

## CITY COUNCIL REGULAR MEETING

**MAY 3, 2016**

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on May 3, 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; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Planning Director Brian Lockley; Executive Director of Development Services Michael Quint; Director of Engineering Mark Hines; Assistant Director of Parks and Recreation Ryan Mullins; Assistant Airport Director Mark Jaraczewski; CIP and Traffic Engineer Gary Graham; Facilities Construction Manager Patricia Jackson; IT Service Desk Supervisor Amy Greer; Police Corporal Melissa Taylor; Chief of Police Greg Conley; Assistant Fire Chief Tim Mock; Assistant Fire Chief Chris Lowry; Housing and Community Services Manager Janay Tieken; Planning Manager Samantha Pickett; Planning Manager Matt Robinson; Chief Building Official Rick Herzberger; Director of Strategic Services Chandler Merritt; Building Inspections - Mike Smith, Cheryl Clark, and Doug Lichnovsky; and Civil Engineer II Nicholas Ataie.

There were approximately 60 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Pastor Dave Smith, Hillcrest Christian Church. Emmett Creedon led the Pledge of Allegiance.

**16-454** Captain Barry L. Brown Proclamation. Mayor Loughmiller presented a Proclamation to Captain Barry L. Brown.

**16-455** Building Safety Month Proclamation. Mayor Loughmiller presented the Building Safety Month Proclamation to Chief Building Official Rick Herzberger.

Mayor Loughmiller called for Citizen Comments and there were none.

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

- 16-456** Minutes of the City Council Special Meeting of April 18, 2016
- 16-457** Minutes of the City Council Regular Meeting of April 19, 2016
- 16-458** Minutes of the City Council Special Meeting of April 25, 2016
- 16-389** Minutes of the Board of Adjustment Regular Meeting of March 23, 2016
- 16-429** Minutes of the Library Advisory Board Meeting of March 17, 2016
- 16-379** Minutes of the McKinney Armed Services Memorial Board Meeting of March 9, 2016
- 16-414** Minutes of the McKinney Arts Commission Meeting of January 21, 2016
- 16-442** Minutes of the McKinney Community Development Corporation Meeting of March 24, 2016
- 16-441** Minutes of the McKinney Community Development Corporation Promotional and Community Event Grant Subcommittee Meeting of February 4, 2016
- 16-421** Minutes of the McKinney Economic Development Corporation Meeting of March 15, 2016
- 16-459** Minutes of the McKinney Housing Authority Meeting of March 22, 2016
- 16-366** Minutes of the Main Street Board Meeting of February 11, 2016
- 16-367** Minutes of the Main Street Board Meeting of March 10, 2016
- 16-368** Minutes of the Main Street Board Meeting of March 29, 2016
- 16-385** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of March 10, 2016
- 16-460** Consider/Discuss/Act on an Ordinance Establishing a Speed Limit on Redbud Boulevard from Wilmeth Road to Bloomdale Road and Modifying the Speed Limit on Redbud Boulevard from Wilmeth Road to Bray Central Drive. Caption reads as follows:

ORDINANCE NO. 2016-05-035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING A SPEED LIMIT ON REDBUD BOULEVARD FROM WILMETH ROAD TO BLOOMDALE ROAD IN MCKINNEY AND MODIFYING THE SPEED LIMIT ON REDBUD BOULEVARD FROM WILMETH ROAD TO BRAY CENTRAL DRIVE 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

- 16-461** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2015-2016 Annual Budget and the 2016 - 2020 Capital Improvements Program for the Project Awarded to the City of McKinney for the Transportation Alternatives Program (TAP) for Safety Access to Schools Project.  
Caption reads as follows:

ORDINANCE NO. 2016-05-036

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE FISCAL YEAR 2015-2016 ANNUAL BUDGET AND 2016 - 2020 CAPITAL IMPROVEMENT PROGRAM FOR THE PROJECT AWARDED TO THE CITY OF MCKINNEY FOR THE TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FOR SAFETY ACCESS TO SCHOOLS PROJECT; 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

- 16-462** Consider/Discuss/Act on a Resolution Amending the 2016 - 2020 Capital Improvements Program, to Provide Funds for the Streetscape Plan.  
Caption reads as follows:

RESOLUTION NO. 2016-05-058 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2015-16 BUDGET AND THE 2016 - 2020 CAPITAL IMPROVEMENTS PROGRAM

- 16-463** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with Halff Associates for Professional Services for Design of a Streetscape Plan. Caption reads as follows:

RESOLUTION NO. 2016-05-059 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH HALFF ASSOCIATES, INC. FOR PROFESSIONAL SERVICES IN ASSOCIATION WITH THE STREETScape PLAN COMPONENT OF THE PARKS, RECREATION, TRAILS & OPEN SPACE VISIONING MASTER PLAN; PROVIDING AN EFFECTIVE DATE

- 16-464** Consider/Discuss/Act on a Resolution Authorizing the Creation of the North Central Texas Regional 9-1-1 Emergency Communications District.

Caption reads as follows:

RESOLUTION NO. 2016-05-060 (R)

A RESOLUTION OF THE CITY OF MCKINNEY, TEXAS AUTHORIZING THE CREATION OF THE NORTH CENTRAL TEXAS REGIONAL 9-1-1 EMERGENCY COMMUNICATIONS DISTRICT

- 16-465** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract and All Necessary Change Orders with XIT Paving and Construction, Inc. for the Construction of Intersection Improvements for Community Avenue and Wilmeth Road. Caption reads as follows:

RESOLUTION NO. 2016-05-061 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$418,395.50 WITH XIT PAVING AND CONSTRUCTION, INC. FOR THE CONSTRUCTION OF INTERSECTION IMPROVEMENTS FOR COMMUNITY AVENUE AND WILMETH ROAD AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$460,000

- 16-466** Consider/Discuss/Act on a Resolution Amending the Contract with Misty Oliver Foster for Additional Wall Preparation for the Public Art Mural and Increasing the Contract to an Amount not to Exceed \$15,750. Caption reads as follows:

RESOLUTION NO. 2016-05-062 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CONTRACT WITH MISTY OLIVER FOSTER FOR ADDITIONAL WALL PREPARATION FOR THE PUBLIC ART MURAL AND INCREASING THE CONTRACT TO AN AMOUNT NOT TO EXCEED \$15,750

- 16-467** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute an Amendment to Interlocal Agreement for the Construction and Use of a Public Safety Training Facility Between the City of McKinney and Collin County Community College District. Caption reads as follows:

RESOLUTION NO. 2016-05-063 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE CONSTRUCTION AND USE OF A PUBLIC SAFETY TRAINING FACILITY BETWEEN THE CITY OF MCKINNEY AND COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

END OF CONSENT

**16-468** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Adopting the City of McKinney 2016 Legislative Agenda. Council member Pogue requested that the item be tabled to the May 17, 2016 City Council meeting to allow time to meet with State Representative Scott Sanford to discuss the language of the Legislative Agenda. Council unanimously approved the motion by Council member Pogue, seconded by Council member Branch, to table this item until the May 17, 2016 meeting.

**16-469** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Approving Priority Projects to be Submitted to the Regional Transportation Council for Their Consideration for Advancement. CIP and Transportation Engineering Manager Gary Graham stated this item is to identify major highway/freeway candidate projects for the Mobility 2040 Plan produced by the Regional Transportation Council (RTC). Council considered a revised plan that identifies the following priorities: 1) the extension of FM 546 to US 380 in Princeton; 2) US 75 from 635 to 121, including development through McKinney in the process; 3) US 75 alternate route; 4) the outer loop project; 5) SH 78. Council also discussed not supporting US 380 as a limited access roadway. Local priorities include SH 5 reconstruction from US 380 to Spur 399, Laud Howell Parkway from US 75 to Dallas North Tollway, and Custer Road

from US 380 to FM 1461. Council unanimously approved the motion by Council member Pogue, seconded by Council member Branch, to approve a Resolution approving priority projects to be submitted to the Regional Transportation Council for their consideration for advancement with the amended Exhibit A that was presented tonight. Caption reads as follows:

RESOLUTION NO. 2016-05-064 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE PRIORITY PROJECTS TO BE SUBMITTED TO THE REGIONAL TRANSPORTATION COUNCIL FOR THEIR CONSIDERATION FOR ADVANCEMENT THROUGH THE PROJECT DEVELOPMENT PROCESS

**16-470** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Resolution of No Objection to the Application of McKinney North Townhomes, LP to the Texas Department of Housing and Community Affairs (TDHCA), for 4% Tax Credits for the Construction of New Townhome Single-Family Rental Units. Housing and Community Development Manager Janay Tieken stated this is a public hearing item on a Resolution of no objection to the TDHCA on the McKinney North Townhomes Development. The development is a proposed 90 unit, single-family townhome development at 3352 N. McDonald Street. The property is currently zoned multi-family. Ms. Jean Brown, Executive Director with Green Extreme Homes stated that this development will serve 60% of the median income and is for working families. The average annual income is \$54,000 up to \$80,000. The request is for a Resolution of support so that they can move forward with purchasing the property. Green Extreme Homes has offered the neighboring HOA the use of their amenities as well as \$150,000 in escrow for a traffic light. Trinity Heights HOA has declined signing the Memorandum of Understanding. Councilwoman Rath noted that the McKinney Housing Finance Corporation approved this item to come forward to Council contingent upon the execution of a Memorandum of Understanding

(MOU) with the Trinity Heights HOA, which has not been signed nor submitted to Council. Mayor Loughmiller called for public comments. The following individuals spoke against the development:

Mr. David Serratt, Attorney for Trinity Heights HOA, 3710 Ralins Street, Dallas

Ms. Arlene Chapman, 432 Cypress Hill, McKinney and President of Board of Directors of Trinity Heights

The following individual did not wish to speak but wanted his support entered into the record:

Mr. James Simmons, 512 Cypress Hill Dr., McKinney

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

Ms. Tieken noted that the owner of the land wanted to keep the current zoning in place in case this development did not go forward. Planning Manager Samantha Pickett stated that although the site plan was approved as a townhome design, it is still considered multi-family and is in conformance with the zoning. Ms. Tieken stated that if the municipality does not support the development, it will not be funded by TDHCA and will not move forward. Council approved the motion by Mayor Pro Tem Ussey, seconded by Council member Rogers, to approve a Resolution of No Objection to the application of McKinney North Townhomes, LP to the Texas Department of Housing and Community Affairs (TDHCA), for 4% Tax Credits for the construction of new townhome single-family rental units with a vote of 4-3-0, Council members Branch, Pogue, and Rath voting against. Caption reads as follows:

RESOLUTION NO. 2016-05-065 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING NO OBJECTION TO THE APPLICATION OF THE "MCKINNEY NORTH TOWNHOMES" TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR 4% TAX CREDITS FOR THE CONSTRUCTION OF NEW TOWNHOME-STYLE, RENTAL UNITS

**15-113Z5** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District, "RS 60" - Single Family Residence District, and "PD" - Planned Development District to "PD" - Planned Development District, Generally for Single Family Residential Uses, Located Approximately 200 Feet East of Graves Street and on the North Side of Yosemite Place, and Accompanying Ordinance. Planning Manager Samantha Pickett stated the applicant is requesting to rezone to PD for single family uses. The applicant has modified their request, including working through drainage and engineering issues and developing a layout to be tied down to the request. The applicant is requesting a base of SF5 with the maximum number of lots being reduced from 54 to 47 and the density from 4.48 to 3.9. Since several of the property owner oppositions have been withdrawn, a supermajority vote of City Council is no longer required. Staff recommends approval. Applicant Mr. Gary Schell, 7033 Coverdale, Plano, stated that the drainage issues had been addressed with the City and with First Baptist Church regarding drainage and parking issues. The applicant is also required to move and widen the road in front of the subdivision. He is also offering to regrade and landscape the right-of-way land on the east side of Graves and incorporate it as part of the entrance to the subdivision. Mayor Loughmiller called for public comment.

Mr. James Bresnahan, 2805 Piersall, McKinney, did not wish to speak but wanted his support entered into the record.

Council unanimously approved the motion by Council member Day, seconded by Council member Branch, to close the public hearing and approve an Ordinance rezoning the subject property from "AG" - Agricultural District, "RS 60" - Single Family Residence District, and "PD" - Planned Development District to "PD" - Planned Development District, generally for single family residential uses, located

approximately 200 feet east of Graves Street and on the north side of Yosemite Place, with the following special ordinance provision: the subject property shall develop in conformance with the attached development regulations and the subject property generally conform to the attached concept plan. Caption reads as follows:

ORDINANCE NO. 2016-05-037

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 12.06 ACRE PROPERTY, LOCATED APPROXIMATELY 200 FEET EAST OF GRAVES DRIVE AND ON THE NORTH SIDE OF YOSEMITE PLACE, IS REZONED FROM "AG" – AGRICULTURAL DISTRICT, "RS-60" – SINGLE FAMILY RESIDENCE DISTRICT, AND "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO ALLOW FOR SINGLE FAMILY RESIDENTIAL USES; 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

- 16-07322** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District and "PD" - Planned Development District to "GC" - Governmental Complex District, Located Approximately 3,160 Feet North of US Highway 380 (University Drive) and on the East Side of Lake Forest Drive, and Accompanying Ordinance. Planning Manager Matt Robinson stated the applicant is requesting to rezone approximately 2.99 acres for the purpose of McKinney Fire Station No. 9. This request provides a unified zoning under the "GC" Governmental Complex District which provides standards that are more conducive to governmental facilities. Staff is recommending approval of the request. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Pogue, to close the public hearing and approve an Ordinance rezoning the subject property from "AG" - Agricultural District and "PD" - Planned Development District to "GC" - Governmental Complex District, located

approximately 3,160 feet north of US Highway 380 (University Drive) and on the east side of Lake Forest Drive. Caption reads as follows:

ORDINANCE NO. 2016-05-038

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 2.99 ACRE PROPERTY, LOCATED APPROXIMATELY 3,160 FEET NORTH OF US HIGHWAY 380 (UNIVERSITY DRIVE) AND ON THE EAST SIDE OF LAKE FOREST DRIVE, IS REZONED FROM "AG" – AGRICULTURAL DISTRICT AND "PD" – PLANNED DEVELOPMENT DISTRICT TO "GC" – GOVERNMENTAL COMPLEX 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

**16-075SP2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Site Plan for McKinney Fire Station #9, Located Approximately 3,160 Feet North of US Highway 380 (University Drive) and on the East Side of Lake Forest Drive. Planning Manager Matt Robinson stated that this item is the site plan for McKinney Fire Station No. 9. An alternate screening device has been requested to screen a generator on the east side of the development. In addition, a living plant screen is being requested on the north and west side of the building. There is also a request for approval for a variance to not require screening the bay doors to the nonresidential on the north side and future Summit View Drive on the south side of the building. Staff recommends approval of the request. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Pogue, seconded by Councilwoman Rath, to close the public hearing and approve a Site Plan for McKinney Fire Station #9, located approximately 3,160 feet north of US Highway 380 (University Drive) and on the east side of Lake Forest Drive with the alteration of adding screening within the bay door component on the north side as suggested by Landscape Architect Emily Braht and with the following conditions: the applicant receive approval of

an alternate screening device (12' architecturally finished metal with living screen composed of Needle Point Holly 3' at the time of planting) to screen the generator located on the east side of the building; the applicant receive approval of a living plant screen (Composed of Nelly R. Stevens 6' at the time of planting) for the heating and air conditioning equipment located on the north and west sides of the building; the applicant receive approval of a variance to not screen the apparatus bay doors from the view of future public right-of-way (Summit View Drive); and prior to issuance of a building permit: the applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist.

**16-080SP2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Site Plan for Blount Fine Foods Expansion, Located Approximately 390 Feet South of Wilmeth Road and on the East Side of Redbud Boulevard. Planning Manager Matt Robinson stated that this item is a site plan for a 24,000 square foot expansion of an existing manufacturing facility. The site plan meets all requirements of the PD Ordinance and staff recommends approval. Applicant Mr. Andy Bowser, Team Group, 1001 W. Eules Blvd., Eules, 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 Mayor Pro Tem Ussery, seconded by Council member Branch, to close the public hearing and approve a Site Plan for Blount Fine Foods expansion, located approximately 390 feet south of Wilmeth Road and on the east side of Redbud Boulevard, with the following condition: the applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist.

**16-471** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Resolution Identifying a Proposed Laud Howell Parkway Alignment from Trinity Falls Parkway to FM1461/Lake Forest Drive. CIP and

Transportation Engineering Manager Gary Graham presented three proposed alignments of Laud Howell Parkway from US 75 to Lake Forest Drive. As a result of feedback received from the public through public meetings, a hybrid alignment was developed. The hybrid alignment was presented to the residents and staff received one negative comment. A technical evaluation was completed on each alignment. Questions were raised about the alignments in relation to Erwin Park. Staff visited with long-range planners and the Parks Department and the consensus is that any of the alignments will work in conjunction with Erwin Park. The bridge over Honey Creek with options A and B was also evaluated. One option was a single bridge and the other option was a two bridge concept with a split bridge. Staff recommends the hybrid alignment that would not impact or displace any residents. The south property line of the Geren tract would be the north right-of-way of the roadway so there would not be any taking of property from the Geren tract. Mayor Loughmiller called for public comments. The following individuals spoke in favor of the hybrid alignment:

Mr. Bill Gross, 4879 Geren Trail, McKinney

Mr. Jack Geren, Jr., 6112 CR 166, McKinney

Ms. Marilyn Geren, 6112 CR 166, McKinney

Mr. Paul Powell, 4811 Geren Trail, McKinney

Mr. Thomas Tunnell, 2820 Kirkwood, McKinney, spoke in opposition of the hybrid alignment.

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

Mr. Graham stated that as we move forward, Staff will have appraisals conducted on any tracts of land impacted and will negotiate with property owners to pay fair market value for the land. Mayor Pro Tem Ussery stated that he supports the split bridge configuration. Council member Pogue stated he supports Option B with the split bridge configuration.

Councilwoman Rath stated she is in favor of the split bridge. Council member Day stated he is in favor of the split bridge but not supportive of the expensive monuments. Mayor Loughmiller stated he is in favor of the hybrid alignment and the split bridge configuration. Council unanimously approved the motion by Council member Pogue, seconded by Mayor Pro Tem Ussey, to approve a Resolution identifying a proposed Laud Howell Parkway alignment from Trinity Falls Parkway to FM1461/Lake Forest Drive with the hybrid alignment and the split bridge configuration. Caption reads as follows:

RESOLUTION NO. 2016-05-066 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, APPROVING THE ALIGNMENT OF LAUD  
HOWELL PARKWAY FROM TRINITY FALLS PARKWAY TO FM  
1461 / LAKE FOREST DRIVE

- 16-472** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Execution of Documents for the Acquisition of Easements and the Consideration of the Use of Eminent Domain to Condemn Property for the Construction of Utility Lines from Approximately Wilmeth Road to North of Bloomdale Road Generally Along Stover Creek. Director of Engineering Mark Hines stated the development agreement is for construction of a master plan sewer line along Stover Creek that will serve the entire basin. As part of the agreement, if the developer is unable to obtain the easements necessary for that line, the City will step in and invoke our eminent domain rights and work with the developer to acquire those easements. Any costs incurred will be reimbursed by the developer. The request tonight is for Council's authority to exercise eminent domain to get on the property in order to survey it, and then, if necessary, to obtain the easements necessary to install the sewer line. The developer is currently working with the landowners to obtain easements in order to survey and construct the line. Appraisals will be conducted for each piece of property and we

will offer the owner the appraised value. If we must enter into negotiations and no resolution is agreed on, then we must invoke eminent domain. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Branch, to approve a Resolution as written and authorize the use of the power of eminent domain to acquire all necessary easements from property owners, generally indicated on the attached property locator map, for the construction of utility lines generally known as Stover Creek Sanitary Sewer. Caption reads as follows:

RESOLUTION NO. 2016-05-067 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE EXECUTION OF DOCUMENTS FOR THE ACQUISITION OF PROPERTY RIGHTS NECESSARY FOR THE CONSTRUCTION OF UTILITY LINES FROM APPROXIMATELY WILMETH ROAD TO NORTH OF BLOOMDALE GENERALLY ALONG STOVER CREEK; AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE DOCUMENTS FOR THE ACQUISITION OF EASEMENTS; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE INTERIM CITY MANAGER OF THE CITY OF MCKINNEY, TEXAS, TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AND AUTHORIZING THE INTERIM CITY MANAGER THE USE OF EMINENT DOMAIN TO CONDEMN PROPERTY AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS

- 16-473** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Amending the Fiscal Year 2015-16 Annual Budget; and Amending the 2016 - 2020 Capital Improvements Program, to Provide Funds for Capital Improvements Program Project AI4377 - Aircraft Storage Hangar No. 2. Facilities Construction Manager Patricia Jackson stated this Ordinance is to appropriate \$1.5 million from the Airport Construction Fund for construction of Aircraft Storage Hangar No. 2. Council unanimously approved the motion by Council member Day, seconded by Council member Branch, to approve an Ordinance amending the Fiscal Year 2015-16 Annual Budget; and amending the 2016 - 2020 Capital Improvements Program, to provide funds for Capital

Improvements Program Project AI4377 - Aircraft Storage Hangar No. 2.

Caption reads as follows:

ORDINANCE NO. 2016-05-039

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2015-2016 BUDGET AND THE 2016 - 2020 CAPITAL IMPROVEMENTS PROGRAM TO PROVIDE ADDITIONAL FUNDING FOR THE AIRCRAFT STORAGE HANGAR NO. 2 CONSTRUCTION PROJECT (AI4377); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

**16-474** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Interim City Manager to Execute a Professional Services Contract with KSA Engineers, Inc. (KSA) for Architectural / Engineering (A/E) Services Related to the Design and Construction of an Aircraft Storage Hangar (AI4377) Located at McKinney National Airport. Facilities Construction Manager Patricia Jackson stated that KSA Engineers is the Engineer of record for the Airport and they have provided a proposal to do the design for McKinney Air Center Hangar No. 2. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Rogers, to approve a Resolution authorizing the Interim City Manager to execute a Professional Services Contract with KSA Engineers, Inc. (KSA) for Architectural / Engineering (A/E) Services related to the design and construction of an Aircraft Storage Hangar (AI4377) located at McKinney National Airport. Caption reads as follows:

RESOLUTION NO. 2016-05-068 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH KSA ENGINEERS, INC. OF MCKINNEY, TEXAS, FOR ARCHITECTURAL / ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF AIRCRAFT STORAGE HANGAR NO. 2 LOCATED AT MCKINNEY NATIONAL AIRPORT

**16-475** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Amending the 2016 - 2020 Capital Improvements Program, to

Provide Funds for the Community Center Patio Project (PK4252). Facilities Construction Manager Patricia Jackson stated this item allows the allocation of funds for additional costs required for the construction of the contract. Ms. Jackson stated that there was a mistake in the Resolution for the funding. The corrected Resolution has been presented tonight showing the transferring of \$100,000 from the 2014 Bond issuance and \$250,000 from MCDC funding from the PK4325 Parks Accessibility Project and \$220,000 of MCDC funding from the PK4399 Project Umbrella for a total of \$570,000 to PK4252 Community Center Patio Project. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Day, to approve a Resolution amending the 2016 - 2020 Capital Improvements Program, to provide funds for the Community Center Patio Project (PK4252) as corrected and presented. Caption reads as follows:

RESOLUTION NO. 2016-05-069 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, AMENDING THE 2016 - 2020 CAPITAL  
IMPROVEMENTS PROGRAM

- 16-476** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Interim City Manager to Execute a Contract with Drive Construction GC, LLC of Dallas, Texas, for the Construction of the Community Center Patio Project. Facilities Construction Manager Patricia Jackson stated this item is for consideration of the contract with Drive Construction to build the pavilion as well as ADA improvements to restrooms, alternates 1, 2, and 4, for a total contract, with contingencies, of \$1,070,000. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to approve a Resolution authorizing the Interim City Manager to execute a contract with Drive Construction GC, LLC of Dallas, Texas, for the construction of the Community Center Patio Project. Caption reads as follows:

RESOLUTION NO. 2016-05-070 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH DRIVE CONSTRUCTION GC, LLC OF DALLAS, TEXAS, FOR THE CONSTRUCTION OF THE COMMUNITY CENTER PATIO PROJECT

- 16-477** Mayor Loughmiller called for Consideration/Discussion/Action on Appointing a Member to the North Texas Municipal Water District Board. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to appoint Charles McKissick to a two year term on the Texas Municipal Water District Board starting June 1, 2016 and ending May 31, 2018.

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Council member Rogers reminded everyone to get out and vote on Saturday, May 7<sup>th</sup> for the McKinney ISD Bond Election. Mr. Rogers reminded everyone that Sunday is Mother's Day. He stated that he is grateful for a wonderful Mom who is still with us.

Councilwoman Rath wished Council member Pogue a very happy birthday.

Council member Branch stated that the Council was very fortunate to interview some wonderful candidates last Friday for the City Manager position.

Council member Day did not have any comments

Council member Pogue thanked everyone for the Happy Birthday sentiments and he is very fortunate to share his birthday with the City of McKinney that is 168 years old today.

Mayor Pro Tem Ussery expressed birthday wishes to Ms. Rath for her birthday yesterday and Mr. Pogue's birthday today. Mr. Ussery thanked staff for what they do day in and day out.

Mayor Loughmiller expressed birthday wishes to Councilwoman Rath and Council member Pogue. Mr. Loughmiller wished his Mother a Happy Mother's Day. The family will be spending Mother's Day in rehab where she has been recovering from a recent knee surgery. Mr. Loughmiller stated that he has mixed feelings about making

the announcement of the finalists for the City Manager position because it will mean Mr. Muehlenbeck will be ending his tenure with the City. He stated that he has been pleased with the service that Mr. Muehlenbeck has provided over the last two years as the Interim City Manager. He has brought a lot of stability to our City and our Departments. He has assisted the Council in moving projects and policies. Mr. Loughmiller stated that the Council interviewed six candidates for the City Manager position last Friday. There was consensus of the Council to move forward with two candidate finalists. The two candidate finalists are Mr. Paul Grimes and Mr. Mark McDaniel. Mr. Paul Grimes has been the Village Manager for Orland Park, Illinois since June 2008. Some of his accomplishments include successful land negotiations, redevelopment agreements and launching Orland Park's transit oriented downtown redevelopment. Orland Park has a citizen satisfaction rating of 95% and was the first public entity in Illinois to gain a transparency rating of 100% from the Illinois Policy Institute. Mr. Grimes formerly served as the Director of Administration with the City of Cranston, Rhode Island. Prior to his governmental employment, he served as an officer in the U.S. Navy. Mr. Grimes holds a Master of Public Affairs degree from Indiana University and a Bachelor of Arts degree in History and Political Science from Purdue University. Mark McDaniel has held the position of Assistant City Manager for the City of Dallas, Texas since September 2014. Mr. McDaniel oversees water utility operations, stormwater management, Trinity River Corridor Development, Communications, Information Systems, and 311 services. Mr. McDaniel provides direct leadership to the new Dallas Center for Performance Excellence. Previously, Mark has served as City Manager and Deputy City Manager for the City of Tyler, Texas for 10 years. While in Tyler, Mark was an architect for significant change for employee culture through his highly successful excellence program. Mr. McDaniel has also served as Assistant City Manager for the City of Corpus Christi, Texas. He earned a Master of Public Administration degree and a Bachelor of Arts degree in Political Science both from the University of North Texas. On Tuesday, May 10<sup>th</sup> from 6:30 to 8:30 p.m. McKinney residents and businesses are invited to meet and greet the finalists for the City Manager position at the Sheraton McKinney, 1900 Gateway Blvd., where all attendees will have an opportunity to meet Mr. Grimes and Mr. McDaniel and speak to them on topics of

interest. There will be an opportunity to leave feedback to the City Council on each candidate. Comment cards will be available for residents to provide feedback. On the following day, May 11<sup>th</sup>, the City Council will conduct final interviews with more in-depth questions in the hopes of making the selection in the coming weeks so we can begin the negotiation process for entering into a contract with the next City Manager. Mr. Loughmiller expressed his thanks to the Council for moving through this long process and thoroughly reviewing all the applicants. Mr. Loughmiller thanked everyone who applied for the position. Mr. Loughmiller thanked Mr. Muehlenbeck for all that he has done for the City as he has been a pleasure to work with.

Mayor Loughmiller recessed the meeting into executive session at 7:51 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 8:05 p.m.

Council unanimously approved the motion by Council member Rogers, seconded by Councilwoman Rath, to adjourn. Mayor Loughmiller adjourned the meeting at 8:06 p.m.

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BRIAN LOUGHMILLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary