKinney, Texas, 75071

Ms. Laura Garrett, 6677 CR 161, McKinney, Texas, 75071

Mr. Todd Garrett, 6677 CR 161, McKinney, Texas, 75071

Mr. Rick Torres, 4111 Akela Way, McKinney, Texas, 75071

Ms. Amy Torres, 4111 Akela Way, McKinney, Texas, 75071

Mr. Kevin Corcoran, 2905 Laurel Oak Drive, McKinney, Texas, 75071

Ms. Sara Lewis, 3500 Ridge Lily, McKinney, Texas, 75071

Mr. Garrett Lewis, 3500 Ridge Lily, McKinney, Texas, 75071

Mr. John Nugent, 2469 CR 855, McKinney, Texas, 75071

Ms. Mary Nugent, 2469 CR 855, McKinney, Texas, 75071

Mr. Tommie Rosene, 2168 CR 852, McKinney, Texas, 75071

Mr. Charles Pritchard, 2099 CR 856, McKinney, Texas, 75071

Mr. Andrew Fleske, 5128 Grove Cove Drive, McKinney, Texas, 75071

Ms. Kim Carmichael, 7709 Townsend Blvd., McKinney, Texas, 75071

Mr. David Carmichael, 7709 Townsend Blvd., McKinney, Texas, 75071

Ms. Birgit Mendoza, 7701 Townsend Blvd., McKinney, Texas, 75071

Mr. Tony Keefer, 7701 Townsend Blvd., McKinney, Texas, 75071

Mr. Greg Sweet, 7604 Townsend Blvd., McKinney, Texas, 75071

Ms. Ann Marie McCarthy, 2509 Welzy St, McKinney, Texas, 75071  
Mr. Ross Callaway, 5417 Datewood, McKinney, Texas, 75071  
Ms. Katherine Callaway, 5417 Datewood, McKinney, Texas, 75071  
Ms. Kimberly Hendrix, 5413 Fringe Tree Drive, McKinney, Texas, 75071  
Mr. Michael Johnson, 3705 Saint Croix Ave, McKinney, Texas, 75071  
Mr. Kristen Johnson, 3705 Saint Croix Ave, McKinney, Texas, 75071  
Ms. Margaret Griffin, 2523 CR 856, McKinney, Texas, 75071  
Mr. Jon Mercer, 8137 CR 859, McKinney, Texas, 75071  
Ms. Mary Stevenson, 4801 Rustic Ridge Drive, McKinney, Texas, 75071  
Mr. Stephen Kerby, 5236 Pinewood, McKinney, Texas, 75071  
Mr. Charles Pyne, 2737 CR 856, McKinney, Texas, 75071  
Mr. Mike Bell, 2287 CR 852, McKinney, Texas, 75071  
Mr. Nathan Blair, 5508 Fringe Tree Drive, McKinney, Texas, 75071  
Ms. Karla Tripp, 5859 Baxter Well, McKinney, Texas, 75071  
Ms. Carol Weiss, 2610 CR 856, McKinney, Texas, 75071  
Ms. Bettianne Miller, 2520 CR 855, McKinney, Texas, 75071  
Mr. Juan Cortez, 3104 Mosswood Drive, McKinney, Texas, 75071  
Mr. Dick Pratt, 8100 CR 859, McKinney, Texas, 75071  
Mr. Craig Reavis, 2159 CR 852, McKinney, Texas, 75071  
Mr. Bill Terrell, 8564 CR 858, McKinney, Texas 75071  
Ms. Lynette Terrell, 8564 CR 858, McKinney, Texas, 75071  
Ms. Sherry Joplin, 2542 CR 856, McKinney, Texas, 75071  
Ms. Linda L Soltysik, 8537 CR 858, McKinney, Texas, 75071  
Ms. Cassandra Carrion, 5612 Pinewood, McKinney, Texas, 75071  
Mr. Robert Soltysik, 8537 CR 858, McKinney, Texas, 75071  
Ms. Patricia Standley, 2173 CR 852, McKinney, Texas, 75071  
Mr. Ben Silver, 5425 Grove Cove Drive, McKinney, Texas, 75071  
Ms. K. Lynn Cooper, 4692 CR164, McKinney, Texas, 75071  
Ms. Melinda Pierce, 2214 CR 856, McKinney, Texas, 75071  
Mr. Gary Pierce, 2214 CR 856, McKinney, Texas, 75071  
Mr. Todd Schoel, 8338 CR 858, McKinney, Texas, 75071  
Ms. Rita Collum, 8665 CR 857, McKinney, Texas, 75071  
Mr. Rob Campbell, 2708 Sunnyside Drive, McKinney, Texas, 75071

Ms. Suzanne Barton, 5421 Ivyridge Lane, McKinney, Texas, 75071

Ms. Jan Clare, 8469 CR 858, McKinney, Texas, 75071

Ms. Cindy Vogel 2170 CR 856, McKinney, Texas, 75071

Ms. Linda Pratt, 8100 CR 859, McKinney, Texas, 75071

Ms. Amanda Fernandez, 5309 Grove Cove Drive, McKinney, Texas, 75071

Mr. Terry Reishus, 3924 Ramble Creek Drive, McKinney, Texas, 75071

Mr. Kevin Miller, 8177 CR 858, McKinney, Texas, 75071

Ms. Dana Miller, 8177 CR 858, McKinney, Texas, 75071

Hani Abu Eideh, 8797 CR 858, McKinney, Texas, 75071

Ms. Shannon McLinden, 8797 CR 858, McKinney, Texas, 75071

Ms. Barbara Burke, 3708 Texas Dall Court, McKinney, Texas, 75071

Mr. Richardo Carrion, 5612 Pinewood Drive, McKinney, Texas, 75071

Mr. Larry W. Miller, 2520 CR 855, McKinney, Texas, 75071

Ms. Laurie Sweet, 7604 Townsend Blvd., McKinney, Texas, 75071

Ms. Tamlynn Clyde, 6919 CR 123, McKinney, Texas, 75071

Mr. Larry Freeman, 8146 CR 860, McKinney, Texas, 75071

Mr. Jerry Brown, 2600 CR 856, McKinney, Texas, 75071

Mr. Clint Dorie, 7605 Sabinal Drive, McKinney, did not wish to speak but wanted his opposition to agenda item 17-184 entered into the record.

Mr. Ronnie Thomason, 211 N. McDonald Street, McKinney, did not wish to speak but wanted his opposition to closing of Heardon Street entered into the record.

Mr. Peter Bailey, 4700 S. Ridge Road, McKinney, spoke about the need for public transportation.

Mr. Mike Giles, 3213 Gillespie Road, McKinney, did not wish to speak but wanted his opposition to agenda item 17-189 and his disagreement with the agenda item being considered under the consent agenda.

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

**17-182** Minutes of the City Council Work Session of February 6, 2017

**17-183** Minutes of the City Council Regular Meeting of February 7, 2017

**17-118** Minutes of the Building and Standards Commission Meeting of January

11, 2016

- 17-119** Minutes of the Building and Standards Commission Meeting of April 5, 2016
- 17-165** Minutes of the McKinney Armed Services Memorial Board Meeting of January 11, 2017
- 17-160** Minutes of the Main Street Board Meeting of January 12, 2017
- 17-169** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of January 12, 2017
- 17-174** Minutes of the Planning and Zoning Commission Work Session of January 24, 2017
- 17-175** Minutes of the Planning and Zoning Commission Regular Meeting of January 24, 2017
- 17-128** Minutes of the Reinvestment Zone Number One Meeting of January 17, 2017
- 17-184** Consider/Discuss/Act on an Ordinance Renaming Sabinal Drive to Calhoun Cove Within the Trinity Falls Municipal Utility District. Caption reads as follows:

ORDINANCE NO. 2017-02-022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, RENAMING SABINAL DRIVE TO CALHOUN COVE WITHIN THE TRINITY FALLS MUNICIPAL UTILITY DISTRICT; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF

- 17-185** Consider/Discuss/Act on an Ordinance Renaming Poplar Drive to Pistache Drive Within the Robinson Ridge Subdivision. Caption reads as follows:

ORDINANCE NO. 2017-02-023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, RENAMING POPLAR DRIVE TO PISTACHE DRIVE WITHIN THE ROBINSON RIDGE SUBDIVISION IN MCKINNEY; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF

- 17-186** Consider/Discuss/Act on an Ordinance Amending Section 70-120 of the Code of Ordinances Relating to Specific Noise Disturbance Prohibition. Caption reads as follows:

ORDINANCE NO. 2017-02-024

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 70, "OFFENSES AND MISCELLANEOUS PROVISIONS" BY AMENDING THE DEFINITION OF "QUIET ZONE" IN SECTION 70-119, PARAGRAPH (A), BY AMENDING SUBPARAGRAPH (b)(2)a. AND PARAGRAPH (b)(6) ENTITLED "CONSTRUCTION / MAINTENANCE WORK," OF SECTION 70-120, "SPECIFIC NOISE DISTURBANCE PROHIBITED," TO CONFORM TO THE REVISED DEFINITION OF "QUIET ZONE" AND AUTHORIZE THE DIRECTOR OF ENGINEERING AND THE BUILDING OFFICIAL TO GRANT EXCEPTIONS TO ALLOW THE PLACEMENT OF CONCRETE BETWEEN 9:00 P.M. AND 6:00 A.M. IN CERTAIN CIRCUMSTANCES, AND BY AMENDING APPENDIX A, "FEE SCHEDULE," TO ADD THE FEE ASSOCIATED WITH APPLICATIONS FOR EXCEPTIONS RELATED TO CONCRETE PLACEMENT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE

- 17-187** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2016-2017 Annual Budget and Amending the 2017 - 2021 Capital Improvements Program to Provide Funds for Consulting Services for Project AI1705, Toyota Hangar Expansion Project. Caption reads as follows:

ORDINANCE NO. 2017-02-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2016-2017 BUDGET AND THE 2017 - 2021 CAPITAL IMPROVEMENTS PROGRAM TO PROVIDE FUNDS FOR CONSULTING SERVICES FOR PROJECT AI1705, TOYOTA HANGAR EXPANSION; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 17-188** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute the First Amendment to the Professional Services Contract with Project Control of Texas, Inc. for Project Management Services as the Primary Consultant for the Toyota Motors North America Hangar

