

## CITY COUNCIL REGULAR MEETING

APRIL 5, 2016

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on April 5, 2016 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; Deputy City Manager Jose Madrigal; City Attorney Mark Houser; City Secretary Sandy Hart; Planning Director Brian Lockley; Director of Engineering Mark Hines; Landscape Architect Emily Braht; Director of Strategic Services Chandler Merritt; Director of Parks and Recreation Rhoda Savage; Assistant Director of Parks and Recreation Ryan Mullins; Fire Chief Danny Kistner; Assistant Director of Public Works Paul Sparkman; Water Wastewater Superintendent Morgan Dadgostar; Facilities Construction Manager Patricia Jackson; System Analyst Richard Sewell; Police Officer Michael Palko; Planning Manager Samantha Pickett; Police Corporal Melissa Taylor; Assistant Fire Chief Chris Lowry; Housing and Community Services Manager Janay Tieken; Community Services Administrator Shirletta Best; Airport - Mark Jaraczewski and Eric Pratt; and Planning Manager Matt Robinson.

There were approximately 75 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Lead Pastor Dr. Richard Mark Lee, McKinney First Baptist Church. Children from the Boys and Girls Club led the Pledge of Allegiance.

**16-342** Presentation of Letter of Appreciation from Hungarian Mayor. Pastor Dr. Richard Mark Lee presented the Mayor a letter of appreciation from the Hungarian Mayor.

**16-343** Motorcycle Safety and Awareness Month Proclamation. Mayor Loughmiller presented the Motorcycle Safety and Awareness Month Proclamation.

**16-344** National Community Development Week Proclamation. Mayor Loughmiller presented the National Community Development Week Proclamation to Community Services Administrator Shirletta Best.

**16-345** U Matter Presentation. Deputy City Manager Jose Madrigal introduced the April U Matter.

Mayor Loughmiller called for Citizen Comments.

Ms. Nina Ringley, 313 N. Benge, McKinney reminded everyone of the Collin McKinney 250<sup>th</sup> Birthday Celebration on April 16, 2016.

Ms. Juanita Horne, McKinney, did not wish to speak but wanted her opposition to the McKinney Independent School District bond election for the proposed new football stadium entered into the record.

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

**16-346** Minutes of the City Council Special Meeting of March 14, 2016

**16-347** Minutes of the City Council Regular Meeting of March 15, 2016

**16-348** Minutes of the City Council Work Session of March 28, 2016

**16-282** Minutes of the Board of Adjustment Meeting of October 28, 2015

**16-321** Minutes of the Community Grants Advisory Commission Meeting of December 10, 2015

**16-307** Minutes of the Library Advisory Board Meeting of February 18, 2016

**16-271** Minutes of the McKinney Armed Services Memorial Board Meeting of February 10, 2016

**16-310** Minutes of the McKinney Community Development Corporation Meeting of February 25, 2016

**16-327** Minutes of the McKinney Convention and Visitors Bureau Finance Committee Meeting of February 19, 2016

**16-326** Minutes of the McKinney Convention and Visitors Bureau Board Meeting of February 23, 2016

**16-293** Minutes of the McKinney Economic Development Corporation Meeting of February 16, 2016

- 16-294** Minutes of the McKinney Economic Development Corporation Special Meeting of March 1, 2016
- 16-349** Minutes of the McKinney Housing Authority Meeting of February 23, 2016
- 16-350** Minutes of the McKinney Housing Authority Meeting of March 15, 2016
- 16-278** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of February 11, 2016
- 16-325** Minutes of the Planning and Zoning Commission Regular Meeting of March 8, 2016
- 16-351** Consider/Discuss/Act on an Ordinance to Restrict the U-Turn Movements for Two Median Openings on US 380 Between Airport Drive and FM 1827. Caption reads as follows:

ORDINANCE NO. 2016-04-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, RESTRICTING THE U-TURN MOVEMENTS ALONG US 380 AT TWO MEDIAN OPENINGS BETWEEN AIRPORT DRIVE AND FM 1827 IN MCKINNEY; 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

- 16-352** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2015-2016 Annual Budget to Provide Funds for the Replacement of Window Face Caps Pertaining to the Airport. Caption reads as follows:

ORDINANCE NO. 2016-04-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2015-2016 ANNUAL BUDGET TO PROVIDE FUNDS FOR PURCHASING AND REPLACEMENT OF FACE CAPS ON WINDOWS PERTAINING TO THE AIRPORT AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 16-353** Consider/Discuss/Act on a Resolution Establishing the School Zone Summer Hours for Each School Holding Summer School in 2016. Caption reads as follows:

RESOLUTION NO. 2016-04-042 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ESTABLISHING SCHOOL ZONE HOURS FOR EACH SCHOOL HOLDING SUMMER SCHOOL IN 2016

- 16-354** Consider/Discuss/Act on a Resolution Approving Qualified Firms to Provide Professional Landscape Architectural Services for Design of Various Parks, Recreation, and Open Space Projects and/or Public Right of Way Improvements. Caption reads as follows:

RESOLUTION NO. 2016-04-043 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING QUALIFIED FIRMS TO PROVIDE PROFESSIONAL LANDSCAPE ARCHITECTURAL SERVICES FOR THE DESIGN OF VARIOUS PARKS, TRAILS AND/OR PUBLIC RIGHT OF WAY IMPROVEMENTS

- 16-355** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with Capco Inc., for Construction Services for the Extension of Fiber Optic Cable from the Intersection of Custer Road and Cotton Ridge South to the Gabe Nesbitt Park Facility, and any Necessary Supplemental Agreements. Caption reads as follows:

RESOLUTION NO. 2016-04-044 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH CAPCO, INC., FOR CONSTRUCTION SERVICES FOR THE EXTENSION OF FIBER OPTIC CABLE FROM THE INTERSECTION OF CUSTER ROAD AND COTTON RIDGE SOUTH TO THE GABE NESBITT PARK FACILITY, AND ANY NECESSARY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$180,000

- 16-356** Consider/Discuss/Act on a Resolution Authorizing the University Pump Station Renovations. Caption reads as follows:

RESOLUTION NO. 2016-04-045 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE RENOVATIONS TO THE UNIVERSITY PUMP STATION IN AN AMOUNT NOT TO EXCEED \$400,000

- 16-357** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with Lee Lewis Construction, Inc. of Dallas, Texas, for Construction Manager at Risk (CMAR) Services

Related to the Design and Construction of Fire Station No. 9. Caption reads as follows:

RESOLUTION NO. 2016-04-046 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR PRECONSTRUCTION SERVICES ONLY WITH LEE LEWIS CONSTRUCTION, INC. OF DALLAS, TEXAS FOR CONSTRUCTION MANAGER AT RISK SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF FIRE STATION NO. 9

**16-305** Consider/Discuss/Act on a Resolution Accepting Loan of New Ken Toki Artwork for John and Judy Gay Library. Caption reads as follows:

RESOLUTION NO. 2016-04-047 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ACCEPTANCE OF THE LOAN OF THE TOKI PAINTING "BELLAS ARTES"

END OF CONSENT

**15-343Z7** 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 Northeast Corner of U.S. Highway 380 (University Drive) and Hardin Boulevard, and Accompanying Ordinance. Planning Manager Matt Robinson stated that this item was tabled to this meeting at the request of the applicant. The property in question is located at the northeast corner of Hardin Boulevard and University Boulevard and consists of approximately 37 acres. It is currently zoned for multi-family uses. The applicant has requested to rezone the property to local commercial district and commercial overlay district for commercial uses. The Future Land Use Plan designates the subject property for commercial uses. Staff feels the zoning request is compatible with future surrounding uses and recommends approval of the rezoning request. Mr. Eric Seitz, Seitz Development, stated that they

are working and have signed an agreement with Costco for that corner along with six other box retailers and some great restaurants and shops.

Mayor Loughmiller called for public comment.

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

Mr. Joseph Noggle, 5317 Stone Brooke Crossing, McKinney

Ms. Ann Noggle, 5317 Stone Brooke Crossing, McKinney

Ms. Laura McKay, 4423 Cordova Lane, McKinney

Council unanimously approved the motion by Council member Branch, seconded by Council member Pogue, 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 northeast corner of U.S. Highway 380 (University Drive) and Hardin Boulevard. Caption reads as follows:

ORDINANCE NO. 2016-04-026

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 37.81 ACRE PROPERTY, LOCATED ON THE NORTHEAST CORNER OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE) AND HARDIN BOULEVARD, 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

- 16-064M2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Waiver from Section 146-136 to Reduce the Percentage of Quality Trees That Must be Preserved in the 100-Year Fully Developed Floodplain to a Percentage Less Than the Current Requirement That

70% of Such Trees be Preserved, Located on the East Side of Lake Forest Drive and Approximately 3,300 Feet North of Virginia Parkway. Landscape Architect Emily Braht presented the recommendation of denial by the Planning and Zoning Commission in their capacity as the Tree Board. The applicant is requesting a waiver from Section 146-136 to reduce the percentage of quality trees that must be preserved in the 100 year fully developed flood plain to a percent less than the required 70%. The Tree Board met on March 22, 2016 and voted unanimously to deny the variance. City Council determines final approval or denial. Staff recommends denial due to lack of conformance with the Tree Preservation Ordinance. The applicant is requesting specifically to maintain only approximately 23.4% of the quality trees within the floodplain which would eliminate 76.6%. This site is inundated with quality trees, which are noted as oak, elm and pecan trees that are located within the Wilson Creek area. There are 40 residential lots proposed for the site, all of which are in the floodplain. Of the approximate 26.5 acre site, less than 1 acre of the site is not in the floodplain. There are 677 trees on the lot with only 24 that are non-quality trees. There are 628 quality trees within the floodplain. The applicant is proposing to remove a total of 526 quality trees. Since removal of over 30% is not allowed within the Ordinance, there is nothing within the Ordinance stating what the mitigation for these trees would be. The applicant has stated their intent to mitigate the tree removal by providing two canopy trees per lot which is an existing requirement of the Zoning Ordinance for all single-family residential lots regardless of the tree preservation status and is not considered mitigation for the removal of quality trees within the floodplain. Planting trees back within the floodplain for mitigation, after it has been altered, would change the hydraulics and the basis of the flood study. Staff is of the opinion that the removal of such a large number of quality trees is in conflict with the

Ordinance and will not only set a precedent for future developments but most likely have negative impacts on the floodplain. Ms. Braht stated that if mitigation had been allowed by Ordinance, the cost would be approximately \$750,000. The developer has mentioned they have done this before at Sorrelwood located on Hardin Boulevard. This is not the same since they followed the Tree Preservation Ordinance, specifically only removing 30% of quality trees and no variance was required. Only 4.6 acres were within the floodplain being only about 35% of the site versus 97% at Lake Forest. Only 30% of quality trees were removed from the floodplain versus this request of over 76%. The City has been contacted twice about purchasing the property or obtaining a portion for Parkland dedication. The first time by the current owner at a price two to three times higher than typical floodplain property. The second time by the future developer who offered the required Parkland dedication of 14 acres to the City. The Parks Department declined since 8.5 acres was going to be clear-cut. The Parks Department places value on natural beauty, not altered by tree removal. Staff is of the opinion that the removal of this many trees is in conflict with the Ordinance, the Parks Master Plan and the proposed City Comprehensive Plan. Ms. Braht stated that there are approximately 530 trees within the pecan orchard area. The Ordinance has been in place since 2006 and this is the first request for a variance and the first time the Tree Board has met. Applicant, Mr. Adam Buczek, Skorburg Company, 8214 Westchester Drive, Suite 710, Dallas, stated that approximately 58% of the property will remain usable open space. While we acknowledge, appreciate, respect and understand the comments we just heard, I'd like to point out we are in full compliance with the intent of the Tree Ordinance with respect to preserving 70% of the trees in the existing floodplain with the exception of the result of an anomaly that exists on this property due to a failed cash crop of pecan trees planted 40 years ago. The benefit to the



City that we are willing to give, is the approximately 15 acres of open space at no cost. This land is contiguous to City-owned property to the north. This development projects to add \$20 million to the ad valorem tax base at build out. Approving this waiver will not set a precedent that conflicts with the Tree Ordinance because of the circumstances that make it an anomaly. The land owner and I want to commit a \$100,000 donation to the City's reforestation fund so that the City can plant trees that will have a longevity wherever you choose for residents to enjoy. Mr. Buczek stated they are proposing to remove 526 trees. After development, we will be committing to planting a wildflower preserve within the 8.45 acre area. Mayor Loughmiller called for public comment.

The following individuals spoke against the variance request:

Mr. Steven Spainhouer, 2801 Palo Dura Canyon, McKinney

Ms. Donna Lumberson, 2829 Dog Leg Trail, McKinney

Ms. Jill Alcantara, 2837 Dog Leg Trail, McKinney

Mr. Gary Heisey, 4904 Carolina Cricle, McKinney

Mr. Harry Hickey, 1600 Eastbrook Drive, McKinney

Ms. Debbie Mitchell, no address given

Mr. Dusttin Pearson, 612 Barnes Street, McKinney

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

Mr. Joseph Noggle, 5317 Stone Brooke Crossing, McKinney

Ms. Ann Noggle, 5317 Stone Brooke Crossing, McKinney

Ms. Leslie Vestal, 2334 N. Ridge Road, McKinney

Ms. Kim Black, 509 N. Kentucky, McKinney

Mr. James McRae, 813 Boyd Creek Road, McKinney

Ms. Claudia Ross, 2701 White Rock Creek, McKinney

Ms. Caryn Beeler, 2825 Dog Leg Trail, McKinney

Ms. Amy Durham, 2621 Dog Leg Trail, McKinney

Ms. Nina Ringley, 313 N. Benge, McKinney

Ms. Christina Jones, 2700 N. Brook Drive #60, McKinney

Mr. Scott Brewster, 1013 Cedar View, McKinney

Mr. Al Alcantara, 2837 Dog Leg Trail, McKinney

Ms. Bobette Mauck, 3572 Bluff Creek Lane, McKinney

Mr. Alex Vestal, 2334 North Ridge Road, McKinney

Ms. Ronda Steffey, 5833 Dog Leg Dr., McKinney

Ms. Chrisy Acuna, 606 N. Waddill Street, McKinney

Ms. Laurie Jay, 2603 Cedar Wood Ct., McKinney

Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to close the public hearing.

Council member Pogue stated that based on the issues at hand, he cannot support this. Council member Branch stated that we have an Ordinance that says you cannot take trees out of the floodplain. He stated that he cannot support the item. Council member Rogers stated that people have thought he might recuse himself because he is a member of the Mormon Church. Mr. Rogers stated that no one in McKinney from the Church will benefit. I don't feel like I need to recuse myself because I happen to be a member of the church. I understand why we have Tree Ordinances. If this is voted down, there's \$50 million worth of real estate that will be shot down in McKinney. Councilwoman Rath stated that she has watched hours and hours of video in preparation for this agenda item. She voted for the zoning change based in large part on the approval of staff and the Planning and Zoning Commission. She stated that she respects the work of our Planning and Zoning Commission in their authority as the Tree Preservation Board and our staff. I cannot support the project based on that. Mayor Pro Tem Ussery stated that he had the misfortune of being on the Planning and Zoning Commission when the Tree Ordinance was brought forward. As best I recall, it was the work of citizen groups, developing groups and other concerned individuals. I thought they made a good-faith effort to

bring forward community expectations as to a vision for replacement and mitigation of trees. This being the first time we had a request for a variance, given its history, and its message, I have a hard time supporting the request. Mayor Loughmiller stated that one of the things in the Ordinance, is that ultimately there are fees associated with development that are required in the event certain things have to happen or are requested within the Ordinance. When you start hearing statements about what the fee would be in lieu of this, the reason the fees are established is for the basis of going out and solving the problem by planting trees and in this case it would have been about \$750,000. In 2006, I was Mayor Pro Tem and the Mayor at the time asked me to serve and lead a committee on the Tree Preservation Ordinance. There were a lot of issues being brought forth about the existing Ordinance and if it created mitigation associated with development as it relates to drainage and erosion control. The committee was composed of residents and engineers, people from the development community, and people that were involved in specific erosion issues and drainage issues. The idea was to get an understanding of the existing Ordinance and if it was effective regarding preserving the landscape and consistent with drainage Ordinances and erosion control. Mayor Loughmiller stated that when the zoning for this property came before Council, I voted against it because at the time, it was apparent, there were a number of statements made that there was a belief that the project would be impossible to do under the current situation of the land and the situation with what would be required to come forward to do the project. Council approved the motion by Council member Pogue, seconded by Council member Branch, to deny the waiver from Section 146-136 to reduce the percentage of quality trees that must be preserved in the 100-year fully developed floodplain to a percentage less than the current requirement that 70% of such trees be preserved, located on the east side of Lake

Forest Drive and approximately 3,300 feet north of Virginia Parkway with a vote of 6-1-0, Council member Rogers voting against.

Council member Pogue stepped down from the dais for the following agenda item.

**15-327AA** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Vacate (1) an Unimproved Right-of-Way Adjacent to Westmoreland Drive Located at the Northeast Corner of Westmoreland Drive and Industrial Boulevard, and (2) a Portion of Unimproved Right-of-Way Extending North from the Bend of Existing Westmoreland Drive, and Accompanying Ordinance. Planning Manager Matt Robinson stated that this request is to abandon two unimproved portions of right-of-way located north of Industrial Boulevard and along Westmoreland Drive near Encore Wire. The two portions being sought for abandonment total approximately 2.86 acres. All adjacent property owners have signed a petition to vacate the right-of-way. Staff recommends approval of the request. Applicant, Mr. Arlyn Samuelson, 1512 Bray Central Drive, was available to answer questions and there were none. Mayor Loughmiller called for public comments and there were none. Council approved the motion made by Councilwoman Rath, seconded by Mayor Pro Tem Ussery, to close the public hearing and approve an Ordinance vacating (1) an Unimproved Right-of-Way Adjacent to Westmoreland Drive Located at the Northeast Corner of Westmoreland Drive and Industrial Boulevard, and (2) a Portion of unimproved right-of-way extending north from the bend of existing Westmoreland Drive, with a vote of 6-0-1, Council member Pogue abstaining. Caption reads as follows:

ORDINANCE NO. 2016-04-027

AN ORDINANCE VACATING 1) AN UNIMPROVED RIGHT-OF-WAY APPROXIMATELY .15 ACRES ADJACENT TO WESTMORELAND DRIVE LOCATED AT THE NORTHEAST CORNER OF WESTMORELAND DRIVE AND INDUSTRIAL BOULEVARD AND 2) AN UNIMPROVED RIGHT-OF-WAY APPROXIMATELY .11 ACRES EXTENDING NORTH FROM THE BEND OF EXISTING WESTMORELAND DRIVE, PROVIDING FOR AN EFFECTIVE DATE HEREOF

Council member Pogue returned to the dais.

**16-047AA** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on an Alley Abandonment of a Portion of an Unnamed Alley, Located Approximately 200 Feet North of Erwin Avenue and Between Tennessee Street and Kentucky Street, and Accompanying Ordinance. Planning Manager Matt Robinson stated that the proposed request is to abandon approximately 20 foot wide alley located north of Erwin Avenue between Tennessee Street and Kentucky Street. The alley is not in use for access and all adjacent property owners have signed a petition to abandon the alley. Staff recommends approval of the abandonment. Applicant, Mr. Bryan Ballard 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 Council member Pogue, seconded by Council member Branch, to close the public hearing and approve an Ordinance abandoning a portion of an unnamed alley, located approximately 200 feet north of Erwin Avenue and between Tennessee Street and Kentucky Street. Caption reads as follows:

ORDINANCE NO. 2016-04-028

AN ORDINANCE VACATING A PORTION OF AN UNNAMED ALLEY, APPROXIMATELY 2,742 SQUARE FEET, LOCATED APPROXIMATELY 200 FEET NORTH OF ERWIN AVENUE AND BETWEEN TENNESSEE STREET AND KENTUCKY STREET, PROVIDING FOR AN EFFECTIVE DATE HEREOF

**16-358** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Adopting the City Council Goals. Interim City Manager Tom Muehlenbeck stated that the goals were developed by Council at the Strategic Planning in January. Mayor Loughmiller stated the Council is looking at meeting with the Economic Development Corporation on a quarterly basis to assist in determining strategic goals as they relate to infrastructure incentives and retail strategies and to make sure they mirror the Council's goals. Mr. Muehlenbeck stated that tonight we are

asking for adoption of the goals set forth by Council at the January retreat. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to approve a Resolution Adopting the City Council Goals. Caption reads as follows:

RESOLUTION NO. 2016-04-048 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, APPROVING THE COUNCIL'S 2016  
GOALS

Mayor Loughmiller called for Citizen Comments.

Ms. Nina Ringley, 313 N. Benge, McKinney thanked the City Council for all that they do.

Mayor Loughmiller called for Council Comments.

Council member Rogers did not have any comments.

Councilwoman Rath did not have any comments.

Council member Branch stated that the City will continue to do what we can to bring more business and more development.

Council member Day did not have any comments.

Council member Pogue stated that he would like for Council to review the Specific Use Permit Ordinance to extend the six month expiration timeframe to one year to allow the development community more time to go through the cycle of permitting approval. Mr. Pogue also acknowledged City Secretary Sandy Hart for creating a calendar for Council activities. Mr. Pogue requested that she share the calendar with the other Council members. Mr. Pogue reminded everyone of the Collin McKinney 250<sup>th</sup> birthday party on April 16<sup>th</sup> at 10:00 a.m.

Mayor Pro Tem Ussery thanked Dr. Richard Mark Lee for leading us in our opening invocation and for his goodwill trips. Dr. Lee is a wonderful ambassador. Mr. Ussery expressed his apologies for not attending the Employee Awards luncheon last Friday. He stated that he was working on tax returns and could not get away from his desk. He appreciates all you do, day in and day out, and all the work you do. We would not be number one without your work.

Mayor Loughmiller stated the next Council meeting will be on April 18<sup>th</sup> where we will be providing an update from the parking committee. We will hear public comments at the regular meeting on April 19<sup>th</sup>. I will be out of town on the 19<sup>th</sup> so Mayor Pro Tem will run the meeting.

Interim City Manager Tom Muehlenbeck stated that in an effort to improve traffic flow and maximize store front parking in downtown McKinney, the City is offering two parking options. Three for Free and Park and Stay offer more than 1,500 parking spaces for those who visit the downtown area. More information can be found on the City's website. The Performing Arts Center's Best Seat in the House fundraiser aims to replace worn seat cushions with custom-made cushions to make the courtroom theater a more comfortable experience for all patrons. Contributions are being accepted through May 30<sup>th</sup>. Residents are invited to help us keep the City beautiful by picking up litter along roadways and creeks during the great Texas Trash Off, Saturday, April 9<sup>th</sup>. Following the Texas Trash Off, head downtown for the annual Arts in Bloom Festival. The event features artwork, music, food, shopping and fun for the family. All of these items can be found on the City's website. Mr. Muehlenbeck stated that there are a few items to discuss in Executive Session this evening

Mayor Loughmiller recessed the meeting into executive session at 7:48 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 551.072 Discuss Real Property, Section 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 9:12 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 9:14 p.m.

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BRIAN LOUGHMILLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary