

**CITY COUNCIL REGULAR MEETING
SEPTEMBER 1, 2020**

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, September 1, 2020 at 6:00 p.m.

Council Members Present: Mayor George Fuller, Mayor Pro Tem Rainey Rogers, and Council Members Charlie Philips, Scott Elliott, Frederick Frazier, Rick Franklin, and La'Shadian Shemwell.

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, Assistant City Manager Kim Flom, City Attorney Mark Houser, City Secretary Empress Drane, Interim City Secretary Joshua Stevenson, Director of Parks and Recreation Michael Kowski, Assistant Senior Recreation Center Supervisor Calie Willis, Chief Financial Officer Mark Holloway, Director of Engineering Gary Graham, Director of Planning Jennifer Arnold, Assistant Director of Planning Mark Doty, Police Chief Greg Conley, Deputy Chief Tom Macri, Police Detective Erik Johnson, Police Detective Russ Goetz, Police Lieutenant Randall Meyer, Police Sergeant Damian Guerrero, Police Sergeant Jesse Garcia, Police Officer Robert McGhee, Police Officer Derrick Byrd, Police Officer James Lopez, Police Officer Cherie Silas, Police Officer Adrian Guzman, Police Officer Randy Patton, Police Officer Garrett Palmer, Police Officer Luis Moreno, Police Officer Jonathan Losawyer, Police Officer Bruno Siqueira, Police Officer Damon Farrow.

There were approximately thirty (30) member of the public present in the audience.

Mayor Fuller called the meeting to order at 6:10 p.m. upon determining a quorum of the Council was present.

Mayor Fuller called for the Invocation, given by Pastor Arnulfo Alvarado of Vida Abundante Christian Center. Mayor Fuller Led the Pledge of Allegiance.

Mayor Fuller called for the Information Sharing items:

20-0752 Proclamation for National Senior Center Month

20-0753 Proclamation for Prostate Cancer Awareness Month

Mayor Fuller called for Public Comments regarding agenda items:

Steve Spainhouer, 1836 Virginia, McKinney TX 75069 spoke regarding the resolution authorizing the City to use Eminent Domain.

Tamara Johnson, P.O. Box 2514, McKinney TX 75070 spoke regarding the resolution authorizing the City to use Eminent Domain.

Beth Bentley (no address provided) spoke regarding Eastside Redevelopment and the budget for Fiscal Year 2020-2021.

Phillip Lucia, 4490 Eldorado Pkwy., McKinney TX spoke regarding the budget for Fiscal Year 2020-2021.

Mayor Fuller called for the Consent Agenda.

Council unanimously approved the motion by Council member Scott Elliott, seconded by Council member Rick Franklin, to approve the following Consent items:

- 20-0754** Minutes of the City Council Budget Work Session of August 14, 2020
- 20-0755** Minutes of the City Council Work Session of August 18, 2020
- 20-0756** Minutes of the City Council Regular Meeting of August 18, 2020
- 20-0757** Minutes of the City Council Special Meeting (Boards & Commission Appointments) of August 25, 2020
- 20-0687** Minutes of the McKinney Economic Development Corporation Meeting of July 21, 2020
- 20-0722** Minutes of the Planning and Zoning Commission Regular Meeting of August 11, 2020
- 20-0723** Minutes of the Visit McKinney Board Meeting of July 28, 2020
- 20-0758** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Interlocal Agreement and Memorandum of Understanding Between the City of Plano, City of McKinney, City of Frisco and Collin County for the Application and Administration of the Department of Justice 2020 Byrne Justice Assistance Grant and Designating the City Manager or Designee, as Official Representative of the City in Matters Relating to the Program. Resolution caption reads as follows:

RESOLUTION NO. 2020-09-117 (R)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER**

TO ENTER INTO AN INTERLOCAL AGREEMENT AND MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PLANO, THE CITY OF MCKINNEY, THE CITY OF FRISCO AND COLLIN COUNTY FOR THE APPLICATION FOR AND ADMINISTRATION OF THE DEPARTMENT OF JUSTICE 2020 BYRNE JUSTICE ASSISTANCE GRANT, AND DESIGNATING THE CITY MANAGER, OR DESIGNEE, AS OFFICIAL REPRESENTATIVE OF THE CITY IN MATTERS RELATING TO THE PROGRAM

- 20-0759** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute Certain Contracts and Agreements Necessary to Seek Reimbursement for Eligible Costs Regarding the Runway 18-36 Joint Rehabilitation Project at the McKinney National Airport; and Providing an Effective Date. Resolution caption reads as follows:

RESOLUTION NO. 2020-09-118 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE CERTAIN CONTRACTS AND AGREEMENTS NECESSARY TO SEEK REIMBURSEMENT FOR ELIGIBLE COSTS REGARDING THE RUNWAY 18-36 JOINT REHABILITATION PROJECT AT THE MCKINNEY NATIONAL AIRPORT; AND PROVIDING AN EFFECTIVE DATE

- 20-0760** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Change Order for Additional Services with Spinelli Construction Services (SCS) of Dallas, Texas for Professional Consulting Services and Owner's Representation Services Related to Projects PK4398 and PK4394 in McKinney, Texas. Resolution caption reads as follows:

RESOLUTION NO. 2020-09-113 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER FOR ADDITIONAL SERVICES WITH SPINELLI CONSTRUCTION SERVICES (SCS) OF DALLAS, TEXAS FOR PROFESSIONAL CONSULTING SERVICES AND OWNER'S REPRESENTATION SERVICES RELATED TO THE OLD SETTLER'S RECREATION CENTER RENOVATION PROJECT (PK4398) AND THE SENIOR RECREATION CENTER RENOVATION PROJECT (PK4394) IN MCKINNEY, TEXAS

- 20-0761** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Kimley-Horn and Associates, Inc. for Professional Services Related to the Construction of the Trinity Falls Parkway Link Connection. Resolution caption reads as follows:

RESOLUTION NO. 2020-09-114 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC FOR ADDITIONAL PROFESSIONAL SERVICES FOR PROJECT ST4422 TRINITY FALLS PARKWAY LANES 3 & 4 LINK CONNECTION

- 20-0762** Consider/Discuss/Act on a Resolution Approving the First Amendment to Lease Agreement between AMI Wealth Strategies, LLC and The City of McKinney, Texas. Resolution caption reads as follows:

RESOLUTION NO. 2020-09-115 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN AMI WEALTH STRATEGIES, LLC AND THE CITY OF MCKINNEY, TEXAS AND PROVIDING AN EFFECTIVE DATE

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

- 20-0763** Conduct First Public Hearing on the Budget Appropriation Ordinance for FY 2020-21

There were no requests by the public to speak at the Public Hearing.

Council unanimously approved the motion by Council member Franklin, seconded by Council member Frazier, to Close the public hearing on the Budget Appropriation Ordinance for FY 2020-21.

- 20-0764** Consider/Discuss/Act on Adoption of a Resolution Determining a Public Necessity to Acquire Certain Properties (in Fee Simple) for Public Use by Eminent Domain and Associated with the East Louisiana Public Parking Project and Said Certain Properties are Legally Known as Lots 1, 2A, 2C & 3 of the Andrews Addition and Lot/Outlots 1A and 1B of the George A Wilson Addition, an Addition to the City of McKinney, Collin County Texas Generally Located Between East Louisiana Street and Anthony Street and Authorizing the City Manager to Establish Procedures for Acquiring the Properties in Fee Simple, and Take All Steps Necessary to Acquire the Needed Property Rights in Compliance with all Applicable Laws and Resolutions.

Council approved the motion by Council member Philips, seconded by Mayor Pro Tem Rogers, to approve this item as written and adopt the Resolution described in this agenda item and authorize the use of the power of eminent domain to acquire for public use the necessary properties in fee simple from the owner of the properties depicted on and described by metes and bounds attached to said Resolution, said depiction and description being incorporated in their entirety into this motion for all purposes associated with the East Louisiana Public Parking Project, with a vote of 6-1 This item required a Roll Call vote and results as follows:

Mayor Fuller – Yes

Mayor Pro Tem Rogers – Yes

Council Member Philips – Yes

Council Member Elliott – Yes

Council Member Frazier – Yes

Council Member Franklin – Yes

Council Member Shemwell – No

Resolution caption reads as follows:

