

CITY COUNCIL REGULAR MEETING

JUNE 19, 2018

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on June 19, 2018 at 6:00 p.m.

Council Present: Mayor George C. Fuller, Mayor Pro Tem Tracy Rath, Council members: Chuck Branch, Scott Elliott, Charlie Philips, Rainey Rogers, and La'Shadion Shemwell.

Staff Present: City Manager Paul Grimes; Assistant City Manager Barry Shelton; City Attorney Mark Houser; Deputy City Manager Jose Madrigal; Assistant City Manager Steve Tilton; City Secretary Sandy Hart; Assistant to the City Manager Trevor Minyard; Executive Director of Development Services Michael Quint; Planning Director Brian Lockley; Planning Manager Matt Robinson; Director of Parks and Recreation Michael Kowski; Assistant Director of Parks and Recreation Ryan Mullins; Chief Information Officer Sid Hudson; Director of Engineering Gary Graham; Facilities Construction Manager Patricia Jackson; Library Director Spencer Smith; Chief Financial Officer Mark Holloway; Police Chief Greg Conley; Parks and Recreation: Laura Cegleski, Jenny Baker, Jill Yount, Empress Drane, April Butler, Bonnie Siracuse, Nick Smith, Arturo Diaz, PROS Board Chair Kip Dixon, Calie Willis, Micah Huland, and Kelly Huland; and Officer Shannon Seabrook.

There were approximately 40 guests present.

Mayor Fuller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Pastor Alex Camacho, Baptist Immigration Center of McKinney. Mayor Fuller led the Pledge of Allegiance.

Invocation given by Pastor Alex Camacho, Baptist Immigration Center of McKinney

18-510 Parks and Recreation Month Proclamation. Mayor Fuller presented the Parks and Recreation Month Proclamation to Parks and Recreation Director Michael Kowski and staff.

Mayor Fuller called for Citizen Comments.

The following individuals did not wish to speak but wanted their support for agenda item 18-525 entered into the record:

Ms. Joyce Martin, 2602 Rochelle Drive, McKinney

Ms. Diane Craig, 309 Benge, McKinney

Ms. Nina Ringley, 313 N. Benge, McKinney

Ms. Carol Staif, 2619 Brookside Court, McKinney

Ms. Peggy Snyder, 609 N. Wood Street, McKinney

Ms. Connie Kay Brown, 8104 Purple Mountain Way, McKinney

Mr. Ron Brown, 8104 Purple Mountain Way, McKinney

Ms. Sherry Lyn, 1200 N. Tennessee Street, McKinney

Ms. Brenda Kay Kelsey, 1302 Lee Street, McKinney

Mr. Rick Kelsey, 1302 Lee Street, McKinney

Ms. Sharon Carter, 412 W. Louisiana Street, McKinney

Ms. Sheri Shulenberger, 601 N. Waddill Street, McKinney

Mr. Bill Shulenberger, 601 N. Waddill Street, McKinney

Mr. Charles Carter, 412 W. Louisiana Street, McKinney

Mr. Brian Loughmiller, 6305 Wildwood, McKinney thanked the Council, Mayor Fuller, City Staff, and Sandy Hart for all their hard work.

Ms. Juli Smith, 3206 St. Pierre, McKinney spoke in favor of agenda item 18-525 and thanked the Parks Department for all their support and assistance with the All Abilities Playground.

Mr. Clint Scofield, 1101 Hill Street, McKinney spoke in favor of agenda item 18-525 but also requested a senior tax freeze.

Ms. Jolie Williams, 3613 Cockrill, McKinney spoke about the lack of an Ethics Policy and Freedom of Information request violations.

