

## **CITY COUNCIL REGULAR MEETING**

**APRIL 2, 2019**

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 April 2, 2019 at 6:00 p.m.

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

Council Member Chuck Branch was absent.

City of McKinney Staff Present: City Manager Paul Grimes, Deputy City Manager Jose Madrigal, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, Assistant to the City Manager Trevor Minyard, City Attorney Mark Houser, Director of Planning Jennifer Arnold, Planning Manager Samantha Pickett, Assistant Director of Public Works Paul Sparkman, Police Officer Bruno Siqueira, City Secretary Intern Cayla Simpson, and City Secretary Empress Drane.

Mayor Fuller called the meeting to order at 6:00 p.m. upon determining a quorum of the Council was present; then called for the Invocation and the Pledge of Allegiance.

The Invocation given by Bruce B. Miller, Senior Pastor at Christ Fellowship.

The Pledge of Allegiance was led by the 1<sup>st</sup> Robotics Club 6369 of McKinney: Vernon Gomez, Kristie Talley, Madeleine Mott, John Salazar, Angelo Cervantes and Eli Harden, and team coaches Mary Mobley and Jason Bolen.

After the Pledge, the robotics team provided a demonstration of a competition robot and shared information about the group, which is comprised of students for all three McKinney high schools and one home school student. The team participates in several competitions, has social media presence on multiple platforms including Instagram, Facebook, YouTube, and encourages new members to join them. Sponsors for the team include Raytheon, Emerson, Texas Instruments, BestBuy and the Camozzi Group.

Mayor Fuller called for Citizen Comments.

Rob Daake, 14755 Preston Rd Suite 600, Dallas 75254, spoke in support of the construction of a bypass to US Highway 380.

Shannon McLinden, 8797 CR 858, McKinney 75071, spoke in opposition to the construction of a bypass to US Highway 380.

Paul Ballesteros, 6508 Marvin Gardens, McKinney 75070, invited the community to support the efforts of Emmanuel Labor, a local non-profit organization working to address the issue of increasing homelessness in McKinney.

Steven Spainhouer, 4690 W Eldorado, McKinney 75072, requested the Council to establish a taskforce including all community stakeholders to address the issue of homelessness in McKinney.

Lance Olinski 2723 Stonepointe, McKinney 75072, requested Council the opportunity to work with the City toward compliance for allowing Streetside Showers to offer showers to individuals in need, especially the homeless.

Mayor Fuller offered his email address and requested both Mr. Ballesteros and Mr. Olinski concerning the issues on which they spoke, and the Mayor noted Mr. Spainhouer already knew how to reach him.

Mayor Fuller called for action on the Consent agenda items.

At the request of Council Member Shemwell, item #19-0283 was removed from the Consent agenda for individual discussion.

Council unanimously approved the motion by Mayor Pro Tem Rath, seconded by Council member Scott Elliott, to approve the following Consent agenda:

- 19-0209** Minutes of the Board of Adjustment Meeting of February 27, 2019
- 19-0200** Minutes of the Building and Standard Commission Meeting of December 10, 2018
- 19-0277** Minutes of the City Council Regular Meeting of March 19, 2019
- 19-0278** Minutes of the City Council Work Session of March 19, 2019
- 19-0246** Minutes of the Library Advisory Board Meeting of February 21, 2019.
- 19-0225** Minutes of the McKinney Economic Development Corporation Meeting of February 19, 2019
- 19-0211** Minutes of the Planning and Zoning Commission Regular Meeting of February 26, 2019
- 19-0279** Consider/Discuss/Act on an Ordinance to Approve the Selected Name of

Telephone Road for the Arterial Road that will Ultimately Extend East of U.S. 75 Southward, Adjacent to Willow Wood Estates, and Continuing South of Harry McKillop Boulevard (FM 546). Ordinance caption reads as follows:

**ORDINANCE NO. 2019-04-020**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS TO APPROVE THE SELECTED NAME OF TELEPHONE ROAD FOR THE ARTERIAL ROAD WHICH WILL ULTIMATELY EXTEND SOUTHWARD FROM EAST OF U.S. 75 TO A POINT SOUTH OF HARRY MCKILLOP BOUEVARD IN MCKINNEY, TEXAS; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF**

- 19-0280** Consider/Discuss/Act on an Ordinance Amending Section 62-117 of the Code of Ordinances to Establish a Speed Limit along Telephone Road from McDonald Street (SH 5) to Parkdale Drive. Ordinance caption reads as follows:

**ORDINANCE NO. 2019-04-021**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING SECTION 62-117 OF THE CODE OF ORDINANCES TO ESTABLISH A SPEED LIMIT ON TELEPHONE ROAD FROM McDONALD STREET (SH 5) TO PARKDALE 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**

- 19-0281** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with HQS Construction, LLC for the Construction of the Accessibility Improvements Eastside Phase I Project (ST1649). Resolution caption reads as follows:

**RESOLUTION NO. 2019-04-037 (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 \$2,057,959.50 WITH HQS CONSTRUCTION, LLC, FOR THE CONSTRUCTION OF ACCESSIBILITY IMPROVEMENTS EASTSIDE PHASE I PROJECT (ST1649) AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$2,250,000**

- 19-0282** Consider/Discuss/Act on a Resolution Authorizing the City Manager to

Execute Certain Contracts and Agreements Necessary to Implement the Erosion Repair Project at the McKinney National Airport; and Providing an Effective Date. Resolution caption reads as follows:

**RESOLUTION NO. 2019-04-038 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE CERTAIN CONTRACTS AND AGREEMENTS NECESSARY TO IMPLEMENT THE EROSION REPAIR PROJECT AT THE MCKINNEY NATIONAL AIRPORT; AND PROVIDING AN EFFECTIVE DATE**

**19-0284** Consider/Discuss/Act on a Resolution Approving an Amended and Restated Chapter 380 Economic Development Agreement by and between the City of McKinney, Texas and McKinney HUB 121, LLC. Resolution caption reads as follows:

**RESOLUTION NO. 2019-04-040 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED AND RESTATED CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AND AGREEMENT WITH MCKINNEY HUB 121, LLC**

Mayor Fuller called for the following item pulled from the Consent agenda:

**19-0283** Consider/Discuss/Act on a Resolution Awarding a Contract to Coast to Coast of Bonham, Texas for the Mowing and Cleanup Services for Water and Wastewater Locations. Assistant Director of Public Works Paul Sparkman stated the vendor was selected despite not being the lowest bidder, due to its relative cost and quality of service on a separate city contract.

Council unanimously approved the motion by Council Member Shemwell, seconded by Mayor Pro Tem Rath, to approve a Resolution Awarding a Contract to Coast to Coast of Bonham, Texas for the Mowing and Cleanup Services for Water and Wastewater Locations. Resolution reads as follows:

**RESOLUTION NO. 2019-04-039 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO COAST TO COAST OF BONHAM, TEXAS FOR THE MOWING AND CLEANUP SERVICES FOR WATER AND WASTEWATER LOCATIONS**

Mayor Fuller called for the following regular agenda items:

**18-0014M2** Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Chapter 146 (Zoning Regulations), Appendix G (MTC - McKinney Town Center Zoning District) of the Code of Ordinances, and Accompanying Ordinance.

Planning Manager Samantha Pickett stated the amendment is part of the City Council strategic goals, allows for staff level variance approvals, and supports applicants' understanding of requirements according to the character district of the project location.

Council unanimously approved the motion by Mayor Pro Tem Rath, seconded by Council Member Shemwell, to close the public hearing and approve a Request by the City of McKinney to Amend Chapter 146 (Zoning Regulations), Appendix G (MTC - McKinney Town Center Zoning District) of the Code of Ordinances, and Accompanying Ordinance. Ordinance caption reads as follows:

**ORDINANCE NO. 2019-04-022**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING APPENDIX G (MTC – MCKINNEY TOWN CENTER ZONING DISTRICT) OF THE ZONING REGULATIONS; ESTABLISHING PRESUMPTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**19-0285** Consider/Discuss/Act on the Appointment of a New Member to the Historic Preservation Advisory Board (HPAB)

The following individuals were nominated: Carl Smith (by Council Member Shemwell) and Christopher Tovar (by Council Member Elliott).

After discussion of qualifications of both nominee and polling of Council members, Council unanimously approved the motion by Council Member Rogers, seconded by Council Member Shemwell, to approve the appointment of Carl Smith as a New Member to the Historic Preservation Advisory Board (HPAB). Mr. Smith will serve a partial term expiring September 30, 2020.

Mayor Fuller again called for Citizen Comments. There were no other requests to speak to Council.

Mayor Fuller called for Council and Manager Comments.

Council Member Shemwell recognized a homeless individual named Gary who recently passed away and the many citizens of McKinney who offered him assistance; acknowledged different people are homeless for different reasons.

City Manager Paul Grimes mentioned the recent hail storm and announced the city Outdoor Warning Siren System serves to notify people of potential hazards beyond just tornadoes; warned of potential issues related to door-to-door solicitors of home repair work after the storms and reminded residents that ask to see the required city-issued permit. All roofing projects also require a permit visible from the street. Mr. Grimes encouraged everyone to use the city website for additional information.

Mayor Fuller, Mayor Pro Tem Rath and Council Members Philips, Elliott, and Rogers had no comments.

There was no Executive session.

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Scott Elliott, to adjourn. Mayor Fuller adjourned the meeting at 6:52 p.m.

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GEORGE C. FULLER  
Mayor

ATTEST:

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EMPRESS DRANE  
City Secretary