

CITY COUNCIL REGULAR MEETING

FEBRUARY 21, 2023

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, February 21, 2023 at 6:00 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 <https://mckinneytx.new.swagit.com/views/130>. The video recording is available to members of the public through the City of McKinney meetings archive.

Mayor George Fuller called the meeting to order at 6:06 p.m. upon determining a quorum of the City Council consisting of himself and the following members were present: Mayor Pro Tem Rainey Rogers, and Members Justin Beller, Geré Feltus, Rick Franklin, Charlie Philips, and Patrick Cloutier.

These City Staff were present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, Assistant City Manager Steve Shelton, City Attorney Mark Houser, City Secretary Empress Drane, Director of Strategic Services Trevor Minyard, Director of McKinney National Airport Kenneth Carley, Airport Fixed Base Operator (FBO) General Manager Andrew Griffin, Transportation Engineering Manager Thuan Huynh, Civil Engineer Robyn Root, Civil Engineer Brook Retta.

There were approximately fifty (50) members of the public present in the audience including these representatives of Scout Troop 123: Webelos II Bradley King, Boys Scout Breck Shannon, 1st Class Scout Jessica Taylor, 1st Class Scout Bella Green, Life Scout Kyler Woods, Scout Master Connie Woods, Scout Parents Jeff Shannon, Barbara King, and James Taylor, and Scout Sibling Elias Taylor; Board of Adjustment Member Mikhail Tutson; Capital Improvement Advisory Committee (CIAC) Member Steve Wilson; and McKinney Economic Development Corporation (MEDC) Alternate Member Mohamed Kacem.

Mayor Fuller called for the Invocation given by Lieutenant Cristina Drozdovschi, of The Salvation Army; and the Pledge of Allegiance led by Scout Troop 123.

Lieutenant Cristina Drozdovschi provided an update on the Salvation Army Red Kettle Campaign and presented Mayor Fuller with a certificate for winning the competition among area mayors to raise money for the campaign and for helping inspire a significant increase in the total funds raised by the Salvation Army. A copy of the certificate is included in these minutes as *Appendix A: Mayor's Certificate*

Mayor Fuller called for Public Comments.

Calvin Maxwell Jr., 409 Carver Street, McKinney TX 75069 recited a history of E.S. Doty, the namesake of the city's historic Doty School, in recognition of Black History Month.

Lee Breckenridge-Moore, 1840 Hammerly Drive, Fairview TX 75069, spoke regarding agenda item #23-0118 (Elections Contract) in opposition to conducting a bond election related to the city airport.

Daniel Porzio, 5500 McKinney Place Dr, McKinney TX 75070 expressed support for airport development with the expectation of ample input by community members.

Mayor Fuller called for the Consent Agenda.

Council unanimously approved the motion by Council member Rick Franklin, seconded by Mayor Pro Tem Rainey Rogers, approve the full Consent Agenda:

- 23-0110** Minutes of the City Council Work Session of February 7, 2023
- 23-0111** Minutes of the City Council Regular Meeting of February 7, 2023
- 22-1201** Minutes of the McKinney Arts Commission of November 17, 2022
- 22-1195** Minutes of the McKinney Main Street Board Meeting of December 8, 2022
- 23-0027** Minutes of the Planning and Zoning Commission Regular Meeting of January 10, 2023
- 23-0071** Minutes of the Planning and Zoning Commission Regular Meeting of January 24, 2023
- 23-0029** Minutes of the Visit McKinney Board Meeting of November 29, 2022
- 23-0112** Consider/Discuss/Act on an Ordinance to Change Rates/Fees for City Services

Ordinance caption reads as follows:

ORDINANCE NO. 2023-02-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, RELATING TO FEES, BY AMENDING APPENDIX A SCHEDULE OF FEES, IN PART, BY AMENDING SECTIONS 30-71, 30-86, 30-175, AND 30-205; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

23-0114 Consider/Discuss/Act on an Ordinance to Modify the Speed Limit along Virginia Parkway from 100 west of Jordan Road to a Point 1200 feet west of Hardin Boulevard within McKinney and Modify Section of 62-177 of The Code of Ordinances by Adding Roadways

Ordinance caption reads as follows:

ORDINANCE NO. 2023-02-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS TO MODIFY THE SPEED LIMIT ALONG VIRGINIA PARKWAY FROM 100 FEET WEST OF JORDAN ROAD TO A POINT 1200 FEET WEST OF HARDIN BOUEVARD WITHIN MCKINNEY AND MODIFY SECTION 62-117 OF THE CODE OF ORDIANCES BY ADDING ROADWAYS IN MCKINNEY, TEXAS; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF

23-0115 Consider/Discuss/Act on a Resolution Adopting the Budget Policies and Guidelines for Fiscal Year 2023-24

Resolution caption reads as follows:

RESOLUTION NO. 2023-02-023 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ADOPTION OF BUDGET GUIDELINES FOR FISCAL YEAR 2023-24

23-0116 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Archer Western Construction, LLC for the University Pump Station No. 1 - Variable Frequency Drive (VFD) Replacement Project

Resolution caption reads as follows:

RESOLUTION NO. 2023-02-024 (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 \$969,000 WITH ARCHER WESTERN CONSTRUCTION, LLC FOR THE UNIVERSITY PUMP STATION NO. 1 – VARIABLE FREQUENCY DRIVE (VFD) REPLACEMENT PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$1,065,000

- 23-0117** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and Authorize Any Supplemental Agreements with Freese and Nichols, Inc. for Consulting Engineering Services for the Chestnut Tank Improvements Project

Resolution caption reads as follows:

RESOLUTION NO. 2023-02-025 (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 \$420,383 WITH FREESE AND NICHOLS, INC. FOR CONSULTING ENGINEERING SERVICES FOR THE CHESTNUT TANK IMPROVEMENTS PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$465,000

- 23-0118** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Collin County Elections Administration to Conduct the May 6, 2023 General Election and Special Bond Election and Authorizing a Joint Election Agreement with McKinney Independent School District, Collin College, and the Various Other Joint Election Participants

Resolution caption reads as follows:

RESOLUTION NO. 2023-02-026 (R)

A RESOLUTION AUTHORIZING A CONTRACT WITH COLLIN COUNTY ELECTIONS ADMINISTRATOR TO CONDUCT THE MAY 6, 2023 ELECTION AND AUTHORIZING A JOINT ELECTION AGREEMENT BETWEEN THE CITY OF MCKINNEY, MCKINNEY INDEPENDENT SCHOOL DISTRICT, COLLIN COLLEGE, AND VARIOUS OTHER JOINT ELECTION PARTICIPANTS UNDER CONTRACT WITH COLLIN COUNTY ELECTIONS ADMINSTRATOR

- 23-0119** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Kimley-Horn and Associates, Inc. for Engineering Services for the SH 5 Utility Relocations Phase 2 Project and Any Necessary Supplemental Agreements

Resolution caption reads as follows:

RESOLUTION NO. 2023-02-027 (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 \$1,464,300 WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE SH 5 UTILITY RELOCATIONS PHASE 2 PROJECT (WA2266 AND WW2266), FOR A TOTAL

AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$1,685,000

- 23-0120** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Lee Engineering, LLC. to Provide Consulting Engineering Services for the TR2313 Redbud Boulevard Illumination Improvements and Authorizing Any Supplemental Agreements

Resolution caption reads as follows:

RESOLUTION NO. 2023-2-028 (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 \$187,740 WITH LEE ENGINEERING, LLC. FOR CONSULTING ENGINEERING SERVICES FOR THE TR2313 REDBUD BOULEVARD ILLUMINATION IMPROVEMENTS AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$200,000

- 23-0121** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Facilities Agreement for Lots 1 and 2, Block A, McKinney Bluff Addition, Located in the Extraterritorial Jurisdiction (ETJ) of McKinney, Texas, that is Situated on Farm to Market Road 1827 approximately 600 Linear Feet north of Surrey Estates Road.

Resolution caption reads as follows:

RESOLUTION NO. 2023-02-029 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A FACILITIES AGREEMENT FOR MCKINNEY BLUFF ADDITION, LOTS 1 AND 2, BLOCK A, LOCATED IN THE ETJ OF MCKINNEY ON FARM TO MARKET ROAD 1827 APPROXIMATELY 600 LINEAR FEET NORTH OF SURREY ESTATES ROAD

- 23-0122** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Kimley-Horn and Associates, Inc. for Professional Engineering Design Services for the Wilmeth Road (Lake Forest Drive to Hardin Boulevard) Project

Resolution caption reads as follows:

RESOLUTION NO. 2023-02-030 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE WILMETH ROAD (LAKE FOREST DRIVE TO HARDIN BOULEVARD) PROJECT FOR AN INCREASE IN THE NOT TO

EXCEED FEE FROM \$2,265,000 TO A TOTAL AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY ADDITIONAL SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$2,335,000

- 23-0123** Consider/Discuss/Act on the Acceptance of the Annual Comprehensive Financial Report (ACFR) and the Federal/State Single Audit Reports for the Fiscal Year Ended September 30, 2022

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

- 22-0022SUP4** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Telecommunications Tower Uses, Located on the South Side of Collin McKinney Parkway and Approximately 1,250 Feet East of Piper Glen Road, and Accompanying Ordinance

Director of Planning Jennifer Arnold stated this case was the first of its kind under the new Unified Development Code providing an easier process than in the past.

Mark Walsh, 6850 TPC Dr. Ste. 210, McKinney TX 75070 spoke in support of approving the item to provide better cell phone and internet service for residents and businesses in the impacted area.

Jay Grogan, 2808 Fairmount, Dallas TX 75201, spoke on behalf of the Salesmanship Club in support of the item to provide better cell phone and internet service in the area of the Byron Nelson Golf Tournament.

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Geré Feltus, to close the public hearing and approve a Specific Use Permit to Allow for Telecommunications Tower Uses, Located on the South Side of Collin McKinney Parkway and Approximately 1,250 Feet East of Piper Glen Road, and Accompanying Ordinance.

Ordinance caption reads as follows:

ORDINANCE NO. 2023-02-012

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 TELECOMMUNICATIONS TOWER, HIGH RISE, LOCATED ON THE SOUTH SIDE OF COLLIN MCKINNEY PARKWAY AND APPROXIMATELY 1,250 FEET EAST OF PIPER GLEN ROAD; PROVIDING REGULATIONS; 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

23-0124 Consider/Discuss/Act on an Ordinance to Designate a Name for the Unnamed Arterial 5 Roadway that will Ultimately Extend from Custer Road (FM 2478), Adjacent to Aster Park, and Continuing East of Trinity Falls Parkway

The motion by Council member Charlie Philips, seconded by Mayor George Fuller, to Name the Arterial 5 Roadway "Rainstin" failed with Council Members Justin Beller, Patrick Cloutier, and Rick Franklin voting against, and Mayor Pro Tem Rainey Rogers abstaining from the vote.

The motion by Council member Patrick Cloutier, seconded by Council member Rick Franklin, to Name for the Arterial 5 Roadway "Tallgrass" failed, with Mayor George Fuller, Mayor Pro Tem Rainey Rogers, and Council Members Geré Feltus and Charlie Philips voting against.

Council unanimously approved the motion by Mayor George Fuller, seconded by Council member Patrick Cloutier, to table the item indefinitely. The Council reached consensus on forming a committee to evaluate other options. The committee will include Mayor Pro Tem Rogers, Council Member Feltus, and CIAC Member Steve Wilson who lives near the subject area.

The corrected location map for this item is included in these minutes as *Appendix B: Arterial 5 Roadway Location Map*.

23-0058 Consider/Discuss/Act on Appointing a Member to the McKinney Economic Development Corporation (MEDC) Board of Directors

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council member Patrick Cloutier, to promote Alternate Member Mohamed Kacem to a Regular Member of the MEDC Board. Mr. Kacem will serve a partial term effective this date until September 30, 2023.

The Council will consider an item on March 7, 2023 to appoint a new Alternate Member to the MEDC Board.

23-0059 Consider/Discuss/Act on Appointing a Member to the North Texas Municipal Water District (NTMWD) Board of Directors

Council unanimously approved the motion by Mayor George Fuller, seconded by Council member Charlie Philips, to appoint Don Paschal to the North Texas

Municipal Water District (NTMWD) Board of Directors. Mr. Paschal will serve a partial term effective this date until May 31, 2024.

Mayor Fuller called for Council and Manager Comments.

Council Member Feltus thanked the McKinney History Month Program committee for their work on the various events throughout the month of February and encouraged everyone to attend the final event featuring the first Black Mayor of Dallas Ron Kirk. The event will be Thursday, February 23, 5:00 p.m. at the Sheraton Hotel.

Mayor Pro Tem Rainey Rogers spoke regarding the airport bond reminding the public that a bond committee consisting of dozens of community members engaged in several public meetings and information presentations to learn about the aspects of commercial airport development and a potential bond which all members of the public were invited to attend.

Council Member Beller thanked Council Member Feltus for the Black History Month Program; thanked the Parks department for hosting the annual Trout Derby allowing families to partake in the event; acknowledged and congratulated St. James CME Church which is celebrating its 150th year in the McKinney community and for the recent special service held at the church in conjunction with Black History Month.

Council Member Cloutier thanked the Black History Month committee for the guest speaker Lecture Series which enabled him to meet his favorite athlete Emmitt Smith. Council Member Cloutier expressed condolences for the recent passing of community leaders Mike Foster who was a manager at Market Street before returning to Lubbock last year. Mr. Foster was a Leadership McKinney graduate and served on the Chamber of Commerce and Volunteer McKinney boards.

Council Member Philips stated the McKinney North High School Girls, McKinney High School Boys, and McKinney North High School Boys varsity basketball teams would be participating in the state playoff tournaments.

City Manager Grimes announced that a variety of Spring Break camps will be offered through the city recreation centers and encouraged the public to register for activities.

Mayor Fuller commended the McKinney Black History Month Program for providing education and fun events that are important to the community and

acknowledged the hard work of Council Member Feltus. Mayor Fuller encouraged the public to engage in the public discourse and equip themselves with factual data from reputable sources which is easily available to everyone. Mayor Fuller acknowledged and thanked CIAC Member Steve Smith for attending meetings, being actively engaged in the community, and for his willingness to serve on the Roadway Naming Committee.

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council member Geré Feltus, to adjourn the meeting at 6:45 p.m.

These minutes were approved by the City Council on March 7, 2023.

SIGNED:

GEORGE C. FULLER, Mayor

ATTEST:

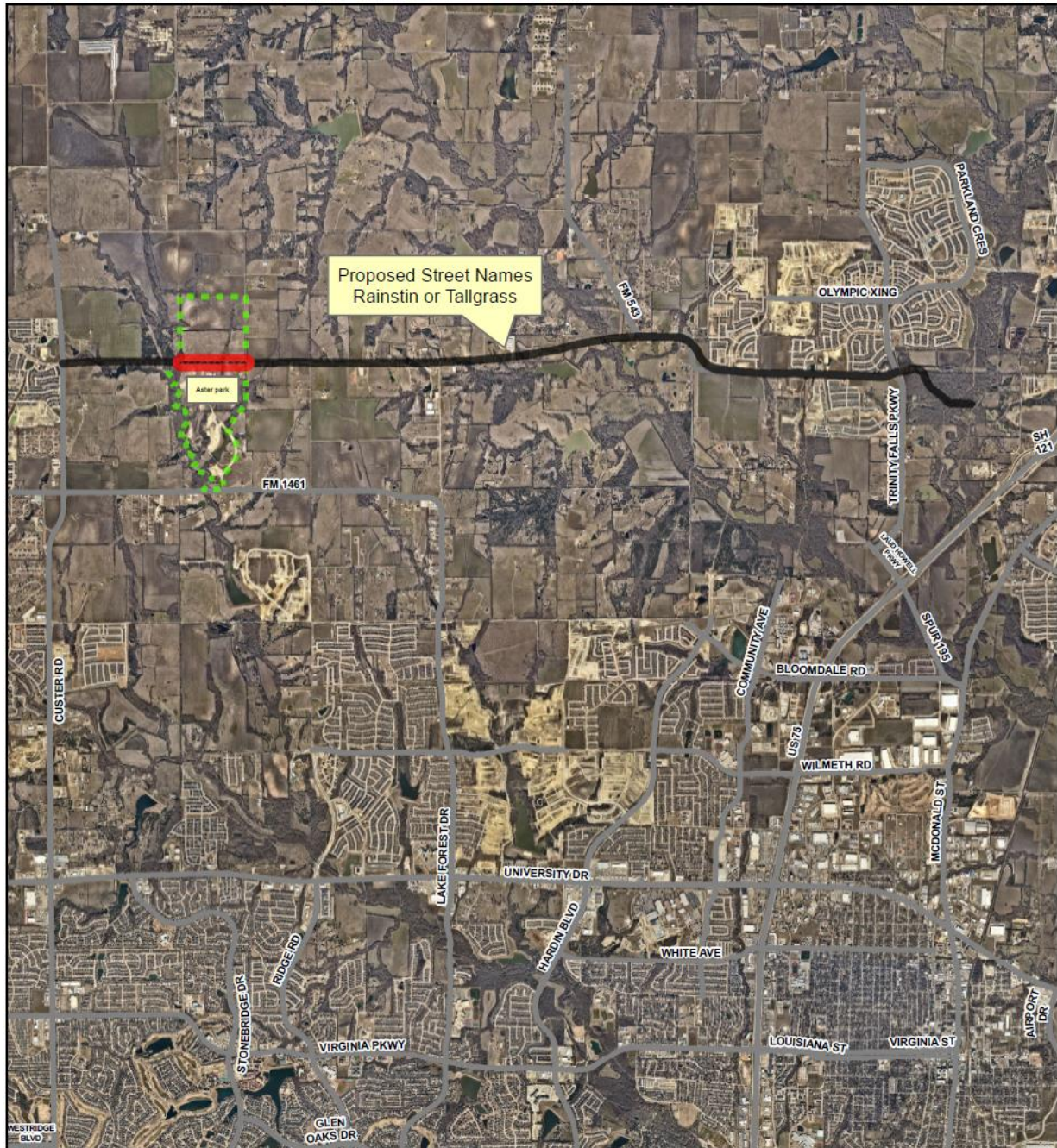
EMPRESS DRANE, City Secretary

City of McKinney, Texas

Appendix A: Mayor's Certificate



Appendix B: Arterial 5 Roadway Location Map

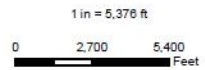


CR 168 Proposed Street Names Rainstin or Tallgrass

Source: City of McKinney GIS
Date: 2/21/2023



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.



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