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

- 18-511** Minutes of the City Council Work Session of June 4, 2018
- 18-512** Minutes of the City Council Regular Meeting of June 5, 2018
- 18-451** Minutes of the Board of Adjustment Meeting of April 25, 2018
- 18-453** Minutes of the Community Grants Advisory Commission Meeting of April 11, 2018

18-454 Minutes of the Community Grants Advisory Commission Meeting of May 9, 2018

18-455 Minutes of the Community Grants Advisory Commission Meeting of May 10, 2018

18-466 Minutes of the McKinney Arts Commission Meeting of April 19, 2018

18-467 Minutes of the McKinney Arts Commission Meeting of January 18, 2018
(Amended to Correct Date)

18-513 Consider/Discuss/Act on an Ordinance Establishing a Reduced Speed School Zone and Crosswalk for Lindsey Elementary along Collin McKinney Parkway at Village Park Drive. Caption reads as follows:

ORDINANCE NO. 2018-06-044

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING A REDUCED SPEED SCHOOL ZONE AND CROSSWALK FOR LINDSEY ELEMENTARY ALONG COLLIN MCKINNEY PARKWAY AT VILLAGE PARK DRIVE IN MCKINNEY, TEXAS; 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

18-514 Consider/Discuss/Act on an Ordinance Removing a Reduced Speed School Zone and Crosswalk for Finch Elementary along McDonald Street (SH 5) at Elm Street. Caption reads as follows:

ORDINANCE NO. 2018-06-045

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS REMOVING A REDUCED SPEED SCHOOL ZONE AND SCHOOL CROSSWALK FOR FINCH ELEMENTARY ALONG McDONALD STREET (SH 5) AT ELM STREET IN MCKINNEY, TEXAS; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF

18-515 Consider/Discuss/Act on an Ordinance Removing a Reduced Speed School Zone and Crosswalk for Slaughter Elementary along Virginia Parkway from East of Carlisle Street to West of Dogwood Trail. Caption reads as follows:

ORDINANCE NO. 2018-06-046

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

McKINNEY, TEXAS REMOVING A REDUCED SPEED SCHOOL ZONE AND SCHOOL CROSSWALK FOR SLAUGHTER ELEMENTARY ALONG VIRGINIA PARKWAY FROM EAST OF CARLISLE STREET TO WEST OF DOGWOOD TRAIL IN McKINNEY, TEXAS; AMENDING THE CODE OF ORDINANCES, CITY OF McKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF

- 18-516** Consider/Discuss/Act on an Ordinance Amending Chapter 62 of the Code of Ordinances to Add Section 62-386, Parking, Stopping, Standing Prohibited on Multi-lane Roadways. Caption reads as follows:

ORDINANCE NO. 2018-06-047

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 62, ENTITLED "MOTOR VEHICLES AND TRAFFIC," BY AMENDING ARTICLE VI, ENTITLED "PARKING", BY THE ADDITION OF SECTION 62-386, ENTITLED "PARKING, STOPPING, STANDING PROHIBITED ON MULTI-LANE ROADWAYS," AS SET FORTH HEREIN BELOW; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR IMMUNITY; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE

- 18-517** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2017-2018 Annual Budget and Amending the 2018-2022 Capital Improvements Program, to Provide Funding for Preconstruction Services for the Old Settler's Recreation Center Renovation Project (PK4398) Located at 1201 E. Louisiana Street, McKinney, Texas 75069. Caption reads as follows:

ORDINANCE NO. 2018-06-048

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF McKINNEY, TEXAS AMENDING THE FISCAL YEAR 2017-2018 ANNUAL BUDGET AND THE 2018-2022 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDING FOR PRECONSTRUCTION SERVICES FOR THE OLD SETTLERS RECREATION CENTER RENOVATION PROJECT PK4398 LOCATED AT 1201 E. LOUISIANA STREET, McKINNEY, TEXAS 75069

- 18-518** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Scobilt Contractors, Inc. for Design / Build (D/B) Services Related to the Pre-construction Services

of the Old Settler's Recreation Center Renovation Project (PK4398) located at 1201 E. Louisiana Street, McKinney, Texas 75069. Caption reads as follows:

RESOLUTION NO. 2018-06-074 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SCOBILT CONTRACTORS, INC. FOR DESIGN/BUILD (D/B) SERVICES FOR PRE-CONSTRUCTION SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE OLD SETTLER'S RECREATION CENTER RENOVATION PROJECT (PK4398) LOCATED AT 1201 E. LOUISIANA STREET, MCKINNEY, TEXAS 75069

- 18-006M** Consider/Discuss/Act on a Resolution to Accept and File the Semiannual Impact Fee Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees. Caption reads as follows:

RESOLUTION NO. 2018-06-075 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ACCEPTING AND FILING THE SEMIANNUAL REPORT WITH RESPECT TO THE PROGRESS OF THE CAPITAL IMPROVEMENTS PLAN FOR ROADWAY AND UTILITY IMPACT FEES

- 18-528** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Roadway Impact Fee Credit Agreement with Lennar Homes of Texas Land and Construction, LTD., for the Construction of a Hardin Boulevard, Extending Approximately 5,320 Linear Feet and Serving an Approximately 313 Acre Tract, Generally Located on the North Side of F.M. 543 and on the East Side of C.R. 203. Caption reads as follows:

RESOLUTION NO. 2018-06-076 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A ROADWAY IMPACT FEE CREDIT AGREEMENT WITH LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., FOR THE CONSTRUCTION OF HARDIN BOULEVARD, EXTENDING APPROXIMATELY 5,320 LINEAR FEET AND SERVING AN APPROXIMATELY 313 ACRE TRACT, GENERALLY LOCATED ON THE NORTH SIDE OF F.M. 543 AND ON THE EAST SIDE OF C.R. 203

- 18-520** Consider/Discuss/Act on a Resolution Authorizing the City Manager to

Execute a Professional Services Contract with Sciens, LLC, of McKinney, Texas, for Consulting Services Related to the Information Technology Strategic Plan. Caption reads as follows:

RESOLUTION NO. 2018-06-077 (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 A FIVE (5) YEAR INFORMATION TECHNOLOGY STRATEGIC PLAN

- 18-521** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute Amendments to the Architectural and Engineering Services Contract with Hidell and Associates Architects, Inc. of Carrollton, Texas for Architectural and Engineering Services Related to the Expansion and Renovation of the John and Judy Gay Library. Caption reads as follows:

RESOLUTION NO. 2018-06-078 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE TWO AMENDMENTS TO THE CONTRACT IN AMOUNTS NOT TO EXCEED FORTY EIGHT THOUSAND NINE HUNDRED SEVENTY FIVE DOLLARS (\$48,975) TOTAL WITH HIDELL AND ASSOCIATES ARCHITECTS, INC. (HIDELL) FOR ARCHITECTURAL AND ENGINEERING SERVICES ASSOCIATED WITH THE EXPANSION AND RENOVATION OF THE JOHN AND JUDY GAY LIBRARY (JJGLE&R) LOCATED AT 6861 W. ELDORADO PARKWAY

- 18-529** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter Into an Agreement with Columbia Medical Center of McKinney. Caption reads as follows:

RESOLUTION NO. 2018-06-079 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AND AGREEMENT WITH COLUMBIA MEDICAL CENTER OF MCKINNEY SUBSIDIARY, L.P. AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT, AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION

- 18-523** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with Gensler of Dallas, Texas for Architectural and Engineering Services (A&E) Related to the Public

Safety Phase 4 Reconfiguration of Vacated Spaces in the Main Public Safety Building Located at 2200 Taylor-Burk Drive, McKinney, Texas.

Caption reads as follows:

RESOLUTION NO. 2018-06-080 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH GENSLER OF DALLAS, TEXAS, FOR ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE PUBLIC SAFETY PHASE 4 RECONFIGURATION OF VACATED SPACES IN THE MAIN PUBLIC SAFETY BUILDING LOCATED AT 2200 TAYLOR-BURK DRIVE, MCKINNEY, TEXAS

END OF CONSENT

- 18-524** Mayor Fuller called for Consideration/Discussion/Action on a Request by Roslyn Miller, for McKinney Housing Authority, for the Waiver of Roadway Impact Fees in Accordance with the Neighborhood Empowerment Zone Impact Fee Waiver Program for the Proposed Multi-family Project (Merritt Homes) Located at 1200 N. Tennessee Street. Council member Branch requested that this item be pulled down for discussion. Planning Manager Matt Robinson stated that the amount of fees waived would be \$194,439. Mr. Robinson stated that the Neighborhood Empowerment Zone fee waiver would be given if they meet certain requirements they would be eligible to get the fees reimbursed. McKinney Community Development Corporation provided to the McKinney Housing Authority a grant of \$500,000 toward this project. Council member Shemwell stated that the \$500,000 did not go to the developer, it went to expanding the program and building a facility and recreation center. Council approved the motion by Council member Shemwell, seconded by Council member Rogers, to approve the request by Roslyn Miller, for McKinney Housing Authority, for the waiver of Roadway Impact Fees in accordance with the Neighborhood

Empowerment Zone Impact Fee Waiver Program for the proposed Multi-family Project (Merritt Homes) located at 1200 N. Tennessee Street with a vote of 6-1-0, Council member Branch voting against.

18-525

Mayor Fuller called for Consider/Discuss/Act on an Ordinance Increasing the Homestead Exemption for Residents Over Age 65 and the Disabled.

Chief Financial Officer Mark Holloway stated that the over 65 Tax Exemption reduces the amount of taxable value eligible homeowners pay. The current exemption is at \$60,000 and equals \$324 in reduced taxes at the current tax rate. For every \$5,000 increase in exemption, eligible homeowners will pay \$27 less in taxes based on the current tax rate and non-eligible homeowners will pay \$3.46 more in taxes at the current tax rate. Mayor Fuller stated in response to citizen comments that Plano is able to have their tax freeze for homeowners over 65 because their tax base is in a better position to provide the exemptions. He stated that in order to better our tax base, McKinney would need to increase the commercial tax base and to do that, we have to make investments today for the benefit of tomorrow. Mayor Fuller stated that when taxes for senior citizens are reduced, it places a burden on the rest of the city population. Mr. Holloway stated that anytime you reduce the tax base, someone will always pay more even if the taxes are only one dollar. Mayor Fuller stated that if you want to do what's best for the community long-term, you make tough decisions that are not always popular. I have one concern which is how to make McKinney an affordable place to live for you, for single parents, working individuals, every part of the community. If we don't make hard decisions to attract business development and have a business tax base, we will never be where we need to be. Council member Philips stated that he thinks it might attract business if we let the world know we value our seniors and when they bring employees here, they have a great place to retire and they will be taken care of. Council member Shemwell stated that living on a fixed income, being poor, being

limited in your resources, it keeps us all one death or emergency away from the Samaritan Inn. Mr. Shemwell stated that his number one priority on Council is to be a voice for the elderly and disabled. It is incumbent of this Council to be more creative and find innovative ways to capture money and not put it on the backs of the seniors. Council member Branch stated he is in favor of a 2% cap on the current exemption. Council member Phillips stated that McKinney should value its senior citizens because they contribute a lot to the community and he is in favor of a senior tax freeze. Council member Shemwell stated he is in favor of a senior tax freeze. Mayor Fuller stated there are other ways to value senior citizens without placing a heavier load on the rest of the City population with a tax freeze. Council approved the motion by Mayor Fuller, seconded by Mayor Pro Tem Rath, to approve an Ordinance increasing the Homestead Exemption for Residents over age 65 and the disabled from \$60,000 to \$65,000 with a vote of 4-3-0, Council members Philips, Branch, and Shemwell voting against. Caption reads as follows:

ORDINANCE NUMBER 2018-06-049

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING SECTION 98-56, "AMOUNT," OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF THE CAPTION THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE

- 18-526** Mayor Fuller called for Consideration/Discussion/Action on an Ordinance Amending the Fiscal Year 2017-2018 Annual Budget and Amending the 2018-2022 Capital Improvements Program, to Provide Funds for the George Webb Park Project. Parks and Recreation Director Mike Kowski stated that the George Webb Park will be the 30th park in the City's park system that is named after George Webb. The park will be an 11 acre park site in the West Ridge subdivision. We have gone through the public input and design process and we are happy to report good numbers came back on the bid and we are here to advance the project. It

is an eight month construction period. Council unanimously approved the motion by Council member Branch, seconded by Council member Shemwell, to approve an Ordinance amending the Fiscal Year 2017-2018 Annual Budget and amending the 2018-2022 Capital Improvements Program, to provide funds for the George Webb Park Project. Caption reads as follows:

ORDINANCE NO. 2018-06-050

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE FISCAL YEAR 2017-2018 ANNUAL BUDGET AND 2018 – 2022 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDS FOR GEORGE WEBB PARK PROJECT

18-527 Mayor Fuller called for Consideration/Discussion/Action on a Resolution Authorizing the City Manager to Execute a Contract with AUI Partners, LLC of Fort Worth, Texas, for the Construction of the George Webb Park Project Located at 10450 Millbend Drive. Parks and Recreation Director Mike Kowski stated that this item is for the construction contract for the George Webb Park. Council unanimously approved the motion by Council member Elliott, seconded by Council member Shemwell, to approve a Resolution authorizing the City Manager to execute a contract with AUI Partners, LLC of Fort Worth, Texas, for the construction of the George Webb Park Project located at 10450 Millbend Drive. Caption reads as follows:

RESOLUTION NO. 2018-06-081 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH AUI PARTNERS, LLC OF FORT WORTH, TEXAS, FOR THE CONSTRUCTION OF THE GEORGE WEBB PARK PROJECT

Mayor Fuller called for Council and Manager Comments.

Council member Philips stated that he stopped by the St. Mark's Church this weekend and he enjoyed being there. The Church members gave me a nice Father's Day present. Mr. Philips thanked everyone at St. Mark's Church and Pastor Wattley for making me feel so special.

Council member Elliott apologized and corrected his previous math calculation regarding the tax exemption. By my corrected calculations, it would take a two cent overall reduction in the tax rate to protect our seniors for the year and to protect everybody to some degree. Obviously, I would be in favor of having those discussions about the way to protect the seniors and the folks in the City. Mr. Elliott stated that we are in the home stretch regarding the interview process and selection process for the MEDC president. Mr. Elliott thanked MEDC Chairman Jason Burress and the rest of the board for all the hard work they have done and the many hours they have put in with regards to not only the process but the interviews. I am excited about the candidates and what the future holds.

Council member Rogers reminded everyone that anyone interested in applying to serve on one of the City's Boards or Commissions that you have until Friday to put in the application. If you would like to serve, go on to the City's website and apply online or download the application and submit it by this Friday. We appreciate all those that serve on the boards and are grateful for the citizens who are engaged in the City.

Council member Shemwell stated that today is June 19th and that means it is 153 years ago the emancipation of slaves. Mr. Shemwell expressed his thanks to the elders that came before us and paved the way for us to be free today. I look forward to the City holding more cultural events next year. Thank you to all of those who have come before us and allow us the freedoms we have today and allow me to be on Council.

Council member Branch did not have any comments.

Mayor Pro Tem Rath thanked her fellow Council members for their vote of confidence on electing her to be Mayor Pro Tem and to serve the City in that capacity for the next year.

Mayor Fuller echoed Council member Elliott's comments regarding the search for the next MEDC President. They have conducted a lot of interviews and today was the final round today. They will be pursuing a particular candidate and if all goes well, we will have a fantastic President to go with a great team.

City Manager Grimes stated that the City encourages members of the public to contribute their time and talent by participating on a board or commission. It's a great

way to get involved and the deadline to submit applications is June 22nd. McKinney Red White and Boom will take place on July 4th and includes free family activities beginning with a parade through downtown followed by live entertainment and fireworks in the evening. Families can explore many dining and shopping options that downtown has to offer and you can get more information on McKinneytexas.org. To the Council and public, there will be no Work Session on June 25th or July 2nd or a City Council meeting on July 3rd. This is the summer break and our next meetings will be on July 16th and July 17th.

Council unanimously approved the motion by Council member Elliott, seconded by Council member Philips, to adjourn. Mayor Fuller adjourned the meeting at 7:11 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary