

CITY COUNCIL WORK SESSION & SPECIAL MEETING

NOVEMBER 10, 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, November 10, 2020 at 3:00 p.m.

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

City Council Absent: La'Shadian Shemwell

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, City Secretary Empress Drane, Deputy City Secretary Joshua Stevenson, City Secretary Administrative Assistant Blenda Sims, Records Specialist Juametta Terrell, Strategic Services Manager Trevor Minyard, Chief of Police Greg Conley, Assistant Chief of Police Joe Ellenburg, Assistant Chief Randy Roland, Officer Cherie Silas, Detective Carl Severan, Facilities Construction Manager Patricia Jackson, Director of Airport Kenneth Carley, Director of Parks & Recreation Michael Kowski, Executive Director of Development Services Michael Quint, Director of Planning Jennifer Arnold, McKinney Performing Arts Center (MPAC) and Main Street Program Director Amy Rosenthal, and Community Services Administrator Shirletta Best.

There were approximately forty (40) members of the public present in the audience.

Mayor Fuller called the meeting to order at 3:03 upon determining a quorum of the Council was present.

Mayor Fuller called for Public Comments regarding Agenda items.

Tamara Johnson, P.O. Box 2514, McKinney TX 75070, spoke regarding the future representation for District 1.

Alonzo Tutson, P.O. Box 1201, Anna TX 75409, spoke regarding the future representation for District 1.

Mayor Fuller recessed the Special Meeting at 3:20 p.m.

Mayor Fuller reopened the Special Meeting at 3:40 p.m.

Mayor Fuller called for the Work Session Agenda.

- 20-1008** Consider/Discuss Vacancies on City Council Under Sec. 17 of the McKinney Home Rule Charter

Mayor Fuller called for the Special Agenda and Public Hearing Items.

- 20-1009** Consider/Discuss/Act on Appointment of a Council Member pursuant to Home Rule Charter Section 17

Council unanimously approved the motion by Mayor Fuller, seconded by Council Member Franklin, to table this item until the City Council Meeting to be held on December 1, 2020.

- 20-1010** Consider/Discuss/Act on a Resolution Adopting the City of McKinney's Legislative Priorities for the 87th Session of the Texas State Legislature

Council unanimously approved the motion by Council Member Franklin, seconded by Council Member Elliott, to approve a Resolution Adopting the City of McKinney's Legislative Priorities for the 87th Session of the Texas State Legislature.

Resolution caption reads as follows:

RESOLUTION NO. 2020-11-168 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ADOPTING THE CITY OF MCKINNEY'S LEGISLATIVE PRIORITIES FOR THE 87TH SESSION OF THE TEXAS STATE LEGISLATURE

- 20-1011** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract Amendment to the Construction Manager at Risk (CMAR) Services Contract with Pogue Construction Company, LP of McKinney, Texas for a Guaranteed Maximum Price (GMP) Related to the Public Safety Building Phase 5 Expansion and Renovation Project Located at 2200 Taylor Burk Drive, McKinney, Texas

Council unanimously approved the motion by Council Member Elliott, seconded by Council Member Frazier, to approved a Resolution Authorizing the City Manager to Execute a Contract Amendment to the Construction Manager at Risk (CMAR) Services Contract with Pogue Construction Company, LP of McKinney, Texas for a Guaranteed Maximum Price (GMP) Related to the Public Safety Building Phase 5 Expansion and

Renovation Project Located at 2200 Taylor Burk Drive, McKinney, Texas. Resolution caption reads as follows:

RESOLUTION NO. 2020-11-169 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES CONTRACT WITH POGUE CONSTRUCTION COMPANY, LP OF MCKINNEY, TEXAS FOR A GUARANTEED MAXIMUM PRICE (GMP) RELATED TO THE PUBLIC SAFETY BUILDING (PSB) PHASE 5 EXPANSION AND RENOVATION PROJECT

20-1012 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract Amendment to the Construction Manager at Risk (CMAR) Services Contract with McRight-Smith Construction, LLC whose local office is in Plano, Texas for a Guaranteed Maximum Price (GMP) Related to the Design and Construction of the TKI Executive Terminal located at 1508 Industrial Blvd, at the McKinney National Airport, McKinney Texas

Council unanimously approved the motion by Council Member Philips, seconded by Council Member Franklin, to approve a Resolution Authorizing the City Manager to Execute a Contract Amendment to the Construction Manager at Risk (CMAR) Services Contract with McRight-Smith Construction, LLC whose local office is in Plano, Texas for a Guaranteed Maximum Price (GMP) Related to the Design and Construction of the TKI Executive Terminal located at 1508 Industrial Blvd, at the McKinney National Airport, McKinney Texas. Resolution caption reads as follows:

RESOLUTION NO. 2020-11-170 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES CONTRACT WITH MCRIGHT-SMITH CONSTRUCTION, LLC WHOSE LOCAL OFFICE IS IN PLANO, TEXAS FOR A GUARANTEED MAXIMUM PRICE (GMP) RELATED TO THE DESIGN AND CONSTRUCTION OF THE TKI EXECUTIVE TERMINAL AT THE MCKINNEY AIRPORT

20-1013 Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2020-2021 Annual Budget to Provide Funds for the CDBG-CV Grant Program, under the 2020-2021 CDBG Program Year

Council unanimously approved the motion by Council Member Philips, seconded by Mayor Pro Tem Rogers, to approve an Ordinance Amending the Fiscal Year 2020-2021 Annual Budget to Provide Funds for the CDBG-CV Grant Program, under the 2020-2021 CDBG Program Year. Ordinance caption reads as follows:

ORDINANCE NO. 2020-11-080

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2020-2021 ANNUAL BUDGET, TO PROVIDE FUNDING FOR THE CDBG-CV GRANT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

20-0071Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally to Modify the Use and Development Standards, Located on the Northwest Corner of Stacy Road and Ridge Road, and Accompanying Ordinance

Council unanimously approved the motion by Council Member Philips, seconded by Council Member Franklin, to close the public hearing and approve a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally to Modify the Use and Development Standards, Located on the Northwest Corner of Stacy Road and Ridge Road, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2020-11-081

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 22.47 ACRE PROPERTY, LOCATED ON THE NORTHWEST CORNER OF STACY ROAD AND RIDGE ROAD, IS REZONED FROM "PD" - PLANNED DEVELOPMENT DISTRICT AND "REC" - REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" - PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE USE AND 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

20-0066Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally to Modify the Uses and Development Standards, Located on the Southeast Corner of Van Tuyl Parkway and Weiskopf Avenue, and Accompanying Ordinance

Council unanimously approved the motion by Council Member Franklin, seconded by Council Member Philips, to close the public hearing and approve a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally to Modify the Uses and Development Standards, Located on the Southeast Corner of Van Tuyl Parkway and Weiskopf Avenue, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2020-11-082

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 62.169 ACRE PROPERTY, LOCATED ON THE SOUTHEAST CORNER OF VAN TUYL PARKWAY AND WEISKOPF AVENUE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE USES AND 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

20-1014 Consider/Discuss/Act on an Amendment to the Declaration of Restrictions for the McKinney Corporate Center at Craig Ranch

Council unanimously approved the motion by Council Member Elliott, seconded by Council Member Franklin, to approve an Amendment to the Declaration of Restrictions for the McKinney Corporate Center at Craig Ranch.

20-0046SP Consider/Discuss/Act on a Site Plan for an Office / Warehouse

Development, Located on the Southwest Corner of Hardin Boulevard and McKinney Ranch Parkway

Council approved the motion by Mayor Pro Tem Rogers, seconded by Mayor Fuller, to approve a Site Plan for an Office / Warehouse Development, Located on the Southwest Corner of Hardin Boulevard and McKinney Ranch Parkway with a vote of 4 – 2, Council Members Philips and Frazier voting no.

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

Greg Booth, 1910 N. Stonebridge, McKinney TX 75071, spoke regarding commercial inspections and downtown restaurant parklets.

Paul Miles, 1116 Wedge Hill Rd., McKinney TX 75072, spoke regarding downtown restaurant assistance.

Ruth Thompson, 224 E. Virginia St., McKinney TX 75069, spoke regarding downtown restaurant assistance.

Lisa Washington, 18788 Marsh Lane #1323, Dallas TX 75287, spoke regarding the future representation of District 1.

Tanner Agar, 111 W. Virginia St., McKinney TX 75069, spoke regarding downtown restaurant assistance.

Sean Howe, 4209 Hawkin Drive, McKinney TX 75072, spoke regarding response to COVID-19.

Tamara Johnson, P.O. Box 2514, McKinney TX 75069, spoke regarding the future representation of District 1.

Alonzo Tutson, P.O. Box 1201, Anna TX 75409, thanked the Council for the work that they are doing.

Mayor Fuller called for Council and Manager Comments.

Mayor Fuller stated that the Council will work with restaurants to help promote downtown business. Mayor Fuller spoke regarding the Throckmorton Statue Ad Hoc Advisory Board and the recall election. Mayor Fuller thanked Council Member Elliott for his work on the City Council and MPAC and Main Street Program Director Amy Rosenthal for her work on the State of The City Webinar. Mayor Fuller talked about the Byron Nelson Golf Tournament.

Council Member Philips congratulated the Parks and Recreation for their upcoming projects and facility renovation. Council Member Philips thanked MPAC and Main Street Program Director Amy Rosenthal for her work on the State of The City Webinar. Philips thanked Mayor Fuller for his tribute to Kim Davis. Council Member Philips congratulated Josh Cox from McKinney High for his performance in his last game. Philips congratulated the following McKinney Athletes for representing McKinney at the University level:

- Basketball player, Trinity White, from McKinney High School signed with Butler University.
- Basketball player, Amaria Fields, from McKinney North signed with Boston College.
- Volleyball player, Ava Grace Haggard, from McKinney Christian Academy signed with Baylor University.
- Baseball players, Seth Cox, Brian Johnson, Landon Kerkmaz, from McKinney High School signed with North East Texas Community College.
- Softball player, Kinsey Kackley, from McKinney Boyd signed with Louisiana Monroe.
- Cross Country Runner, Paige Maple, from McKinney Boyd signed with Dallas Baptist.
- Soccer player, Madison Lane, from McKinney High signed with Palm Beach Atlantic University.
- Soccer players, Olivia White and Makayla Smith, from McKinney Boyd signed with East Central University.
- Soccer player, Cambori Watson, from McKinney North signed with East Central University.
- Soccer player, Natasha Soto, from McKinney North signed with Angelo State.

Council Member Elliott announced that he will not be running again in May 2021.

Mayor Pro Tem Rogers agreed with Mayor Fuller that the City Council will do what they can to help the restaurants downtown. Mayor Pro Tem Rogers explained why the City has Legislative Priorities.

Council Member Franklin thanked Council Member Elliott for his work on the City Council. Council Member Franklin talked about his time in the Citizen's Fire Academy. Franklin agreed that the City Council will help the restaurants downtown.

Council Member Frazier congratulated MPAC and Main Street Program Director Amy Rosenthal and City Manager Paul Grimes for their work on the State of The City Webinar. Council Member Frazier agreed that the City Council will help the restaurants downtown. Council Member Frazier thanked Council Member Elliott for his work on the City Council.

City Manager Paul Grimes updated the Council on the following items:

- McKinney Performing Arts Center's Annual Fundraiser to cover the costs of importing a 34' live tree.

City Manager Paul Grimes thanked Council Member Elliott for his work on the City Council.

Mayor Fuller called for the Executive Session at 5:20 p.m. in accordance with Texas Government Code:

A. Section 551.071(2) Consultations with Attorney on any Work Session, Special Session, or Regular Session agenda item requiring confidential attorney/client advice necessitated by the deliberation or discussion of said items (as needed)

- 503 E. Davis St.--Code Compliance

B. Section 551.071 (A) Pending or contemplated litigation

- La'Shadien Shemwell, in his Official Capacity as a City Council Member, and in his Individual Capacity as a Voter in District 1, Florine Henry, and Debra Fuller, Plaintiffs v. City of McKinney, Texas, Defendant

C. Section 551.072. Deliberations about Real Property

- Municipal Facilities

D. Section 551.074. Personnel Matters

E. Section 551.087. Deliberation Regarding Economic Development Matters

Mayor Fuller reconvened from the Executive Session and reopened the Special Session at 6:07 p.m. with all Council Members present. No action was taken on Executive Session agenda items.

At 6:08 p.m., the Council unanimously approved the motion by Council Member Elliott, seconded by Mayor Pro Tem Rogers, to adjourn.

The video recording of this meeting is available through the City of McKinney meetings archives.

These minutes approved by the McKinney City Council on December 1, 2020.

SIGNED:

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
McKinney City Secretary
JOSHUA STEVENSON
Deputy City Secretary

City of McKinney, Texas