RESOLUTION NO. 2020-09-116 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTIES (IN FEE SIMPLE) FOR PUBLIC USE BY EMINENT DOMAIN AND ASSOCIATED WITH THE EAST LOUISIANA PUBLIC PARKING PROJECT AND SAID CERTAIN PROPERTIES ARE LEGALLY KNOWN AS LOTS 1, 2A, 2C & 3 OF THE ANDREWS ADDITION AND LOT/OUTLOTS 1A AND 1B OF THE GEORGE A WILSON ADDITION, AN ADDITION TO THE CITY OF MCKINNEY, COLLIN COUNTY TEXAS GENERALLY LOCATED BETWEEN EAST LOUISIANA STREET AND ANTHONY STREET AND AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING THE PROPERTIES IN FEE SIMPLE, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS

20-0004M2 Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Chapter 146 (Zoning Regulations), Section 146-130 (Vehicle Parking) of the Code of Ordinances, and Accompanying

There were no requests by the public to speak at the Public Hearing.

Council unanimously approved the motion by Council member Elliott, seconded by Council member Shemwell, to close the public hearing and to approve a Request by the City of McKinney to Amend Chapter 146 (Zoning Regulations), Section 146-130 (Vehicle Parking) of the Code of Ordinances, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2020-09-063

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 146, ENTITLED "ZONING REGULATIONS," OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, BY AMENDING SECTION 146-130, "VEHICLE PARKING," BY DELETING SUBSECTION (3), TITLED "SHARED PARKING SPACES," IN ITS ENTIRETY AND REPLACING IT WITH A NEW SUBSECTION (3) THAT IS ALSO TITLED "SHARED PARKING SPACES," AS SET FORTH HEREIN BELOW; REPEALING ALL CONFLICTING ORDINANCES; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING A PENALTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

20-0765 Consider/Discuss/Act on Appointing a Member to the Board of Adjustment

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Philips, to move Neil Prevost from alternate member to full member and to appoint Tonya Dangerfield as the new Alternant on the Board of Adjustment.

Neil Prevost's term be effective October 1, 2020 to September 30, 2022 at the will of the Council.

Tonya Dangerfield's term will be effective October 1, 2020 to September 30, 2021 at the will of the Council.

Mayor Fuller called for Public Comments regarding issues not on the agenda.

The following individuals spoke regarding the Recall Petition:

Joshua Murray, 1762 Lake Rd., Lavon TX 75166

The following individuals spoke regarding the 2020 Census:

Celeste Cox, 1301 Oak, McKinney TX 75069

The following individuals spoke regarding good things in the City:

Nina Dowell-Ringley, 313 North Benge, McKinney TX 75069

The following individuals yielded their time:

Sean Howe, 4209 Hawker Drive, McKinney TX 75072

Mayor Fuller called for Council and Manager Comments.

Council Member Philips offered his condolences and let the families who had recently lost family members that the whole city mourns with them.

Mayor Pro Tem Rogers offered his condolences and prayers to another McKinney family who had lost a family member that was on vacation.

Council Member Frazier reminded citizens that school started back in person and to drive safe. Council member Frazier also urged citizens to donate school supplies if they are able.

Council Member Shemwell spoke about his time in Washington D.C. in the “March on Washington” remembering Dr. King when he was there 57 years ago. Council Member Shemwell felt it an honor to stand with Al Sharpton and Dr. King III to stand for Equality. Council Member Shemwell also thanked the police officers that were present for keeping the city safe and for their sacrifice. Council Member Shemwell also tasked citizens with performing selfless acts for each other.

City Manager Paul Grimes had a few announcements:

- The last Public Hearing on the City’s Budget for Fiscal Year 2020-21 is at 6:00 p.m. on September 15, 2020.
- North Texas Municipal Water District is holding a virtual public input meeting on a upcoming project.
- To thank Karen Adkins, the Emergency Management Coordinator, and her staff for their service during the time of COVID-19 and for the recovery of Hurricane Laura.
- Four City of McKinney Firefighters were sent to California to help with the wildfires.
- To keep a City’s Fire Captain in thoughts and prayer as he had a medical emergency.

Mayor Fuller followed up with his condolences to the families on the loss of young lives. Mayor Fuller stated that people online were trying to politicize the tragic loss and requested them to stop. The Mayor followed with a reading from a letter written to him by a local political group and thanked them for their new communication.

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council member Elliott, to adjourn the meeting at 7:20 p.m.

GEORGE C. FULLER
Mayor of McKinney, Texas

ATTEST:

EMPRESS DRANE
McKinney City Secretary