Expansion. Caption reads as follows:

RESOLUTION NO. 2017-02-042 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH PROJECT CONTROL OF TEXAS, INC. FOR PROJECT MANAGEMENT SERVICES AS THE PRIMARY CONSULTANT FOR THE TOYOTA MOTORS NORTH AMERICA HANGAR EXPANSION

- 16-053DA** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Utility Impact Fee Credit Agreement for the Construction of an Oversized Off-Site Sanitary Sewer Main, with GFB McKinney II, LLC, for The Vineyards Ph. 1 Addition and Vineyards Phase II Addition, Generally Located on the South Side of Collin McKinney Parkway and Approximately 300 Feet East of Stacy Road. Caption reads as follows:

RESOLUTION NO. 2017-02-043 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY IMPACT FEE CREDIT AGREEMENT FOR THE CONSTRUCTION OF AN OVERSIZED OFF-SITE SANITARY SEWER MAIN AND RELATED INFRASTRUCTURE IMPROVEMENTS, WITH GFB MCKINNEY II, LLC, BEING EXTENDED TO THE VINEYARDS PH. 1 ADDITION AND VINEYARDS PHASE II ADDITION

- 17-190** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Commercial Lease Agreement Between First United Methodist Church of McKinney and the City of McKinney for a Downtown Parking Lot. Caption reads as follows:

RESOLUTION NO. 2017-02-044 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A COMMERCIAL LEASE AGREEMENT BETWEEN FIRST UNITED METHODIST CHURCH OF MCKINNEY AND THE CITY OF MCKINNEY FOR A DOWNTOWN PARKING LOT

- 17-191** Consider/Discuss/Act on a Resolution Awarding a Contract to Eldorado Motors of McKinney, Texas, for the Purchase of GM OEM Parts and Services. Caption reads as follows:

RESOLUTION NO. 2017-02-045 (R)



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO ELDORADO MOTORS OF MCKINNEY, TEXAS, FOR THE PURCHASE OF GM OEM PARTS AND SERVICES

- 17-192** Consider/Discuss/Act on a Resolution Amending the 2017 - 2021 Capital Improvements Program to Provide Funds for the WA1626 - McKinney Ranch Pump Station Improvements Project. Caption reads as follows:

RESOLUTION NO. 2017-02-046 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2016-2017 BUDGET AND THE 2017 - 2021 CAPITAL IMPROVEMENTS PROGRAM

- 17-193** Consider/Discuss/Act on a Resolution Amending the 2017 - 2021 Capital Improvements Program, to Provide Funds for the Wilson Creek Hike and Bike Trail Project (PK8062). Caption reads as follows:

RESOLUTION NO. 2017-02-047 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2016-17 BUDGET AND THE 2017 - 2021 CAPITAL IMPROVEMENTS PROGRAM

- 17-194** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with North Rock Construction, LLC of Denton, Texas, for the Construction of the Wilson Creek Hike and Bike Trail Project. Caption reads as follows:

RESOLUTION NO. 2017-02-048 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH NORTH ROCK CONSTRUCTION, LLC OF DENTON, TEXAS, FOR THE CONSTRUCTION OF THE WILSON CREEK HIKE AND BIKE TRAIL

- 17-195** Consider/Discuss/Act on a Resolution Amending the 2017 - 2021 Capital Improvements Program, to Provide Funds for the Comegy's Creek Hike and Bike Trail Project (PK4326). Caption reads as follows:

RESOLUTION NO. 2017-02-049 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2016-17

BUDGET AND THE 2017 - 2021 CAPITAL IMPROVEMENTS PROGRAM

- 17-196** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with North Rock Construction, LLC. of Denton, Texas, for the Construction of the Comegy's Creek Hike and Bike Trail Project. Caption reads as follows:

RESOLUTION NO. 2017-02-050 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH NORTH ROCK CONSTRUCTION, LLC OF DENTON, TEXAS, FOR THE CONSTRUCTION OF THE COMEGY'S CREEK HIKE AND BIKE TRAIL

- 17-197** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Apply for and Accept, If Awarded, a Department of Transportation, Division of Aviation Grant to Seal Airport Pavement Expansion Joints. Caption reads as follows:

RESOLUTION NO. 2017-02-051 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT, IF AWARDED, A TEXAS DEPARTMENT OF TRANSPORTATION, DIVISION OF AVIATION GRANT TO SEAL AIRPORT PAVEMENT EXPANSION JOINTS

- 17-198** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Agreement with McKinney SH I, LTD and Costco Wholesale Corporation Regarding Relocation and Abandonment of Three Specified Easements. Caption reads as follows:

RESOLUTION NO. 2017-02-052 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MCKINNEY SH I, LTD. AND COSTCO WHOLESALE CORPORATION REGARDING RELOCATION AND ABANDONMENT OF THREE SPECIFIED EASEMENTS

- 17-199** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Teague, Nall, and Perkins, Inc. for Professional Engineering Design Services for Transportation Alternatives Program

Safety Access to Schools and Any Necessary Supplemental Agreements. Caption reads as follows:

RESOLUTION NO. 2017-02-053 (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 \$61,700 WITH TEAGUE, NALL, AND PERKINS, INC. FOR ENGINEERING DESIGN SERVICES FOR TRANSPORTATION ALTERNATIVES PROGRAM SAFETY ACCESS TO SCHOOLS AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$62,800

**17-200** Consider/Discuss/Act on a Resolution Adopting the Budget Policies and Guidelines for Fiscal Year 2017-18. Caption reads as follows:

RESOLUTION NO. 2017-02-054 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ADOPTION OF BUDGET GUIDELINES FOR FISCAL YEAR 2017-18

END OF CONSENT

**17-189** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Memorandum of Understanding and Collaborative Agreement with the Cities of Frisco, Plano, Denton, Dallas, Greenville, Dallas County, Dallas Housing Authority, Denton Housing Authority, Frisco Housing Authority, Plano Housing Authority, McKinney Housing Authority, Grandview Housing Authority, Waxahachie Housing Authority, Cleburne Housing Authority, Ferris Housing Authority, Ennis Housing Authority, and Royse City Housing Authority for Regional Fair Housing Assessments and Regional Collaboration to Affirm Further Fair Housing for the Period of 2018-2023. Housing and Community Services Administrator Shirletta Best stated the process now known as an Assessment of Fair Housing (AFH) is a new approach under affirmatively further fair housing for the requirement of

assessment (under grantees receiving HUD funding). In March 2016, HUD published a new, final rule regarding the obligation to Affirmatively Further Fair Housing. The rule replaces the Analysis of Impediments to Fair Housing with an Assessment of Fair Housing (AFH). The AFH is an examination and determination of: 1) fair housing data, 2) assessment of fair housing issues, and 3) identification of fair housing priorities and goals for the implementation and use of the City's HUD funds. An AFH report is the result of the analysis and conclusions. Components of the AFH will include: Review and analysis of distribution of local data (not just on housing and planning patterns, but also on schools, public and commercial services as well as transportation) to better assess issues and conditions that restrict fair housing choice; review to determine disparities to housing and opportunity of the local data; and development of local strategy to resolve issues identified in the review and analysis of the data; establishment of goals and fair housing priorities; and broad public participation that begins when the data is being collected and analyzed during the process. At the completion of the plan, we allow for review to adjust planning for the future, as the City endeavors with other planning, including the Comprehensive Plan (McKinney 2040) and Emergency Disaster Planning. Citizen Participation will include but not be limited to the general public, governmental and non-governmental agencies, data providers, social service agencies and housing authorities. The collaboration with the other public housing authorities as well as the other cities provides an opportunity to use other resources available in the DFW market. It will give the City of McKinney an opportunity to be fiscally sound by having a nominal financial contribution of under \$5,000 for a one-time administrative cost that covers the five-year period. Mayor Loughmiller stated that Council has some questions and concerns on McKinney coming under the City of Dallas plan. Ms. Best stated that although we are in collaboration with the City of Dallas,

we do have the opportunity to be able to provide our own local input. That includes our citizens' participation throughout the process and gives us the opportunity to incorporate our own local data. Council member Branch expressed his concerns with being a part of the group and having to abide by any commitments made by the group as a whole. Ms. Best stated that a requirement for complying is specified in the Resolution, specifically that the City Manager affirms fair housing participation (annually) in terms of the CDBG certification. The actions that we take throughout the year for the annual action plan indicates how we are administering fair housing. The City of McKinney has to be certified to get qualified for CDBG funding. A question was raised on what happens if we choose not to complete the new assessment. If we decide that we don't want to go under the assessment of fair housing (at this time with the regional process), we're required to go under our current plan that we have which has not been updated since 2010. Ms. Best stated that although it is not required to be a part of this process (regional), there's a greater opportunity and greater resources for the City through collaboration. Ms. Best further explained if the City participates in the regional plan, the City of Dallas will serve as the lead agent of the plan (for submission) but McKinney and other cities will have their independent contribution to the overall plan. If the Council decides not to participate (in the regional process), we would have to find other ways to complete the requirement. If we do not participate in this (the regional process), we still have access to the CDBG funding. Ms. Best stated that under the CDBG funding, 20% can be used for grant administration and 15% can be used for public service; those percentages are statutory laws from Congress that can't be changed and the remainder of funding is used for other activities. When asked about the benefits of participation under the regional planning group, Ms. Best referred to access of data resources and the cost savings for the City. The cost of the total study

with all participants is more than \$700,000 and the City's portion of the total is under \$5,000. When asked about how the City had completed the fair housing study in the past, Ms. Best stated that if the City completes the study, it would follow requirements to procure a consultant under the federal requirements or complete the project in-house. It was asked of Ms. Best to share past costs and Ms. Best estimated costs were approximately in the range between \$40,000-\$45,000 and further detailed current costs and requirements may now range between an estimated \$70,000-\$100,000. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Rogers, to table this item to the March 7th meeting.

**17-201** Mayor Loughmiller called for Consideration/Discussion/Action on the Acceptance of the Comprehensive Annual Financial Report (CAFR) and the Federal Single Audit Report for the Fiscal Year Ended September 30, 2016. Finance Director Trudy Mathis presented the 2016 CAFR and Federal Single Audit Report. Ms. Mathis thanked the financial services team for their hard work in the area of government transparency. The City was notified this week that we received the fourth out of five transparency stars from the State Comptroller. To date, only the City of McKinney and the City of Carrollton have received this recognition. Ms. Karen Kurtin, BKD Services, reviewed the information and reports included in the 2016 CAFR. The City's net position increased \$76.7 million primarily as a result of the increase in taxable assessed values which includes property taxes, capital contributions, as well as water and waste water revenues. The Audit Committee included: Council members Rogers, Ussery and Mayor Pro Tem Pogue. We appreciate their work on behalf of the Council. Council member Day noted an increase in the pension liability last year from \$30 to \$44 million caused by a change in the expected long-term rate of return. The rate changed from 7% to 6.75% by the Texas Municipal Retirement System (TMRS).

The actuaries for TMRS determined the long-range rate of return and revised it down, which has increased net pension liability across all Texas cities. That return is a projected return over a period of approximately 30 years. So in any given year, they expect some years will be better and some years will be worse. The CAFR is for calendar year 2015 and during that time, the returns were lower than expected. The City has made their actuarial required contributions so the City is depositing into TMRS the exact amount that TMRS is requesting. Ms. Kurtin stated the City is well funded in comparison to other cities and cities across the United States. The long-range rate of return is what is designed to maintain the 80% number. TMRS determines the required contributions to remain at 80% every year. For 2016, TMRS anticipates exceeding their anticipated rate which is 75.5%. So that's going to decrease our change in pension liability next year. Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to accept the Comprehensive Annual Financial Report (CAFR) and the Federal Single Audit Report for the Fiscal Year Ended September 30, 2016 as presented.

**16-367SU2** Planning Manager Matt Robinson stated the applicant is requesting approval for a bed and breakfast located at the existing residence. An SUP is required in order for a bed and breakfast facility to be operated at this location. Special regulations include owner-occupied, maximum length of stay 14 consecutive days, maximum number of rooms that can be rented is five, and off-street parking must be provided equal to one space per guest bedroom. Staff has evaluated the request and recommends approval of the SUP. At the January 24<sup>th</sup> Planning and Zoning Commission meeting, the Commission recommended approval by a vote of 6-0. Mr. Robinson noted that the applicant has provided seven off-street parking spaces along Bass Street which is a right-of-way width of less than 20 feet so the parking can maneuver into the alley itself.

These are 9' x 18' spaces and meet code. Applicant Mr. Steve Sullivan, 215 N. Waddill, addressed the Council. He stated they would like to rent five rooms, but in reality will probably only rent four. Mr. Sullivan stated they are not allowed to host public events at this location. He stated the residence will be owner-occupied. There are three owners and one of those owners will live there. It will be a family business. Mayor Loughmiller called for public comments. The following individuals spoke in favor of the SUP:

Jim Sanderson, 611 Sherman Street

Diane Craig, 309 N. Benge Street, did not wish to speak but is not opposed to the SUP as long as they do not host special events there.

The following individuals spoke in opposition of the SUP:

Ken Montgomery, 1209 W. Hunt Street

Christy Lane, 802 W. Hunt Street

TJ Lane, 802 W. Hunt Street

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

Judy Montgomery, 1209 W. Hunt Street

Mari McGowan

Richard McGowan

Nina Ringley, 313 N. Benge Street

Nate Henderson, 1105 W. Lamar Street, submitted a letter of opposition.

Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to close the public hearing. Mr. Sullivan stated he would be open to discussion of screening landscaping between the parking and Mr. Montgomery's property. City Attorney Mark Houser stated that if the screening is a condition of approval of the SUP, it would have to be installed on the SUP property in addition to any other requirements of the SUP. The deed lists Michael Davis, Steve Sullivan and Tiffany Bellino as owners. For the record, Ms. Bellino will reside



there and it will be owner occupied. Mr. Sullivan stated that if screening is an issue, they are willing to work that out. Council member Ussery stated that he will have trouble supporting this because he does not feel it is the correct use for this location at this time. Councilwoman Rath stated she wants the neighbors to work together because that is what happens in the Historic District. Mayor Pro Tem Pogue stated he appreciates the individuals that have spoken in opposition and the ongoing dialogue. He does not see that the use is a problem. Mayor Loughmiller stated that the whole purpose for having an SUP ordinance is to give Council the opportunity to look at an item specific to that particular use with that particular owner without having to create a zoning change that will run with the property far beyond that ownership. It gives us the opportunity to consider a number of different things including modifications and additional requirements. I do have general concern about maintaining the fabric of the Historic District and the community feel of the people who live there. Council approved the motion by Council member Day, seconded by Mayor Pro Tem Pogue, to table the item until the March 21<sup>st</sup> meeting, by a vote of 6-1, with Council member Branch voting no.

Mr. Robinson stated that for the SUP for bed and breakfasts, no off-street parking can take place in the front of the building. There is a gravel lot and it will remain open. That is what they currently use for the resident's parking.

**16-370SU3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Private Club (Hank's Texas Grill), Located at 1310 North Central Expressway, and Accompanying Ordinance. Planning Director Brian Lockley stated that this request is for a Specific Use Permit (SUP) for a private club located at U.S. 75 and White Street. Currently Hank's Grill is operating under a mixed beverage permit which requires that no more than 50% of the gross sales are derived from alcohol and the other 50% comes from the sale of food.

With a private club permit it will allow the applicant to have 65% of the gross sales from alcohol and 35% from the sale of food. The applicant has been operating under a mixed beverage permit for a number of years and desires to make the change to accommodate what they believe is increasing growth in alcohol sales. The SUP requirements include a 300 foot buffer from a church, hospital, or school, 63/35 percentage of sales, and space limitations that are part of the zoning ordinance. In terms of space limitations, they need a minimum of 50 dining seats and 600 square feet of dining area. The applicant far exceeds that requirement with about 250 seats and over 5,000 square feet of dining area in the restaurant. For the school measurement, the distance is measured from the nearest property line of the school to the nearest doorway by which the public enters the private club. Applicant Mr. Ron Reynolds, 2414 Meadow Lane, Sherman, was present to answer any questions and there were none. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to close the public hearing. Council unanimously approved the motion by Council member Day, seconded by Council member Branch, to approve an Ordinance granting a Specific Use Permit Request for a Private Club (Hank's Texas Grill), Located at 1310 North Central Expressway. Caption reads as follows:

ORDINANCE NO. 2017-02-026

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 PRIVATE CLUB (HANK'S TEXAS GRILL), LOCATED AT 1310 NORTH CENTRAL EXPRESSWAY; 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

**16-332SU3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on

a Specific Use Permit Request for a Private Club (The Celt Irish Pub), Located at 100 North Tennessee Street, and Accompanying Ordinance. Planning Director Brian Lockley stated that this is a request for a Specific Use Permit for a private club for The Celt located on the square which would allow them to increase sales of alcohol to 65% and 35% percent from the sale of food. As the previous agenda item, there is a 300 foot distance required between the business and a church, hospital, or school. There are none of those uses within the 300 feet. They do meet the minimum requirements of 50 dining seats and 600 square feet of dining area. The applicant has exceeded that with 101 seats and over 2,000 square feet of dining area. Applicant, Mr. Stan Penn, stated that he has owned The Celt for three years. In 2016, we were at 45.95% of our sales from food which is less than the 50% required for a Mixed Beverage Permit. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Day, seconded by Mayor Pro Tem Pogue, to close the public hearing and approve an Ordinance granting a Specific Use Permit Request for a Private Club (The Celt Irish Pub), Located at 100 North Tennessee Street. Caption reads as follows:

ORDINANCE NO. 2017-02-027

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 PRIVATE CLUB (THE CELT IRISH PUB), LOCATED AT 100 NORTH TENNESSEE STREET; 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

- 17-202** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Resolution Amending the CDBG Citizen Participation Plan Under the City's Consolidated Plan, FY 2015-2019. Community Services Administrator Shirletta Best stated that this requirement is an

administrative requirement to update our citizen participation plan which is under the City's Consolidated Plan. The current citizen participation plan does not have language that includes fair housing analysis so this requirement is being included per HUD. It is a requirement that has gone under a 30 day public comment period and incorporates information on how we will utilize the tools of citizen participation. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Rogers, seconded by Council member Branch, to close the public hearing and approve a Resolution amending the CDBG Citizen Participation Plan under the City's Consolidated Plan, FY 2015-2019. Caption reads as follows:

RESOLUTION NO. 2017-02-055 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING AN AMENDMENT TO THE 2015-2019 CITIZEN PARTICIPATION PLAN UNDER THE CONSOLIDATED PLAN FOR USE OF FUNDS UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT; AND PROVIDING AN EFFECTIVE DATE

- 17-203** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request for a Resolution for 9% Tax Credits by VDC Lake Forest 380, L.P., to the Texas Department of Housing and Community Affairs (TDHCA) for the Senior, Multifamily Development to be Located at the NEQ of W. University and N. Lake Forest Drive. Community Services Administrator Shirletta Best stated that the applicant has requested support for 144 affordable units and 16 market rate units for the elderly. The developer is requesting a Resolution of Support from the City in order to increase the chances of obtaining development funding from the Texas Department of Housing and Community Affairs (TDHCA). Planning Director Brian Lockley stated the current zoning does not allow the use they are requesting. This would require a rezoning request as it is currently PD with a base of office zoning. Mr. Martin Sanchez, 2000 N. McDonald, Suite 100, stated the applicant is working through the process

for the 9% tax credits and is proposing a senior, multifamily community and so for that purpose they are going through the process requesting a Resolution of Support. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Rogers, to close the public hearing. Council member Rogers stated he does not agree with where they are trying to put this multifamily development and the rezoning and he cannot support it. Mayor Pro Tem Pogue concurs with Mr. Rogers. I think this area needs to be reserved for the use it is zoned for. Mayor Loughmiller stated it is very difficult to consider these when the zoning request comes after the application for support. If Council does not approve the zoning, the application doesn't matter. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to approve a Resolution of Opposition for 9% Tax Credits by VDC Lake Forest 380, L.P., to the Texas Department of Housing and Community Affairs (TDHCA) for the Senior, Multifamily Development to be located at the NEQ of W. University and N. Lake Forest Drive. Caption reads as follows:

RESOLUTION NO. 2017-02-056 (R)

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, OF OPPOSITION TO THE APPLICATION BY VDC LAKE FOREST 380, L.P. TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR TAX CREDITS FOR OVATION MCKINNEY LOCATED AT NEQ OF W. UNIVERSITY DRIVE AND N. LAKE FOREST DRIVE; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

- 17-204** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Granting the Request by VDC Lake Forest 380, L.P., for a Commitment of Funding by City of McKinney, to the Texas Department of Housing and Community Affairs (TDHCA), in the Amount of \$1,500. Community Services Administrator Shirletta Best stated that this item is a companion item to the previous agenda item. The developer is requesting local government support in the amount of \$1,500 from the

City of McKinney. This is in order to receive one additional point under the application of their 9% tax credit application. Council unanimously approved the motion by Council member Rogers, seconded by Council member Branch, to deny the Request by VDC Lake Forest 380, L.P., for a Commitment of Funding by City of McKinney, to the Texas Department of Housing and Community Affairs (TDHCA), in the Amount of \$1,500.

**17-205** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Granting the Request by Merritt McGowan Manor, L.P., for a Commitment of Funding by City of McKinney, to the Texas Department of Housing and Community Affairs (TDHCA), in the Amount of \$1,500. Community Services Administrator Shirletta Best stated the Resolution of Support for this item was approved on February 7<sup>th</sup>. This item is requesting funding to TDHCA in the amount of \$1,500 in order to receive an additional point on their application. Council unanimously approved the motion by Council member Branch, seconded by Council member Rogers, to approve a Resolution granting the request by Merritt McGowan Manor, L.P., for a commitment of funding by City of McKinney, to the Texas Department of Housing and Community Affairs (TDHCA), in the amount of \$1,500. Caption reads as follows:

RESOLUTION NO. 2017-02-057 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO PROVIDE A FUNDING COMMITMENT IN THE AMOUNT OF \$1,500 TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR MERRITT MCGOWAN MANOR, L.P.

**17-206** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Granting the Request by SDC Throckmorton Villas, L.P., for a Commitment of Funding by City of McKinney, to the Texas Department of Housing and Community Affairs (TDHCA), in the Amount of Nine Dollars (\$9). Community Services Administrator Shirletta Best stated this development consists of 124 units and a Resolution of Support was approved by Council on January 17<sup>th</sup>. The amount requested is only \$9

and they will use this City of McKinney financial commitment in order to receive one additional point toward their application. They do need zoning but have not yet pursued that because they are waiting to see where they will land in the state funding with TDHCA. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to approve a Resolution granting the request by SDC Throckmorton Villas, L.P., for a Commitment of Funding by City of McKinney, to the Texas Department of Housing and Community Affairs (TDHCA), in the amount of Nine Dollars (\$9). Caption reads as follows:

RESOLUTION NO. 2017-02-058 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO PROVIDE A FUNDING COMMITMENT IN THE AMOUNT OF NINE DOLLARS (\$9) TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR SDC THROCKMORTON VILLAS, L.P.

- 17-207** Mayor Loughmiller called for Consideration/Discussion/Action on a Facilities Agreement for Lots 1 and 2, Block A, of the William Perry Lee Hurst Addition, Located Approximately 1,200 Feet South of County Road 168 and on the East Side of County Road 166. Planning Manager Matt Robinson stated that this item is a Facilities Agreement for two lots in the William Perry Lee Hurst addition in the City of McKinney's ETJ. The applicant does not wish to escrow for typical improvements such as water, sanitary sewer, and roads; however, the applicant agreed to provide the easements for the property. This agreement limits use of property to a single family home on each lot and additionally the agreement would relieve or defer the public improvements proportional to the proposed development on the property including construction of public streets, sidewalks and lighting, construction of a master plan 10 inch and 12 inch sewer line across the property, and construction of a master plan 24 inch water line parallel to County Road 166. Staff recommends approval. Council unanimously approved the motion by Council member Ussery, seconded by Council member Branch, to

approve a Facilities Agreement for Lots 1 and 2, Block A, of the William Perry Lee Hurst Addition, located approximately 1,200 feet south of County Road 168 and on the east side of County Road 166 as presented.

**16-353PF** Mayor Loughmiller called for Consideration/Discussion/Action on a Preliminary-Final Plat for Lots 1 and 2, Block A, of the William Perry Lee Hurst Addition, Located Approximately 1,200 Feet South of County Road 168 and on the East Side of County Road 166. Planning Manager Matt Robinson stated this is a preliminary final plat for William Perry Lee Hurst addition and is associated with the Facilities Agreement just approved. There are six variances requested for approval as part of this plat, however, those variances were outlined and addressed through the previously approved Facilities Agreement. As such, staff recommends approval. Council unanimously approved the motion by Council member Rogers, seconded by Council member Branch, to approve a Preliminary-Final Plat for Lots 1 and 2, Block A, of the William Perry Lee Hurst Addition, located approximately 1,200 feet south of County Road 168 and on the east side of County Road 166 with the following conditions: the applicant receive approval of the associated facilities agreement; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct public streets, including the associated street lighting and sidewalks adjacent to the property; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct sanitary sewer and water lines to the subject property and extend them to the adjacent property upstream; the applicant receive variance to Section 142-105 (Improvements) of the Subdivision Ordinance allowing the use of individual septic systems; the applicant receive a variance to the Storm Water Management Ordinance waiving the requirement to collect drainage in an underground storm water



system; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance to allow lot to lot drainage; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance requiring water systems to be of a sufficient size to furnish fire protection to all lots; and prior to the issuance of a building permit: the applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat Approval Checklist, attached and the associated facilities agreement be filed with the county prior to filing the plat, subject to review and approval of the City Attorney.

**17-208** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract with Cooper General Contractors of Plano, Texas, for the Construction of Bonnie Wenk Park Phase II. Parks Planning and Development Manager Jenny Baker stated that this item is Phase 2 of Bonnie Wenk Park and consists of three play pod areas, lighted sports fields, parking, hike and bike trails, pavilions, restrooms and an extension of the park road that connects to Hardin Boulevard. Bids were opened on February 2<sup>nd</sup> that included two bidders. Cooper General Contractors was the lowest bid that consisted of three alternates, Alternate A - the Rotary playground area, Alternate B - the ropes course area, and Alternate C - the splash pad. The bid award recommends going with alternates A and B. Parks and Recreation Director Rhoda Savage stated the maintenance cost will be forecast as part of the next fiscal year budget. Most capital projects have a template that estimates the maintenance. When we bring a park project online we estimate maintenance costs as part of our ten year CIP. Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to approve a Resolution authorizing the City Manager to execute a contract with Cooper General Contractors of Plano, Texas, for the Construction of Bonnie Wenk Park Phase II. Caption reads as follows:

RESOLUTION NO. 2017-02-059 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH COOPER GENERAL CONTRACTORS OF PLANO, TEXAS, FOR THE CONSTRUCTION OF THE BONNIE WENK PARK PHASE II PROJECT

- 17-209** Mayor Loughmiller called for Consideration/Discussion/Action on Filling the Vacant Position on the McKinney Housing Authority. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Rogers, to appoint Tyree Byndom to fill the unexpired term on the McKinney Housing Authority starting February 22, 2017 and ending September 30, 2017.

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Council member Rogers did not have any comments

Councilwoman Rath did not have any comments

Council member Branch did not have any comments.

Council member Day did not have any comments

Council member Usery expressed thanks to staff for all you do day in and out and their perseverance on a night like this.

Mayor Pro Tem Pogue gave a shout-out to Bishop Curry who is a future hope for all of us.

Mayor Loughmiller expressed his appreciation to everybody that came to the meeting and wanted to speak on the different items and to the staff for hanging in on the late evening. Mayor Loughmiller stated that the City posts frequently asked questions and other information on the website relating to project planning, including the 2040 Comprehensive Plan and Transportation Plan. The City has held open houses and public meetings throughout this one to two year process. We recognize that as things change certain neighborhoods may have either felt that they didn't have the need to attend one of these public meetings or they feel they did not get notice of a meeting because it may not impact their specific area. Mr. Loughmiller encouraged everyone to go to the City's website and just periodically pay attention to the schedule and things

that are being worked on because this issue relates to US 380 and most likely is not going to come back until probably sometime in the summer because of the amount of work that has to be done. Mr. Loughmiller expressed his frustration at the number of not just this item but other items that the City has worked on over the years where we have a number of public meetings, town hall meetings, and neighborhood meetings and yet when the time comes to vote, we have people come in and say that we didn't do it in public, we didn't provide information, or that they were not aware. The City provides information on the website periodically, sends out information, and staff sends out Statute required notices. The City will keep posting information and keeping people informed.

City Manager Grimes stated that the McKinney Fire Department is offering a Citizen Fire Academy. The class is limited to 20 participants who live or work in McKinney. The class meets Thursday evenings starting March 23rd for 10 weeks. Applications are due March 6<sup>th</sup> and can be found on the City's website. This Sunday is the 15<sup>th</sup> annual Krewe of Barkus Mardi Gras in Downtown McKinney. This year's theme is Barks Gone Bad. The fun begins at 12:30 and the parade will start at 2 p.m.

Mayor Loughmiller stated that if anyone goes to the City's website, there is a section called Stay Connected to sign up for notifications.

Mayor Loughmiller recessed the meeting into executive session at 10:15 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, 551.074 Discuss Personnel Matters, and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Loughmiller recessed to the open session at 11:04 p.m.

Mayor Loughmiller called for Action on Executive Session Items.

Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Ussery, to affirm the action that McKinney Economic Development Corporation took earlier this morning.

Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to adjourn. Mayor Loughmiller adjourned the meeting at 11:05 p.m.

---

BRIAN LOUGHMILLER  
Mayor

ATTEST:

---

SANDY HART, TRMC, MMC  
City Secretary