

CITY COUNCIL WORK SESSION

NOVEMBER 7, 2023

The City Council of the City of McKinney, Texas met in work session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas on Tuesday, November 7, 2023 at 3:00 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 work session to order at 3:03 p.m. upon determining a quorum consisting of himself and the following Councilmembers were present: Mayor Pro Tem Charlie Philips and Councilmembers Justin Beller, Patrick Cloutier, Geré Feltus, Rick Franklin, and Michael Jones.

These City of McKinney staff members were present: City Manager, Paul Grimes; Assistant City Managers Kim Flom, Barry Shelton and Steve Tilton; Executive Director of Development Services, Michael Quint; City Attorney, Mark Houser; Director of Public Safety, Greg Conley; Director of Planning, Jennifer Arnold; Director of Engineering, Gary Graham; City Secretary, Empress Drane; Director of Communications and Marketing, Coco Good; Director of Airport, Ken Carley; Director of Code Services, Kerry Simpson; Chief Financial Officer, Mark Holloway; Assistant Director of Public Works, Paul Sparkman; Assistant Director of Parks and Recreation, Ryan Mullins; Deputy City Secretary, Tenitrus Bethel; CIP Manager, Blake Sills; Environmental Services Manager, Eric Hopes; Parks Planning & Development Manager, Jenny Baker; Health Compliance Manager, Richard Milam; Procurement Services Manager, Lisa Littrell; Transportation Engineering Manager, Thuan Huynh; Creative Services Manager, Michelle Feldker; Assistant Procurement Services Manager, Ian Coubrough; Civil Engineer II, Manjeeta Sitaula; Buyer II, Trey Benton; Buyer II, Sean Fu; and Graduate Engineer I, Alvin Maliakal.

Mayor Fuller called for public comments regarding work session agenda items as well as matters not on the agenda; at which time there were no requests to address the Council.

Mayor Fuller called for discussion on regular meeting agenda items for the City Council Regular Meeting to be held on Tuesday, November 7, 2023 at 6:00 p.m.

Councilmember Feltus inquired about agenda items 23-0912, Airport Revenue Certificates of Obligation. Mr. Holloway provided information regarding this item.

Mayor Fuller called for Work Session items.

23-0895 Discuss Update to Yard Waste/Composting Program

23-0896 Update on Bike/Hiking Trails at Erwin Park

The presentation for this item will be included in the appendix of these minutes as "Appendix A – Erwin Park Tree & Trails Removal Update"

Mayor Fuller called for Council Liaison Updates regarding city Boards & Commissions. There were no updates at this time.

Mayor Fuller called for Executive Session at 3:50 p.m. 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)

- Amendment of Boundary Agreement with the City of Princeton involving exchange of approximately 200 acres of land located at the terminus of Hickory Hill Lane and Oakfield Drive and within the Thomas A. Rhodes and David Cherry surveys with 200 acres of land located generally on FM 546 and within the Calvin Boles and W. D. Thompson surveys

- McKinney-Collin County Plat Approval Agreement Amendment terms

B. Section 551.071 (A) Pending or contemplated litigation

- City of Grand Prairie v. State of Texas, 261st Judicial District Court of Travis County, Cause No. D-1-GN-23-007785

C. Section 551.072. Deliberations about Real Property

D. Section 551.074. Personnel Matters

E. Section 551.087. Deliberation Regarding Economic Development Matters

- Project 20-09 TUPPS Brewery & Entertainment Destination

Mayor Fuller reconvened the public work session at 4:52 p.m. with the following members: Mayor Pro Tem Philips and Councilmember Franklin, Cloutier and Beller.

The Council unanimously approved the motion by Mayor Pro Tem Philips and seconded by Councilmember Beller to approve joining the City of Grand Prairie with Cause # D-1-GN-23-007785.

Council unanimously approved the motion by Mayor Pro Tem Philips, seconded by Councilmember Franklin, to adjourn the meeting at 4:53 p.m.

These minutes were approved by the City Council on December 5, 2023.

SIGNED:

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

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary

City of McKinney, Texas

Appendix A – Erwin Park Tree & Trails Removal Update



ERWIN PARK TREE/TRAIL REMOVAL UPDATE



What Happened?

10/27/23:

- Construction activities begin on the “Ridgeline” development in McKinney’s Extraterritorial Jurisdiction (ETJ).
 - The developer is Wynne Jackson
 - The property owner is WJ Ridgeline LP
 - The property is being developed for 663 residential lots
 - Due to ETJ status, tree preservation requirements do not apply on the property

10/28/23:

- Staff was notified that trees and portions of city trails were being removed from Erwin Park by an adjacent construction project.

10/30/23:

- Staff begins investigating the complaints of impacts to Erwin Park.
- Pink flags are located on the Ridgeline property and city inspectors are told that they represent a “limit of disturbance” line that is 5’ inside the shared property line.
- It is difficult to ascertain if damage has occurred to the Erwin Park property due to the lack of survey markers indicating the actual property line. It appears that most of the trees were removed from private property and the removed portions of the city trail appeared to be on private property.
- It is determined that a drainage swale that carries stormwater from Erwin Park through the Ridgeline property has been blocked.

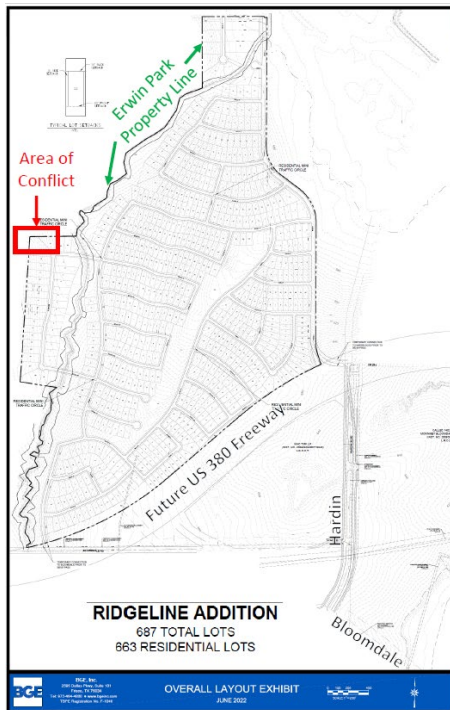
What Happened (continued)?

10/31/23:

- Orange construction fencing is installed approximately 1’ inside the Ridgeline property.
- It’s clear that some damage has occurred to the Erwin Park property.

11/1/23 - Present:

- Staff investigations and regular site visits continue.
- Property line markers are installed by the contractor approximately 1’ behind the orange construction fencing.
- Initial “limit of disturbance” flags are now learned to vary from between 2’ and 5’ inside the property line.
- The contractor is notified that the swale or some drainage channel must be re-established. Also, construction documents must be updated to reflect new drainage info.
- Formal documentation of damage to Erwin Park begins. Staff has identified two primary areas of damage.
- Staff continues to investigate each detailed complaint that is received.

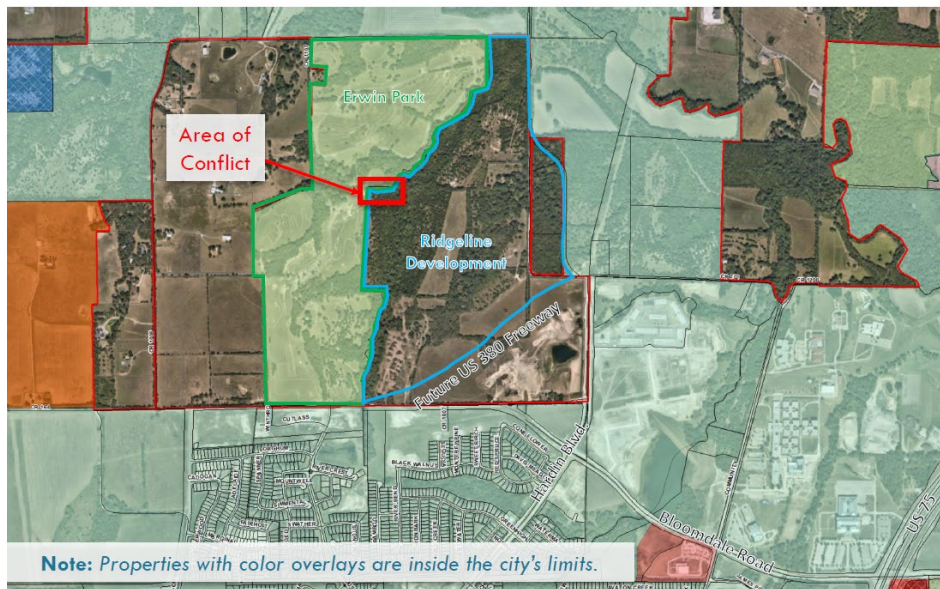


About the Development: Ridgeline

- 3/14/22:**
 - Preliminary-Final Plat submitted to staff
- 7/12/22:**
 - Planning & Zoning Commission approved the Plat
- 10/18/23:**
 - Staff approved construction plans for horizontal infrastructure

Due to the property's location within the ETJ, the city will not issue building permits for the homes that will be constructed.

