

CITY COUNCIL REGULAR MEETING

OCTOBER 2, 2023

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, October 2, 2023 at 6:00 p.m.

The meeting was broadcast live on cable television Spectrum Channel 16 and AT&T U-Verse Channel 99; and online at <https://mckinneytx.new.swagit.com/views/130>. A video recording of the meeting is available to members of the public through the City of McKinney meeting archive.

Mayor George Fuller called the meeting to order at 6:07 p.m. upon determining a quorum consisting of himself and the following City Council members were present: Mayor Pro Tem Charlie Philips, City Council members Justin Beller, Patrick Cloutier, Geré Feltus, Rick Franklin, and Michael Jones.

These City of McKinney Staff were present: City Manager Paul Grimes, City Attorney Mark Houser, City Secretary Empress Drane, Director of Public Safety Greg Conely, Police Chief Joe Ellenburg, Police Sergeant Joseph Spano, Fire Chief Paul Dow, Assistant Fire Chief Chris Lowry, Assistant Fire Chief James Floyd, Fire Public Information & Education Coordinator Merit Ossian, Firefighter Zack Costa, Fire Captain Joel Boyd, Fire Driver Joe Patton, Firefighter Wyatt Beezley, Firefighter Bryan Soboleski, Fire Driver Dean Crane, Fire Battalion Chief Jason Hockett, Human Resources Manager Olivia Nahas, Assistant Director of Parks, Recreation & Open Space Ryan Mullins, Information Technology Service Technician Matt Record, Information Technology Service Technician Collin Wallick, Executive Director of Development Services Michael Quint, Director of Planning Jennifer Arnold, and Chief Financial Officer Mark Holloway.

There were approximately fifteen (15) members of the public in the audience.

Mayor Fuller called for the Invocation and Pledge of Allegiance. The Invocation was given by Sentinel David Renard of the York Rite of Freemasonry, McKinney Commandery No. 34. Sentinel Renard was accompanied by fellow Commandery Officers Commander Lewis Bell and Senior Warden Cedric Cascio.

Mayor Fuller called for the Information Sharing items:

23-0791 Proclamation for Fire Prevention Week

23-0792 County Bond Update Presented by Former McKinney City Mayor Brian Loughmiller

Former Mayor Loughmiller was unable to attend the meeting, and this item will be presented at the City Council Regular Meeting of October 17, 2023

Paul Ballesteros was called to speak

If you wish to address the City Council on a posted item on this agenda, please fill out a "Request to Speak" card and present it to the City Secretary prior to the meeting. Speakers wishing to address the City Council regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency. Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the City Council for items listed as Public Hearings will be recognized when the Public Hearing is opened.

CONSENT AGENDA

Council unanimously approved the motion by Council member Rick Franklin, seconded by Council member Gere Feltus, to Approved
CONSENT AGENDA

These items consist of non-controversial or housekeeping items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.

Consent MINUTES

23-0793 Minutes of the City Council Special Meeting of May 16, 2023 Canvassing the Results of the May 6, 2023 General Election for City Council Members and Special Bond Election

23-0794 Minutes of the City Council Work Session of May 16, 2023

23-0795 Minutes of the City Council Regular Meeting of May 16, 2023

23-0796 Minutes of the City Council Regular Meeting of June 6, 2023

23-0797 Minutes of the City Council Budget Work Session of August 11, 2023

CITY COUNCIL MINUTES
PAGE 3

- 23-0798** Minutes of the City Council Work Session of September 5, 2023
- 23-0799** Minutes of the City Council Regular Meeting of September 5, 2023
- 23-0800** Minutes of the City Council Work Session of September 19, 2023
- 23-0801** Meeting Minutes of the City Council Regular Meeting of September 19, 2023
- 23-0697** Minutes of the Historic Preservation Advisory Board Meeting of July 6, 2023
- 23-0732** Minutes of the McKinney Armed Services Memorial Board Meeting of December 14, 2022
- 23-0733** Minutes of the McKinney Armed Service Memorial Board Meeting of August 9, 2023
- 23-0374** Minutes of the McKinney Urban Transit District Board Meeting of March 21, 2023
- 23-0731** Minutes of the Planning and Zoning Commission Regular Meeting of August 22, 2023

Consent ORDINANCES

- 23-0802** Consider/Discuss/Act on an Ordinance Amending Chapter 70 "Offenses and Miscellaneous Provisions" by Repealing Article VIII, "Curfew Hours for Minors" in its Entirety; Repealing Conflicting Ordinances, Providing a Savings Clause; Providing a Severability Clause; and Providing an Effective Date

Consent RESOLUTIONS

- 23-0803** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Apply for, Accept, and Implement a Firehouse Subs Public Safety Foundation Grant, if Awarded, to Purchase a Trailer for Storage and Transport of the McKinney Fire Department's All-Terrain Vehicle (ATV)

- 23-0804** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Amend the Predevelopment Agreement and the Reimbursement Agreement with Griffin/Swinerton, LLC (Developer) for the Performance and Purchase of Phase 1 Services for Multiple Facilities at McKinney National Airport
- 23-0805** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with AndCo Consulting, LLC of Winter Park, Florida to Provide Advisory and Consulting Services for 457 Deferred Compensation Plan
- 23-0806** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with The Equestrian Center at Whispering Farms, LLC, of Prosper, Texas for Equine (Horse) Boarding of the McKinney Police Mounted Unit
- 23-0807** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with Kimley - Horn and Associates, Inc. of McKinney, Texas for Landscape Architectural Services Related to the Al Ruschhaupt Connector Road Project PK2345
- 23-0808** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Kimley-Horn and Associates, Inc. for Professional Engineering Design Services for the Collin McKinney Parkway (Lake Forest Drive to Hardin Boulevard) Project
- 23-0809** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Parkhill, Smith & Cooper, Inc. for Professional Architectural and Engineering Design Services for Old Settler's Park Improvements Located at 1201 East Louisiana St
- 23-0810** Consider/Discuss/Act on a Resolution Authorizing a Third Amendment to Consent Agreements Regarding Bond Authority for Two (2) Existing

Municipal Utility Districts: Municipal Utility District No. 1 and Municipal Utility District No. 2 - Trinity Falls

Consent MISCELLANEOUS

- 23-0811** Consider/Discuss/Act on a First Amendment to 2022 Amended and Restated Development Agreement and a related First Amendment to 2022 Amended and Restated Park Development and Disbursement Agreement with Trinity Falls Holdings, LP

END OF CONSENT AGENDA

PLAT CONSIDERATION under Chapter 212 of the Texas Local Government Code

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Michael Jones, to Approved PLAT CONSIDERATION under Chapter 212 of the Texas Local Government Code

Approve the staff recommendation for all items listed under Plat Consideration

- 22-0228PF2** Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1 and 2, Block A, of the Cottages of McKinney Addition, Located in the McKinney Extraterritorial Jurisdiction (ETJ), and Located on the East Side of County Road 166 and Approximately 2,644 Feet South of County Road 168
- 23-0176FP** Consider/Discuss/Act on a Final Plat for the Sunshine Addition, Lots 1 & 2 Block A, Located in the City of McKinney Extraterritorial Jurisdiction (ETJ), Located at 6143 County Road 408
- 23-0183FP** Consider/Discuss/Act on a Final Plat for JMT Academy at Custer Addition, Located in the City of McKinney Extraterritorial Jurisdiction (ETJ), Located East of Farm to Market 2478 and approximately 300 feet South of County Road 126

REGULAR AGENDA AND PUBLIC HEARING ITEMS

This portion of the agenda consists of items requiring individual consideration by the Council. Pursuant to Section 551.007 of the Texas Government Code, any person

wishing to address the City Council for items listed as Public Hearings will be recognized when the Public Hearing is opened.

Items under this subcategory require separate consideration pursuant to the Texas Local Government Code. The staff recommendation in each item describe the necessary form of action required on each plat. A "Motion to Approve these items in accordance with staff's recommendation" will result in approval, approval with conditions or disapproval as such are contained in § 212.009 of the Texas Local Government Code.

23-0058Z4 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C2" - Local Commercial District, Located at 4050 West University Drive, and Accompanying Ordinance

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Gere Feltus, to Tabled to Another Meeting 23-0058Z4 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C2" - Local Commercial District, Located at 4050 West University Drive, and Accompanying Ordinance

Tabled to the City Council Regular Meeting of October 17, 2023

Council action on remaining Public Hearing items (with request to be tabled)

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Gere Feltus, to Tabled to Another Meeting 23-0058Z4 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C2" - Local Commercial District, Located at 4050 West University Drive, and Accompanying Ordinance

23-0050Z2 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 and to Allow for Commercial Uses, Located at 6201 North

McDonald Street, and Accompanying Ordinance (REQUEST TO BE TABLED)

23-0054Z3 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 and to Allow for Multi-Family Residential Uses, Located on the Southwest Corner of McKinney Ranch Parkway and Collin McKinney Parkway (REQUEST TO BE TABLED)

23-0061Z2 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 Development Standards and to Allow for Multi-Family Residential Uses, Located on the East Side of Custer Road and Approximately 1,400 Feet North of Silverado Trail, and Accompanying Ordinance (REQUEST TO BE TABLED)

23-0062Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agriculture District to "C3" - Regional Commercial District, Located Approximately 1,750 Feet East of North Lake Forest Drive and on the North Side of West University Drive, and Accompanying Ordinance (REQUEST TO BE TABLED)

23-0063Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District to "I1" - Light Industrial District, Located at 3200 North Central Expressway (REQUEST TO BE TABLED)

23-0812 Consider/Discuss/Act on a Resolution Nominating Member(s) to the Collin Central Appraisal District Board of Directors

END OF REGULAR AGENDA AND PUBLIC HEARING ITEMS

23-0812 Consider/Discuss/Act on a Resolution Nominating Member(s) to the Collin
Central Appraisal District Board of Directors

CITIZEN COMMENTS on Matters not on the Agenda

If you wish to address the City Council on a posted item on this agenda, please fill out a
"Request to Speak" card and present it to the City Secretary prior to the meeting.

COUNCIL AND MANAGER COMMENTS

Council and Manager Comments relating to items of public interest: Announcements
regarding local or regional civic and charitable events, staff recognition, commendation
of citizens, traffic issues, upcoming meetings, informational update on City projects,
awards, acknowledgement of meeting attendees, birthdays, requests of the City Manager
for items to be placed on upcoming agendas, and condolences.

EXECUTIVE SESSION

In Accordance with the 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)

B. Section 551.071 (A) Pending or contemplated litigation - Master Services Agreement
by and between City of McKinney, Texas and Sierra-Cedar, LLC dated January 25, 2021

C. Section 551.072. Deliberations about Real Property - Abstract A0085, Tract 18 of the
Ed Bradley Survey, an addition to the City of McKinney, Texas, totaling approximately
14.810 acres, and Abstract A0085, Tract 26 of the Ed Bradley Survey, an addition to the
City of McKinney, Texas, totaling approximately 5.000 acres

ACTION ON EXECUTIVE SESSION ITEMS

ADJOURN

Council unanimously approved the motion by Council member Gere
Feltus, seconded by Council member Charlie Philips, to Adjourn

ADJOURN

Posted in accordance with Texas Government Code, Chapter 551, on September 29,
2023. _____ Empress Drane, City Secretary
Bethel, Deputy City Secretary

In accordance with the Americans with Disabilities Act, it is the policy of the City of McKinney to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at least 48 hours in advance of the event. Email contact-adacompliance@mckinneytexas.org. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. ADA grievances may also be directed to the ADA Coordinator or filed online at <http://www.mckinneytexas.org/ada>.

These minutes were approved by the City Council on <date>.

SIGNED:

GEORGE C. FULLER, Mayor
CHARLIE PHILIPS, Mayor Pro Tem

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary

City of McKinney, Texas