

**CITY COUNCIL REGULAR MEETING**

**MAY 21, 2019**

The City Council of the City of McKinney, Texas met in regular session in the McKinney City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, May 21, 2019 at 6:00 p.m.

Mayor George Fuller called the meeting to order at 6:01 p.m. upon determining a quorum consisting of himself and the following Council members were present at the meeting:

- La'Shadion Shemwell.....District 1
- Scott Elliott .....District 3
- Chuck Branch.....District 4
- Charlie Philips .....At Large
- Tracy Rath, Mayor Pro Tem.....At Large

Council Members Absent: Rainey Rogers (District 2)

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, Assistant to the City Manager Trevor Minyard, Director of Organizational Development & Performance Management Joseph Mazzola, City Attorney Mark Houser, Executive Director of Development Services Michael Quint, City Secretary Empress Drane, Director of Engineering Gary Graham, Police Chief Greg Conley, Director of McKinney Performing Arts Center (MPAC) & Main Street Programs Amy Rosenthal, President of McKinney Economic Development Corporation (MEDC) Peter Tokar, President of McKinney Community Development Corporation (MCDC) Cindy Schneible

There were one hundred (100) members of the public present at the meeting.

Mayor Fuller called the Invocation given by Tod K. Richardson - McKinney, Texas Stake President of The Church of Jesus Christ of Latter-Day Saints and recital of the Pledge of Allegiance led by Boy Scout Troop 190 from the McKinney 4th Ward, escorted by Scoutmaster Chris Hafner.

Mayor Fuller called for Public Comments.

The following individuals spoke in opposition to agenda item #19-0442 (Consider/Discuss/Act on a Resolution Adopting Principles Guiding the Implementation of 5G Wireless Technology):

Amie Abshire, 5816 Waterford Ln, McKinney TX 75071

Emanuel Travassos, 4808 Spanish Moss Dr, McKinney TX 75070

Tasha Escoto, 1704 Quarry Lane, McKinney TX 75072

Hannah Couch, 2805 Stonepointe, McKinney TX 75072

Courtney Ward, 907 West Street, McKinney TX 75069

Mayor Fuller called for the following Information Sharing items:

- 19-0433** Proclamation for McKinney Police School Resource Officer Program
- 19-0432** Recognition of Outgoing Council Member Chuck Branch and Mayor Pro Tem Tracy Rath, which included appreciation awards presented to both. A special gavel and proclamation was presented to Mayor Pro Tem Rath in recognition of her being the first female Mayor Pro Tem to serve in the history of McKinney, Texas.

Mayor Fuller called for the Consent Agenda. Agenda Item **#19-0442** (Adopt Guiding Principles for 5G Wireless Technology) was removed from the Consent Agenda. Council unanimously approved the motion by Mayor Pro Tem Tracy Rath, seconded by Council member Chuck Branch, to approve these Consent Agenda items:

- 19-0102** Minutes of the McKinney Armed Memorial Services Board Meeting of January 9, 2019
- 19-0434** Minutes of the City Council Special Meeting of May 15, 2019
- 19-0222** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of February 14, 2019
- 19-0306** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of March 14, 2019
- 18-1037** Minutes of the Planning and Zoning Commission Regular Meeting of November 27, 2018
- 19-0365** Minutes of the Planning and Zoning Commission Regular Meeting of April 9, 2019
- 19-0435** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2018-2019 Annual Budget and the 2019-2023 Capital Improvements Program to Provide Funds for Professional Services for Project AI1908, TI Hangar

Improvements. Resolution caption reads as follows:

**ORDINANCE NO. 2019-05-038**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2018-2019 ANNUAL BUDGET AND THE 2019-2023 CAPITAL IMPROVEMENTS PROGRAM, TO PROVIDE FUNDING FOR THE TEXAS INSTRUMENTS HANGAR IMPROVEMENTS PROJECT (A11908); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

- 19-0436** Consider/Discuss/Act on an Ordinance Amending Section 62-480 of the Code of Ordinances Establishing Truck Routes to Reflect the Current City of McKinney Roadway Network. Ordinance caption reads as follows:

**ORDINANCE NO. 2019-05-039**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING SECTION 62-480 OF THE CODE OF ORDINANCES ESTABLISHING TRUCK ROUTES TO REFLECT THE CURRENT CITY OF MCKINNEY ROADWAY NETWORK; 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**

- 19-0437** Consider/Discuss/Act on an Ordinance to Designate the Name of Trinity Falls Parkway for the Arterial Extending Between Laud Howell Parkway and the North City Limit; to Designate the Name of Olympic Crossing for the Arterial Road which Extends Eastward from Future Hardin Boulevard to Melissa Road; and to Designate the Name of Parkland Crescent for the Arterial Road which Extends Eastward from Future Hardin Boulevard to Melissa Road. Ordinance caption reads as follows:

**ORDINANCE NO. 2019-05-040**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS TO DESIGNATE THE NAME OF TRINITY FALLS PARKWAY FOR THE ARTERIAL ROADWAY WHICH EXTENDS FROM LAUD HOWELL PARKWAY TO THE NORTHERN CITY LIMITS; TO DESIGNATE THE NAME OF OLYMPIC CROSSING FOR THE ARTERIAL ROADWAY WHICH EXTENDS BETWEEN FUTURE HARDIN BOULEVARD AND MELISSA ROAD; AND TO DESIGNATE THE NAME OF PARKLAND CRESCENT FOR THE ARTERIAL ROADWAY WHICH EXTENDS BETWEEN FUTURE HARDIN BOULEVARD AND MELISSA ROAD IN MCKINNEY, TEXAS; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF**

- 19-0438** Consider/Discuss/Act on a Resolution Authorizing the City Manager to

Accept Conveyance of Title for the Collin County Historic Courthouse.

Resolution caption reads as follows:

**RESOLUTION NO. 2019-05-052 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT CONVEYANCE OF TITLE OF COLLIN COUNTY HISTORIC COURTHOUSE**

- 19-0439** Consider/Discuss/Act on a Resolution Issuing Support of McKinney Main Street's Application for a Cultural District Project Grant from the Texas Commission on the Arts. Resolution caption reads as follows:

**RESOLUTION NO. 2019-05-053 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, SUPPORTING MCKINNEY MAIN STREET'S INITIATIVE TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT FROM THE TEXAS COMMISSION ON THE ARTS, IN AN AMOUNT NOT TO EXCEED \$250,000, FOR THE ENHANCEMENT OF THE CULTURAL DISTRICT**

- 19-0440** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Sign a Funding Agreement with the Texas Historic Commission in Support of a Historic Courthouse Master Plan Grant. Resolution caption reads:

**RESOLUTION NO. 2019-05-054 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO SIGN A FUNDING AGREEMENT WITH THE TEXAS HISTORIC COMMISSION IN SUPPORT OF A HISTORIC COURTHOUSE MASTER PLAN UPDATE GRANT**

- 19-0441** Consider/Discuss/Act on a Resolution Adopting the FY2020 Strategic Goals. Resolution caption reads as follows:

**RESOLUTION NO. 2019-05-055 R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE COUNCIL'S FY2020 STRATEGIC GOALS**

- 19-0443** Consider/Discuss/Act on a Resolution of the City of McKinney, Texas Finding that Oncor Electric Delivery Company LLC's Application for Approval to Amend its Distribution Cost Recovery Factor Pursuant to 16 Tex. Admin. Code § 25.243 to Increase Distribution Rates Within the City Should Be Denied; Finding that the City's Reasonable Rate Case

Expenses Shall Be Reimbursed by the Company; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel. Ordinance caption reads as follows:

**RESOLUTION NO. 2019-05-057 (R)**

**A RESOLUTION OF THE CITY OF MCKINNEY, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL**

- 19-0444** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Agreement for Furnishing Traffic Signal Equipment by a Municipality with the Texas Department of Transportation (TxDOT) to Furnish Traffic Signal Equipment for the Intersections of Custer Road (FM 2478) at Bloomdale Road and Custer Road (FM 2478) at FM 1461. Resolution caption reads as follows:

**RESOLUTION NO. 2019-05-058 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR FURNISHING TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) TO FURNISH TRAFFIC SIGNAL EQUIPMENT FOR THE INTERSECTIONS OF CUSTER ROAD (FM 2478) AT BLOOMDALE ROAD AND CUSTER ROAD (FM 2478) AT FM 1461**

- 19-0445** Consider/Discuss/Act on a Facilities Agreement for Lot 1, Block A of the Richardson Glass Company Addition, Located at the Northeast Corner of the Easy Lane and Custer Road (Farm to Market Road 2478).

- 19-0045PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1, Block A of the Richardson Glass Company Addition, Located at the Northeast Corner of the Easy Lane and Custer Road (Farm to Market Road 2478)

Mayor Fuller called for the following item for individual consideration:

- 19-0442** Consider/Discuss/Act on a Resolution Adopting Principles Guiding the

Implementation of 5G Wireless Technology

Council Member La'Shadion Shemwell made a motion to deny the item. The motion failed for lack of a second.

Council approved the motion by Council Member Charlie Philips, seconded by Mayor Pro Tracy Rath, to approve a Resolution Adopting Principles Guiding the Implementation of 5G Wireless Technology with a vote of 5 - 1, Council Member La'Shadion Shemwell voting no and Council Member Rainey Rogers being absent.

Resolution caption reads as follows:

**RESOLUTION NO. 2019-05-056 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ADOPTING A SET OF 5G GUIDING PRINCIPLES WHICH WILL INFLUENCE THE CITY OF MCKINNEY'S EFFORTS TO IMPLEMENT THE 5G WIRELESS TECHNOLOGY**

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

**19-0017Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Southeast Corner of Rockhill Road and Wilson Creek Parkway, and Accompanying Ordinance

Council unanimously approved the motion by Council Member Chuck Branch, seconded by Council member Charlie Philips, to close the public hearing and approve the Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Southeast Corner of Rockhill Road and Wilson Creek Parkway, and Accompanying Ordinance. Ordinance caption reads as follows:

**ORDINANCE NO. 2019-05-037**

**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 16.47 ACRE PROPERTY, LOCATED ON THE SOUTHEAST CORNER OF ROCKHILL ROAD AND WILSON CREEK PARKWAY, IS REZONED FROM "PD" - PLANNED DEVELOPMENT DISTRICT TO "PD" - PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; 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**

- 19-0446** Consider/Discuss/Act on an Ordinance to Designate the Name of Wattley Way for the Old Alignment of FM 546 from Industrial Boulevard to Harry McKillop Boulevard.

Council unanimously approved the motion by Council Member La'Shadion Shemwell, seconded by Council Member Chuck Branch, to approve an Ordinance to Designate the Name of Wattley Way for the Old Alignment of FM 546 from Industrial Boulevard to Harry McKillop Boulevard. Ordinance caption reads as follows:

**ORDINANCE NO. 2019-05-035**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS TO DESIGNATE THE NAME OF WATTLEY WAY FOR THE OLD ALIGNMENT OF FM 546 FROM INDUSTRIAL BOULEVARD TO 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**

- 19-0447** Consider/Discuss/Act on an Ordinance Amending Section 62-117 of the Code of Ordinances to Establish Speed Zones for Wattley Way

Council unanimously approved the motion by Council Member Chuck Branch, seconded by Council Member Scott Elliott, to approve an Ordinance Amending Section 62-117 of the Code of Ordinances to Establish Speed Zones for Wattley Way. Ordinance caption reads as follows:

**ORDINANCE NO. 2019-05-036**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING SECTION 62-117 OF THE CODE OF ORDINANCES TO ESTABLISH SPEED ZONES ALONG WATTLEY WAY BETWEEN INDUSTRIAL BOULEVARD AND HARRY MCKILLOP BOULEVARD 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**

- 19-0448** Consider/Discuss/Act on a Resolution Approving a Contract with the Artist, Brian Keith, together with a License Agreement for the Jeffrey Hull Memorial Sculpture Bench at Pecan Grove Cemetery

Council unanimously approved the motion by Council member Tracy Rath, seconded by Council member La'Shadion Shemwell, to approve a Resolution Approving a Contract with the Artist, Brian Keith, together with a License Agreement for

the Jeffrey Hull Memorial Sculpture Bench at Pecan Grove Cemetery. Resolution caption reads as follows:

**RESOLUTION NO. 2019-05-059 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN AN AMOUNT NOT TO EXCEED \$29,000 FOR THE ARTIST SERVICES OF BRIAN KEITH TOGETHER WITH A RELATED LICENSE AGREEMENT FOR THE JEFFREY HULL MEMORIAL BENCH AT PECAN GROVE CEMETERY**

**19-0449** Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Certain Property for Public Use by Eminent Domain for Right-of-Way (in Fee Simple), Slope Easements and Drainage Easements for the Construction, Access and Maintenance Associated with a Roadway Infrastructure Project Along Country Lane from its Intersection with FM 546 to the Existing Concrete Pavement for Country Lane and Authorizing the City Manager to Establish Procedures for Acquiring the Right-of-Way (in Fee Simple) and Easements on Said Properties, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions

Council unanimously approved the motion by Mayor Pro Tem Tracy Rath, seconded by Council Member Scott Elliott, to table until June 4, 2019, agenda item #19-0449 Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Certain Property for Public Use by Eminent Domain for Right-of-Way (in Fee Simple), Slope Easements and Drainage Easements for the Construction, Access and Maintenance Associated with a Roadway Infrastructure Project Along Country Lane from its Intersection with FM 546 to the Existing Concrete Pavement for Country Lane and Authorizing the City Manager to Establish Procedures for Acquiring the Right-of-Way (in Fee Simple) and Easements on Said Properties, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions

Mayor Fuller called for Council and Manager Comments.

Council Member Charlie Philips commended the work of the Planning & Zoning Commission to address and resolve issues on behalf of the city.



Council Member Elliott commended the Parks & Recreation Advisory Board, MEDC, and city staff for service to the city. Council Member Elliott congratulated newly elected members Rick Franklin and Frederick Frazier who will be joining the Council on June 4, 2019; and announced the Leadership McKinney Class of 2019 recently graduated, thanked McKinney Chamber of Commerce staff Deb Fitzgerald and Lisa Hermes for the Leadership McKinney program, and encouraged the public to apply for the opportunity to participate in the 2020 Leadership McKinney program.

Council Member La'Shadion stated a few residents of the McKinney Housing Authority are in dire needs of housing assistance, expressed the desire for support from the McKinney Housing Finance Corporation to assist. Council Member Shemwell expressed condolences on the passing of former District 1 Council Member Gilda Garza and appreciation for her service to the city.

Council Branch expressed thanks and appreciation to city staff, City Council and community members, and congratulated his District 4 successor Rick Franklin.

Mayor Pro Tem Tracy Rath stated the MCDC board will meet on Thursday, May 23, 2019, and congratulated her At Large successor Frederick Frazier.

City Manager Paul Grimes invited members of the public to attend the upcoming Serve McKinney event to learn about opportunities to volunteer; McKinney Parks & Recreation will honor local Gold Star families during a Memorial Day wreath-laying ceremony and adding six (6) names to the Veterans Memorial Park Wall of Honor, Saturday, May 25 at 10:00 a.m.; City Hall and some city services will be closed on Memorial Day and a list of closures and affected services is available on the city webpage; commended the MEDC, Airport, and Deputy City Manager Jose Madrigal for collaboration on attracted aviation business development to the city.

Mayor George Fuller recently participated in a Town Hall meeting regarding Highway 380 development, thanked those who attended including journalist Cassidy Ritter; thanked engaged citizens for attending the City Council meetings. Mayor Fuller stated he and Mayor Pro Tem Tracy Rath attended the funeral service and read a proclamation for former District 1 Council Member Gilda Garza acknowledging her passionate and involved servant to the city.

Council unanimously approved the motion by Council Member Chuck Branch, seconded by Mayor Pro Tem Tracy Rath, to adjourn the meeting at 7:45 p.m.

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GEORGE C. FULLER  
Mayor of McKinney, Texas

ATTEST:

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EMPRESS DRANE  
McKinney City Secretary