Where did this event occur?



Where did this event occur?



Where did this event occur?



Note: The only reliable way to identify the location of property lines in the field is to have a surveyor mark the line.

On Site Images



Survey flags showing limits of work
(2-5' inside the property line)

On Site Images (continued)



On Site Images (continued)



On Site Images (continued)



On Site Images (continued)



What's Next?

Development Services staff will continue to monitor the Ridgeline development to ensure that no unauthorized construction occurs.

Development Services staff will also pursue available remedies for damage to Erwin Park property.

Parks staff will work to rebuild/reconnect trails on the Erwin Park property.



Purple – Existing Trail, Yellow – Temporary Reroute, Green – Future Reroute

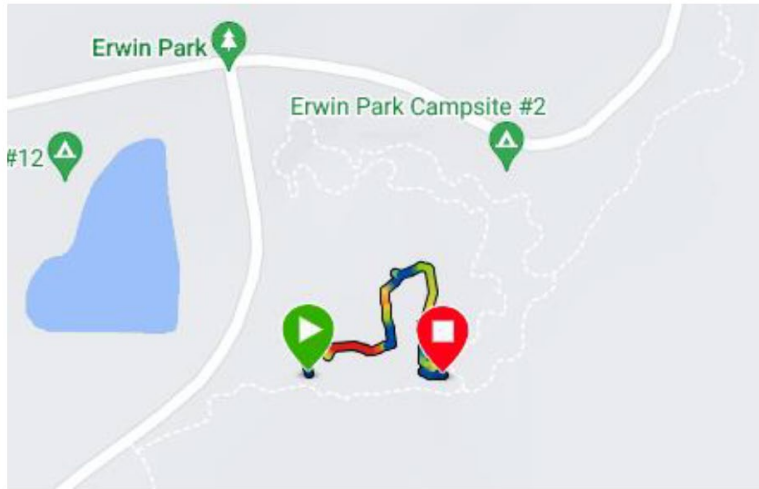
Trail Construction

Procedures for New Trail Construction:

- Review the area in detail by hiking/walking and identifying unique features and terrain, always get a second opinion or second set of eyes for an additional perspective. Review and plan location with aerial map in advance whenever possible.
- Identify any key ground level landmarks such as unique trees, logs, roots, terraces, as well as potential hazards or problem areas such as drainage problems, muddy flats and seasonally wet areas. Avoid and navigate any trees over 6 inches in diameter.
- Determine where elevated surfaces may be required for unavoidable bog areas.
- Mark the proposed trail route with fluorescent pin flags and ribbon. Walk and re-walk the route several times to ensure the flow and features are best positioned. Modify as needed.
- Use a backpack blower to blow away debris from ground and start to expose a clear path as well as the bases of small growth vegetation that will be cut.
- Cut and remove small growth vegetation with loppers, steel blade trimmers, and pole saws and hedgers. Throw debris to sides of trail to decompose or pile to shred/mulch if excessive. Take note of any low hanging vines and limbs that require removal.
- Rake and scrape trail surface with rakes and mcleod tools. Use shovels, picks, mattock, Pulaski, etc. Remove all organic debris down to the soil surface. May blow trail with backpack blower second time to clear smaller debris and expose trail surface.
- Test trail route by walking or riding to ensure flow and turns are best positioned and that no trees and limbs obstruct pathways to continue cycling speed on trails. Avoid abrupt transitions from one type of flow to another.
- Install any required elevated trail surfaces such as rock and wood structures.

Tools and Materials Needed:

- Pin Flags/Ribbon
- Backpack Blower
- Loppers/Hedge Shears
- Chainsaws and Pole Saws with extensions
- Metal Blade Trimmers, Pole Hedger
- Chipper/Mulcher (if needed)
- Leaf Rakes, Gravel Rakes, McLeod Tool, Shovels, Picks, Mattock, Pulaski, etc.



Re-routed Trail – Completed Saturday 11/04/23



Questions?

