

CITY COUNCIL REGULAR MEETING

AUGUST 3, 2015

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on August 3, 2015 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro Tem Travis Ussery, Council members: Chuck Branch, Don Day, Randy P. Pogue, Tracy Rath, and Rainey Rogers.

Staff Present: Interim City Manager Tom Muehlenbeck; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Interim Assistant to the City Manager Chandler Merritt; Interim Planning Director Brian Lockley; Chief Financial Officer Rodney Rhoades; Assistant Director of Development Services Rick Leisner; Executive Director of Development Services Michael Quint; Director of Engineering Mark Hines; Director of Public Works Chris Browning; Assistant Director of Public Works Paul Sparkman; McKinney Community Development Corporation President Cindy Schneible; Airport Executive Director Ken Wiegand; IT Service Desk Supervisor Amy Greer; Planning - Brandon Opiela, Jennifer Arnold, and Steven Doss; Police Officer Andrew LeFevre; Community Services Administrator Shirletta Best; and Assistant Airport Director Mark Jaraczewski.

There were approximately 40 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Senior Pastor Tommy Brumett, First United Methodist Church of McKinney. Boy Scout Troops 406 and 303 led the Pledge of Allegiance.

15-736 National Night Out Proclamation. Mayor Loughmiller read the August 4, 2015 National Night Out Proclamation.

Mayor Loughmiller called for Citizen Comments.

Ms. Laura Richardson, 1306 Sherman, McKinney spoke about keeping the Mounted Patrol.

Mayor Loughmiller recessed the meeting into executive session at 6:10 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 551.074 Personnel Matters, and Section 551.087 Discuss Economic Development Matter as listed on the posted agenda. Mayor Loughmiller recessed to the open session at 6:27 p.m.

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

- 15-737** Minutes of the City Council Work Session of July 20, 2015
- 15-738** Minutes of the City Council Regular Meeting of July 21, 2015
- 15-739** Minutes of the City Council Work Session of July 27, 2015
- 15-656** Minutes of the Board of Adjustment Special Meeting of May 6, 2015
- 15-660** Minutes of the Library Advisory Board Meeting of May 21, 2015
- 15-652** Minutes of the McKinney Airport Development Corporation Meeting of May 21, 2015
- 15-635** Minutes of the McKinney Arts Commission Meeting of April 16, 2015
- 15-703** Minutes of the McKinney Community Development Corporation Special Meeting on June 18, 2015
- 15-705** Minutes of the McKinney Community Development Corporation Meeting on June 25, 2015
- 15-692** Minutes of the McKinney Economic Development Corporation Meeting on June 16, 2015
- 15-693** Minutes of the McKinney Economic Development Corporation Meeting on June 23, 2015
- 15-657** Minutes of the Planning and Zoning Commission Work Session of June 23, 2015
- 15-658** Minutes of the Planning and Zoning Commission Regular Meeting of June 23, 2015
- 14-331SU4** Consider/Discuss/Act on a Specific Use Permit Extension for a Restaurant with Drive-Through Window, Located on the South Side of Eldorado Parkway and Approximately 220 Feet East of Ridge Road

14-332SU4 Consider/Discuss/Act on a Specific Use Permit Extension for a Restaurant with Drive-Through Window, Located on the South Side of Eldorado Parkway and Approximately 550 Feet East of Ridge Road

14-333SU4 Consider/Discuss/Act on a Specific Use Permit Extension for a Restaurant with Drive-Through Window, Located on the South Side of Eldorado Parkway and Approximately 700 Feet East of Ridge Road

END OF CONSENT

15-742 Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Sale of Four Parcels of Land to the Texas Transportation Commission for the Construction of the State's FM 546 Project, Which Land Contains 2.656 Acres of Land in the S. McFarland Survey, Abstract No. 558, and the W.S. Richardson Survey, Abstract No. 747 (collectively "Parcel 2"), 4.812 Acres of Land in the S. McFarland Survey, Abstract No. 558 ("Parcel 4"), and 0.166 Acres and 0.164 Acres of Land Situated in the G. Pilant Survey, Abstract No. 69 ("Parcel 13" and "Parcel 14," Respectively), Totaling Approximately 7.798 Acres of Land Generally Located East of Highway 5 and South of Mill Street Continuing Southeasterly to Country Lane/Airport Drive; and Authorizing the Interim City Manager to Execute Deeds and Documents Regarding the Sale of Said City-Owned Property to the State of Texas. Director of Engineering Mark Hines stated that this item approves the sale of four parcels of land to TxDOT for right-of-way for FM 546. The total price for the four tracts is approximately \$531,000. TxDOT is in the process of acquiring the balance of the land for the project. Council unanimously approved the motion by Council member Day, seconded by Council member Pogue, to approve a Resolution authorizing the sale of four parcels of land to the Texas Transportation Commission for the construction of the State's FM 546 Project, which land contains 2.656 acres of land in the S. McFarland

Survey, Abstract No. 558, and the W.S. Richardson Survey, Abstract No. 747 (collectively "Parcel 2"), 4.812 acres of land in the S. McFarland Survey, Abstract No. 558 ("Parcel 4"), and 0.166 acres and 0.164 acres of land situated in the G. Pilant Survey, Abstract No. 69 ("parcel 13" and "parcel 14," respectively), totaling approximately 7.798 acres of land generally located east of Highway 5 and south of Mill Street continuing southeasterly to Country Lane/Airport Drive; and authorizing the Interim City Manager to execute deeds and documents regarding the sale of said City-owned property to the State of Texas. Caption reads as follows:

RESOLUTION NO. 2015-08-084 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE SALE OF FOUR PARCELS OF LAND TO THE TEXAS TRANSPORTATION COMMISSION FOR THE CONSTRUCTION OF THE STATE'S FM 546 PROJECT, WHICH LAND CONTAINS 2.656 ACRES OF LAND IN THE S. MCFARLAND SURVEY, ABSTRACT NO. 558, AND THE W.S. RICHARDSON SURVEY, ABSTRACT NO. 747 ("PARCEL 2"), 4.812 ACRES OF LAND IN THE S. MCFARLAND SURVEY, ABSTRACT NO. 558 ("PARCEL 4"), AND 0.166 ACRES AND 0.164 ACRES OF LAND SITUATED IN THE G. PILANT SURVEY, ABSTRACT NO. 69 ("PARCEL 13" AND "PARCEL 14," RESPECTIVELY), TOTALING APPROXIMATELY 7.798 ACRES OF LAND GENERALLY LOCATED EAST OF HIGHWAY 5 AND SOUTH OF MILL STREET CONTINUING SOUTHEASTERLY TO COUNTRY LANE/AIRPORT DRIVE; AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE DEEDS AND DOCUMENTS REGARDING THE SALE OF SAID CITY-OWNED PROPERTY TO THE STATE OF TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 15-743** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Resolution Approving the 2015-2019 Community Development Block Grant Consolidated Plan and the 2015-16 Annual Action Plan. Community Services Administrator Shirletta Best stated that the consolidated plan is a planning document to help make decisions for investments for low to moderate income families, individuals, and the benefit of quality of life for our City. The plan is carried out through an annual action plan which is a summary of eligible activities under our CDBG process and programs. The City works throughout the year to engage organizations, residents, and other stakeholders to find priorities

within the process. Each year, the City reports on the CDBG process goals as well as the funding resources through the CAFR, which is held annually at the end of the year. Ms. Best presented the list of organizations that the Community Grants Advisory Commission had recommended for CDBG funding during the first year, which starts October 1st. This concludes the process for the consolidated plan as well as the annual action plan that will take effect October 1st, the same fiscal year as the City. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Day, to close the public hearing and approve a Resolution approving the 2015-2019 Community Development Block Grant Consolidated Plan and the 2015-16 Annual Action Plan. Caption reads as follows:

RESOLUTION NO. 2015-08-085 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE 2015-2019 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN AND 2015-2016 ACTION PLAN, AND PROVIDING AN EFFECTIVE DATE

15-128PF Mayor Loughmiller called for a public hearing to Consider/Discuss/Act on a Preliminary-Final Plat for 301 Single Family Residential Lots and 14 Common Areas (Auburn Hills, Phase 5), Located on the North Side of U.S. Highway 380 (University Drive), South Side of Wilmeth Road and East of County Road 160. Mayor stated that no action was necessary this evening. The item was previously approved at the July 21, 2015 meeting.

15-161SU2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Private Club (The Pub), Located at 204 W. Virginia Street, and Accompanying Ordinance. Executive Director of Development Services Michael Quint stated the applicant is requesting approval of a Specific Use Permit for a private club located at 204 W. Virginia Street, also known as The Pub. Staff has evaluated the

request, has no concerns, and is recommending approval. Mr. Quint stated that prior to the meeting tonight, Staff modified the proposed Ordinance to state that the owner of the business is Jennifer Locke. The Specific Use Permit is tied to the owner and not the business and therefore is non-transferrable. Applicant, Mr. Matt Locke, 5000 Eldorado Parkway, Suite 150, Frisco, stated he is requesting approval of the Specific Use Permit in order to operate as a private club. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Day, seconded by Council member Pogue, to close the public hearing and approve an Ordinance granting a Specific Use Permit to Jennifer Locke for a Private Club (The Pub), located at 204 W. Virginia Street. Caption reads as follows:

ORDINANCE NO. 2015-08-074

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 PUB), LOCATED AT 204 W. VIRGINIA 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

15-159Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Stonebridge Drive and U.S. Highway 380 (University Drive), and Accompanying Ordinance. Executive Director of Development Services Michael Quint stated the applicant is requesting to rezone the property to the C2 Local Commercial District generally to modify or eliminate the land plan that is currently tied to a governing PD district. Staff has evaluated this request and is recommending approval. Mayor Loughmiller called for public

comments and there were none. Applicant, Mr. Matt Boer, Claymore Engineering, 1903 Central Drive, Bedford, stated the request is to remove the old PD plan so that they can have more flexibility to move forward. The plan for the property is a mixed retail-office similar to the previous PD plan but with a different configuration. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Pogue, seconded by Council member Branch, to close the public hearing and approve an Ordinance rezoning the subject property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, located on the southeast corner of Stonebridge Drive and U.S. Highway 380 (University Drive). Caption reads as follows:

ORDINANCE NO. 2015-08-075

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 9.67 ACRE PROPERTY, LOCATED ON THE SOUTHEAST CORNER OF STONEBRIDGE DRIVE AND U.S. HIGHWAY 380 (UNIVERSITY DRIVE), IS REZONED FROM "PD" - PLANNED DEVELOPMENT DISTRICT AND "CC" - CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "C2" - LOCAL COMMERCIAL DISTRICT AND "CC" - CORRIDOR COMMERCIAL OVERLAY DISTRICT; 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

15-160Z3 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District, "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located on the Northeast Corner of Custer Road and U.S. Highway 380 (University Drive), and Accompanying Ordinance. Executive Director of Development Services Michael Quint stated that prior to tonight's meeting the applicant requested that this item be tabled. There are some ongoing contract

discussions before this item can go forward. The applicant is requesting that the public hearing be continued and the item be tabled until the August 18, 2015 meeting. Applicant, Mr. Bryan Burger with Burger Engineering, 17103 Preston Road, Dallas, stated that they are requesting that this item be tabled. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Pogue, seconded by Council member Day, to continue the public hearing and table this item to the August 18th Regular Meeting.

15-166M2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Modify Section 146-135 (Landscape Requirements) of the Zoning Regulations Pertaining to Landscaping at Airports, and Accompanying Ordinance. Executive Director of Development Services Michael Quint stated that City staff is proposing to modify the landscape section of the zoning ordinance to provide for exceptions for publicly-used, publicly-owned airports as it pertains to installation of new landscaping. These modifications will minimize the conflicts between wildlife habitation and aircraft inside the fence at the airport. Staff is recommending approval of these modifications. Council member Pogue questioned if we were to sell the assets of the airport or privatize in some manner, if development going forward would have to adhere to a different criteria. Mr. Quint stated that anything existing would be legally non-conforming and anything going forward would not be subject to these exceptions anymore. Council member Pogue stated he would like to see it more universal for that property, since that is the only property zoned airport. Mr. Quint noted that the City owns land around the airport that is not zoned airport and his concern with modifying the airport zoning designation to build in these classifications is that there is other property out there that the City owns that would not have that benefit. Mayor Loughmiller stated his concern is the potential for different treatment between public and private. Mr. Quint

stated he would not have any opposition to modify the language to take out publicly-owned, public-use facility to say “part of a facility shall be exempt”. Assistant Airport Director Mark Jaraczewski, stated that he prefers not to have any habitat at the airport but to have it for privatized so that it is equal for both parties. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Pogue, seconded by Mayor Pro Tem Ussery, to close the public hearing. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to approve an Ordinance modifying Section 146-135 (Landscape Requirements) of the Zoning Regulations pertaining to landscaping at airports, with the following amendment to read as follows: “(4) Airfields (commonly known as the “air side” of an airport’s perimeter boundary fence or wall) which accommodate fixed-wing aircrafts on a concrete runway with a length of at least 5,000 feet and allow for the operation of rotary-wing aircrafts shall be exempt from the requirements of section 146-135(f) of this chapter.” Caption reads as follows:

ORDINANCE NO. 2015-08-076

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING SECTION 146-135(b)(4) OF THE ZONING REGULATIONS PERTAINING TO LANDSCAPE REQUIREMENTS EXEMPTIONS FOR PUBLICLY-OWNED, PUBLICLY-USED AIRPORTS; 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

- 15-155SP2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Site Plan for Sewell Audi of McKinney, Located Approximately 1,500 Feet West of Stacy Road and on the North Side of State Highway 121. Executive Director of Development Services Michael Quint stated that the applicant is requesting approval of a site plan for an automobile sales dealership totaling approximately 60,000 square feet, including an 8,500 square foot pre-owned automobile sales facility for Sewell Audi of McKinney. The applicant is requesting two variances to the requirements

of the Zoning Ordinance, one being an alternate screening device and the other being the location of a loading space in proximity to the building. Staff has evaluated these requests and has no concerns. The building elevations for this development were previously approved by the Planning and Zoning Commission. The reason the City Council is seeing this item is because the PD requires City Council action. Mr. Quint stated the applicant is proposing wire mesh fencing and the living screen. Applicant, Mr. Carl Sewell, 3860 W. Northwest Highway, Dallas stated that the screening will be Nellie R. Stevens planted in the five to six foot range. When the building opens, they can grow as high as 25 feet and they become a magnificent screen that is solid green and you can't see anything behind it. The wire mesh is the latest in design in the way they think a fence should look. There is no opposition to the brick columns, however, Audi has a specific, contemporary design they use globally and they are very strong in their recommendation. 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 approve a Site Plan for Sewell Audi of McKinney, located approximately 1,500 feet west of Stacy Road and on the north side of State Highway 121.

15-102SU4 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to Allow for an Auto Body Repair and Paint Shop (Caliber Collision), Located on the North Side of U.S. Highway 380 (University Drive) and Approximately 400 Feet West of Hardin Boulevard, and Accompanying Ordinance. Executive Director of Development Services Michael Quint stated that the applicant is requesting to rezone the subject property to allow an auto body repair and paint shop. Council recently approved the zoning to C-3. At that time, it was decided that the proposed land use would be discussed at a later time and that item is before you tonight. Staff has evaluated the request

and has concerns given the vision laid out by the Northwest Sector Study, Phase I Report. In that report, we identified the presence of Baylor Hospital, Raytheon, Collin College, and identified the US 380 corridor, essentially east of Custer and west of Highway 75, as a supplemental corporate office area. With concerns about this setting the standard for the US 380 corridor in our community, Staff recommends denial of the proposed specific use permit due to close proximity of the subject property to residential uses and a lack of conformance with the vision outlined in the Northwest Sector Study Phase 1 Report. The Planning and Zoning Commission also recommended denial of this request; therefore, it requires a super-majority vote from the Council for approval. Applicant, Mr. Bill Dahlstrom, 901 Main Street, Dallas, presented information about the project. He stated they are seeking the ability to put a Caliber Collision on this location. After visiting with staff, it was determined it was a two-step process; first, to get the zoning, and then come back for the SUP. We are proposing a Caliber Collision with all repairs performed indoors. We believe there will be minimum impact if any on the adjacent residential properties. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Pogue, seconded by Mayor Pro Tem Ussery, to close the public hearing. Mayor Pro Tem Ussery stated that the presentation shows an impressive facility and the operation conducts itself in a professional manner. However, several years ago we worked to create an office area through that corridor and the long-term goal, being a part of the Northwest Sector Study, I don't want to betray that vision. Council member Pogue stated that this is an industrial use and I don't think this is the appropriate location for that. Mayor Loughmiller expressed that he generally does not have a problem with the use itself. Council member Day stated that he does not see that much difference between O'Reilly Auto Parts store and this use. We are talking about 30

to 40 jobs and a \$2 million project that pays property taxes. Council approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to deny the request for a Specific Use Permit to allow for an auto body repair and paint shop (Caliber Collision), located on the north side of U.S. Highway 380 (University Drive) and approximately 400 feet west of Hardin Boulevard, with a vote of 4-3-0, Mayor Loughmiller, Council members Day and Branch voting against.

15-744 Mayor Loughmiller called for Consideration/Discussion the Composition and Creation of an Advisory Committee for the Comprehensive Plan Update Initiative. Planning Manager Jennifer Arnold presented the item on composition and future appointment of the Advisory Committee for the comprehensive update effort. Ms. Arnold stated that Staff has been working with the consulting team to mobilize the outreach efforts on how to engage the Council, community and interested people. Staff is requesting that each Council member appoint three members to the Committee within a certain parameter of representative groups. We plan to come back to Council on August 18th to formalize the appointments and create the Committee. The Committee is scoped to meet up to six times between 12 and 15 months. The Advisory Committee members will also serve as champions of the project to get outreach materials to the community. In addition to the regular Advisory Committee meetings, we will hold three or four joint Advisory Committee meetings which would include the Advisory Committee, members of Council and the Planning and Zoning Commission.

15-745 Mayor Loughmiller called for Consideration/Discussion/Action on Fiscal Year 2015-16 Proposed Tax Rate, Take Record Vote and Set Public Hearing and Adoption Dates. Chief Financial Officer Rodney Rhoades stated that the proposed tax rate for next year is \$0.5830, which is consistent with the adopted tax rate for fiscal 2015. We are not proposing a tax rate increase; however, when the proposed tax rate exceeds the

effective tax rate, we are required to take a record vote. The effective tax rate is a calculation that establishes the same amount of revenue and property tax revenue collected for fiscal 2016 than we collected in fiscal 2015. The tax rate is composed of Interest and Sinking rate, or the debt service rate, which is established to pay the debt issued for major capital projects, and the maintenance and operation portion, which is established to pay for general services provided to the citizens. Interim City Manager Tom Muehlenbeck reported that the taxable values are up 13.4%, values on existing properties are up 9%, and new construction accounting for 4.4% of the growth. The average home value has increased from \$240,169 to \$270,483. The average tax bill to the resident will increase by \$17 per year. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, that the City of McKinney propose to adopt the Fiscal Year 2016 total Tax Rate of \$0.58300, which is higher than the Fiscal Year 2016 Effective Tax Rate of \$0.537088, and call for two public hearings. The first public hearing to be held on August 18, 2015 at 6:00 p.m. and the second public hearing to be held on September 1, 2015 at 6:00 p.m. A Record Vote on the tax rate adoption will be held on September 15, 2015 at 6:00 p.m. at the regular City Council meeting. All meetings will be held in the McKinney City Hall Council Chambers at 222 N. Tennessee Street, McKinney, Texas, 75069 with the following record vote:

Mayor Loughmiller – For

Mayor Pro Tem Ussery – For

Council member Branch – For

Council member Day – For

Council member Pogue - For

Council member Rogers – For

Council member Rath - For

15-746 Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Amending the Policy on Board and Commission Member Appointment and Eligibility. City Attorney Mark Houser stated the item before you is a culmination of actions taken by Council. The primary areas where Council requested changes are in the appointment process, the area of resignation to run for other elected offices, and the consideration of board and commission member's performance. Mayor Loughmiller stated that one of the things Council is doing through the amendment process is to allow people to file applications at any time throughout the year. They do need to apply every year as the applications are on file for one year. You also have to meet all the requirements of the application which includes being a resident of the city for some of the boards, or operate a business in McKinney, and, of course, there are other rules that have to do with service. The issue of resignation of board members when they are filing for elected office, that is limited to a local elected office such as City Council, School Board, or a County office. Mr. Houser noted a minor change to the alternates. There will be a Planning and Zoning Commission alternate but the other alternates will not be reappointed. Any alternate that is currently serving can complete duration of the current term. Mayor Loughmiller noted the general purpose for the Council liaisons to boards is to report any consensus of the Council to the board or board members if questions arise relating to a specific issue. The other purpose is in the event that the Council has some direction they would like communicated to the board, the liaison would have the responsibility of communicating that consensus back to the board in terms of Council's desired direction. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to approve a Resolution amending the Policy on Board and Commission Member Appointment and Eligibility

as amended. Caption reads as follows:

RESOLUTION NO. 2015-08-086 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ITS POLICY FOR BOARD AND COMMISSION MEMBER APPOINTMENTS AND SERVICE; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Council member Branch thanked staff for all the hard work getting things organized and set up for us. I've had a great time meeting with the citizens and getting a chance to sit down and confirm that the things Council is doing are moving the City in the right direction.

Council member Day did not have any comments.

Council member Pogue thanked staff. I look forward to seeing those of you that will participate in National Night Out tomorrow night. I will be in one of the police vehicles pushing buttons, horns, and sirens.

Council member Rogers did not have any comments.

Councilwoman Rath stated that she and Mayor Pro Tem Ussery attended a Habitat for Humanity wall-raising Saturday morning. Congratulations to the family whose home is well on its way to being completed and to Habitat for Humanity.

Mayor Pro Tem Ussery welcomed the Interim Planning Director Brian Lockley. Mr. Ussery thanked staff for all they do day in and day out. Your efforts are appreciated. Thank you very much.

Mayor Loughmiller stated that tomorrow night is National Night Out and the Public Safety Department and Council will be out in force. If we don't make it to all the parties, I apologize because the list is long and the night is short. We try to visit as many as we can. We do appreciate the neighborhoods that hold these events. It gives us an opportunity to interact with police and fire personnel and to learn about things such as neighborhood crime watch and fire prevention in a good setting. I appreciate the efforts of all city departments.

City Manager Muehlenbeck did not have any comments.

Mayor Loughmiller recessed the meeting into executive session at 8:00 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 (1) (A). Litigation / Anticipated Litigation, Section 551.074 Personnel Matters, Section 551.072 Discuss Real Property, and Section 551.087 Discuss Economic Development Matter as listed on the posted agenda. Mayor Loughmiller recessed to the open session at 8:48 p.m.

Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to adjourn. Mayor Loughmiller adjourned the meeting at 8:50 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary