

CITY COUNCIL REGULAR MEETING

JUNE 4, 2024

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, located at 222 N. Tennessee Street, McKinney, Texas, on Tuesday, June 4, 2024 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 C. Fuller called the meeting to order at 6:00 p.m. upon determining a quorum of the City Council consisting of himself and the following members were present: Mayor Pro Tem Charlie Philips, and City Council members Patrick Cloutier, Geré Feltus, Rick Franklin, and Michael Jones.

Council member Justin Beller was absent.

These City of McKinney Staff were present: City Manager Paul Grimes, Assistant City Manager Barry Shelton, Assistant City Manager Kim Flom, Assistant City Manager Steve Tilton, Director of Strategic Services Trevor Minyard, Director of Public Safety Greg Conley, Director of Organizational Development & Performance Manager Joe Mazzola, Associate Municipal Court Judge Candace Carlsen, Deputy Police Chief Jimmy Thomas, Director of Parks, Recreation & Open Space (PROS) Amy Kinkade, Assistant Director of PROS Ryan Mullins, Recreation Center Supervisor Laura Cegelski, Recreation Events Coordinator Isabel Henry, Aquatics Supervisor John Griffin White, Assistant Recreation Center Supervisor Lauren Woodson, Assistant Recreation Center Supervisor Courtney Davis, Recreation Aide Breana Burgess, Director of Libraries Spencer Smith, Executive Director of Development Services Michael Quint, Director of Planning Jennifer Arnold, President of McKinney Community Development Corporation (MCDC) Cindy Schneible, Police Sergeant Joseph Spano, Director of McKinney National Airport Ken Carley, City Secretary Accreditation & Reporting Specialist Edith Ruiz, and City Secretary Empress Drane.

There were approximately seventy (70) members of the public in the audience including Executive Director of McKinney Housing Authority Roslyn Miller and these

appointed officials of the City: McKinney Arts Commission member Brian Magnuson, Historic Preservation Advisory Board (HPAB) Chair Betty Petkovsek, HPAB member James West, HPAB member Tom Pence, HPAB alternate Marsha Prior-Robertson, Capital Improvement Advisory Committee (CIAC) member Steve Wilson, McKinney Main Street Board Vice Chair AJ Micheletto, MCDC Chair Angela Richardson-Woods, MCDC Secretary David Riche, and MCDC Treasurer Deborah Bradford.

Mayor Fuller called for the Invocation and Pledge of Allegiance. The Invocation was given by Deputy Chief Jimmy Thomas of the McKinney Police Department.

Mayor Fuller called for the Information Sharing item:

24-1616 Proclamation for Juneteenth National Independence Day

Mayor Fuller called for Public Comments on Non-Public Hearing agenda items:

Angela Hamm, 8100 CR 859, McKinney TX 75072, spoke regarding agenda item #24-1617, in support of Charlie Philips being re-elected Mayor Pro Tem.

Mike Giles, 3213 Gillespie Rd, McKinney TX 75072, regarding agenda item #24-1617, in support of Charlie Philips being re-elected Mayor Pro Tem.

Beth Bentley, 508 N Chestnut St, McKinney TX 75069, spoke regarding agenda item #24-1617, expressing positive prayer for the yet-to-be-elected Mayor Pro Tem

Mayor Fuller called for Public Comments regarding matters not on the agenda:

Allison Monroe, 806 Baker St, McKinney TX 75069, Executive Director of the Volunteer McKinney organization, provided a brief update on non-profit activities within the city.

Paul Ballesteros, 6508 Marvin Gardens, McKinney TX 75070, Founder of the Emmanuel Labor organization, made announcements about forthcoming activities within the city, including volunteer service projects by people experiencing homelessness.

Clay Brantley, 2531 High Point Blvd, McKinney TX 75071, Pastor at Trinity Presbyterian Church, spoke on the activities of C.O.R.E. (Committee on Racial Equity) including multiple recent community discussions facilitated by Angela Richardson-Woods.

Maylee Thomas-Fuller, 6801 Dalmatia Dr, McKinney TX 75072, made announcements about the upcoming Texas Music Revolution Event, encouraging the public to attend the event as well as view the related documentary.

Mayor Fuller called for the Agenda items:

ELECTION OF A MAYOR PRO TEM

24-1617 Consider/Discuss/Act on the Election of a Mayor Pro Tem

Mayor Fuller made complimentary remarks about Council members Philips and Feltus, then nominated Council member Feltus for the role of Mayor Pro Tem.

Council member Philips expressed his appreciation for the opportunity to be Mayor Pro Tem over the past year and expressed his interest in serving again.

Council member Franklin complimented both Council members Philips and Feltus, and spoke in favor of re-electing Council member Philips.

Council member Cloutier complimented both Council members Philips and Feltus, and spoke in favor of electing Council member Feltus.

Council member Jones complimented both Council members Philips and Feltus, stating he would always support whoever the Mayor nominated.

Council approved the motion Mayor George Fuller, seconded by Council member Patrick Cloutier, to elect Council Member Feltus as Mayor Pro Tem with a vote of 4 - 2, Council members Franklin and Philips voting no.

Council member Feltus will serve as Mayor Pro Tem until the next election on June 3, 2025.

A supplemental chart not included on the agenda is included in these minutes as *Supplemental Chart – Agenda Item #24-1617 (Election of a Mayor Pro Tem)*.

CONSENT ITEMS

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Charlie Philips, to approve the Consent items as follows:

24-1602 Minutes of the Capital Improvements Advisory Committee Regular Meeting of December 12, 2023

24-1603 Minutes of the Planning and Zoning Commission Work Session of April 9, 2024

24-1604 Minutes of the Planning and Zoning Commission Regular Meeting of April 9, 2024

24-1605 Minutes of the City Council and Planning & Zoning Commission Joint Meeting of April 23, 2024

24-1618 Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2023-2024 Annual Budget and Amending the 2024-2028 Capital Improvements Program to Provide Funding for Architectural and Engineering Services Related to the Design and Construction of the Roy and Helen Hall Library Reimagine Project

Ordinance caption reads as follows:

ORDINANCE NO. 2024-06-036

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2023-2024 BUDGET AND THE 2024-2028 CAPITAL IMPROVEMENTS PROGRAM FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE ROY AND HELEN HALL REIMAGINE PROJECT (PROJECT LI2441); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

24-1619 Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2023-2024 Annual Budget to Provide Funds for the Purpose of Purchasing Trash and Recycling Carts and to Provide Public Education

Ordinance caption reads as follows:

ORDINANCE NO. 2024-06-037

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2023-2024 ANNUAL BUDGET TO PROVIDE FUNDING FOR THE PURCHASE OF TRASH AND RECYCLING CARTS AND PUBLIC EDUCATION; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

24-1620 Consider/Discuss/Act on an Ordinance Amending the Code of Ordinances' Section 70-54, "Definitions"; Section 70-56, "Weeds, Brush, and Other Objectionable or Unsightly Matter, etc."; Section 70-60, "Authority to Abate Nuisance" to Align with Recent Amendments to the Texas Agricultural Code

Ordinance caption reads as follows:

ORDINANCE NO. 2024-06-038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, BY AMENDING CHAPTER 70, "OFFENSES AND MISCELLANEOUS PROVISIONS," THROUGH THE AMENDMENT OF ARTICLE III, "CLEANLINESS OF PREMISES," BY AMENDING SECTION 70-54, "DEFINITIONS," TO ADD A DEFINITION FOR "AGRICULTURAL OPERATIONS," BY DELETING SECTION 70-56, "WEEDS, BRUSH, AND OTHER OBJECTIONABLE OR UNSIGHTLY MATTER, ETC.," IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 70-56 ALSO ENTITLED "WEEDS, BRUSH, AND OTHER OBJECTIONABLE OR UNSIGHTLY MATTER, ETC." TO READ AS SET FORTH HEREINBELOW, and BY DELETING SECTION 70-60, "ADDITIONAL AUTHORITY TO ABATE NUISANCE," IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 70-60 ALSO ENTITLED "ADDITIONAL AUTHORITY TO ABATE NUISANCE" TO READ AS SET FORTH HEREINBELOW; PROVIDING FOR ENFORCEMENT; PROVIDING A PENALTY; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

- 24-1621** Consider/Discuss/Act on a Resolution Approving an Amendment to the Commercial Lease Agreement ("Lease") between the City of McKinney ("Tenant") and El Dorado Properties, Ltd., ("Landlord.")

Resolution caption reads as follows:

RESOLUTION NO. 2021-06-094 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO COMMERCIAL LEASE AGREEMENT BETWEEN EL DORADO PROPERTIES, LTD. AND THE CITY OF MCKINNEY, TEXAS AND PROVIDING AN EFFECTIVE DATE

- 24-1622** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with 720 Design, Inc. of Dallas, Texas for Architectural and Engineering Services Related to the Design and Construction of the Roy and Helen Hall Library Reimagine Project (LI2441) in McKinney, Texas

Resolution caption reads as follows:

RESOLUTION NO. 2024-06-095 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH 720 DESIGN, INC. OF DALLAS, TEXAS, FOR ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE ROY AND HELEN HALL LIBRARY REIMAGINE PROJECT

- 24-1623** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Settlement Agreement by and between the City of McKinney, Texas, Hirenkumar Patel, Jai Maa Bhagwati Krupa, LLC, and 2104 North

Central Expressway, McKinney, Texas 75070 d/b/a Days Inn, in rem, to facilitate the finalization of Cause No. 471-00278-2024, currently pending in the 471st Judicial District Court of Collin County, Texas

Resolution caption reads as follows:

RESOLUTION NO. 2024-06-096 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT IN CAUSE NO. 471-00278-2024, 471ST JUDICIAL DISTRICT COURT OF COLLIN COUNTY, TEXAS

24-1624 Consider/Discuss/Act on a Resolution Authorizing the Mayor to Submit an Application to the Texas Historical Commission Requesting that the City of McKinney be Designated as a Certified Local Government

Resolution caption reads as follows:

RESOLUTION NO. 2024-06-097 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE TEXAS HISTORICAL COMMISSION REQUESTING THAT THE CITY OF MCKINNEY, TEXAS BE DESIGNATED A CERTIFIED LOCAL GOVERNMENT

24-1625 Consider/Discuss/Act on a Resolution Extending the Term Sheet Negotiation Period with the Preferred Development Team for the Redevelopment of Approximately 4.75 Acres of City-Owned Property in the Historic Downtown

Resolution caption reads as follows:

RESOLUTION NO. 2024-06-098 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH THE PREFERRED DEVELOPMENT TEAM, FOR THE ACQUISITION AND REDEVELOPMENT OF APPROXIMATELY 4.75 ACRES OF CITY-OWNED REAL PROPERTY ON AND AROUND THE PROPERTY LOCATED AT 222 N. TENNESSEE STREET

PLAT CONSIDERATION UNDER CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE

24-0065FP Consider/Discuss/Act on a Final Plat for Sister Grove Regional Water Resource Recovery Facility, Located in the City of McKinney Extraterritorial Jurisdiction (ETJ), Located on the East Side of CR 2933

and Approximately 400 Feet North of CR 336

Council unanimously approved the motion by Council member Rick Franklin, seconded by Council member Michael Jones, to approve a Final Plat with conditions as provided in the staff report.

REGULAR AGENDA AND PUBLIC HEARING ITEMS

24-0002M2 Conduct a Public Hearing to Consider/Discuss/Act on an Amendment to Section 203 (Procedures) of the Zoning Regulations found in Chapter 150 (Unified Development Code) of the Code of Ordinances, and Accompanying Ordinance

There were no requests by members of the public to make comments regarding the proposed amendment.

Council unanimously approved the motion by Council member Charlie Philips, seconded by Mayor Pro Tem Geré Feltus, to close the public hearing and approve an Amendment to Section 203 (Procedures) of the Zoning Regulations found in Chapter 150 (Unified Development Code) of the Code of Ordinances, and Accompanying Ordinance, caption reads as follows:

ORDINANCE NO. 2024-06-039

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING SECTION 203, ENTITLED "PROCEDURES" OF THE ZONING REGULATIONS (ARTICLE 2) FOUND IN THE UNIFIED DEVELOPMENT CODE (CHAPTER 150) OF THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; ESTABLISHING PRESUMPTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

24-1626 Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2023-2024 Annual Budget and the Capital Improvements Program to Provide Funding for Planning and Design of the Airport Eastside Development and Infrastructure Project

Council unanimously approved the motion by Council member Charlie Philips, seconded by Council member Rick Franklin, to approve an Ordinance Amending the Fiscal Year 2023-2024 Annual Budget and the Capital Improvements Program to Provide Funding for Planning and Design of the Airport Eastside Development and Infrastructure Project.

Ordinance caption reads as follows:

ORDINANCE NO. 2024-06-040

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2023-2024 BUDGET AND THE 2024–2028 CAPITAL IMPROVEMENTS PROGRAM FOR THE AIRPORT EASTSIDE DEVELOPMENT AND INFRASTRUCTURE PROJECT (AI2250) AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

The City Council did not meet in Executive Session.

Mayor Fuller called for Council and Manager Comments.

Council member Cloutier mentioned that he, Mayor Fuller and Mayor Pro Tem Feltus recently attended the Ross Cemetery Historic Marker presentation, stating that he is working with City of Allen Mayor Baine Brooks to address an erosion problem on the property. Council member Cloutier said the recent bingo fundraiser was sold out and proceeds in the amount of nearly \$10,000 (ten thousand dollars) will benefit the non-profit La Tiendita program, and he thanked the Leadership McKinney Class of 2024 for supporting the event.

Council member Franklin announced that the Sunset Amphitheater has suites for sale, and encouraged others to buy in preparation for the August grand opening.

Council member Jones announced that the next Charter Review Commission will meet on June 12 encouraging members of the public to attend or watch the live broadcast; and he announced the Maple Street Biscuit Company on Highway 380 recently hosted a grand opening, encouraging members of the public to visit there as well as the many other new restaurants in that area.

Mayor Pro Tem Feltus commended Maylee Fuller for hosting the recent Women in Service Luncheon event; thanked Pastor Deborah Bradford for hosting the free shopping event at Woodside Village Community Clubhouse to support and encourage women in the area; commended the Police Awards Banquet and the featured disabled officer who continues to serve the community despite his own hardship; recognized the Smiles Charity event held over Memorial Day weekend and thanked Dr. Jennifer Buchanan for her support; recognized the Solid Rock Masonic Lodge for conducting their installation of officers at New Jerusalem church in McKinney and being active

contributors to the community; and commended the Charter Review Commission for their service.

Council member Philips announced that the high school football season is about seventy-three (73) days away; recognized the HPAB members in the audience and them for their service to the city; and expressed prayers to Amanda Beller (wife of Council member Justin Beller) for a speedy recovery following her recent surgery.

City Manager Grimes recently attended the annual MuralFest, an event hosted by Beth Beck and the MillHouse McKinney facility at the Cotton Mill; encouraged the public to visit the city webpage to learn about the Library activities including the free Summer Reading Program; and encouraged the public to attend the Juneteenth event, held June 15, 4-9:00 p.m. at Finch Park.

Mayor Fuller recognized the Citychurch organization and the 2024 high school graduates who received scholarships through the program; thanked Maylee Fuller, AJ Micheletto, and David Riche for their work during the Texas Music Festival; commended the McKinney Performing Arts Center for an outstanding lineup of artists and encouraged the public learn more about the MPAC programs; again complimented Charlie Philips for his past service as Mayor Pro Tem; and congratulated and encouraged Geré Feltus on her election to the role.

Council unanimously approved the motion by Mayor Pro Tem Feltus, seconded by Council member Philips, to adjourn the meeting at 7:13 p.m.

The ordinance captions approved in this meeting were scheduled for publication in the Sunday, June 9, 2024, edition of the McKinney Courier-Gazette newspaper and the Monday, June 10, 2024, edition of the Celina Record newspaper.

These minutes were approved by the City Council on June 18, 2024.

SIGNED:

GEORGE C. FULLER, Mayor
GERÉ FELTUS, Mayor Pro Tem

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary

Supplemental Chart – Agenda Item #24-1617 (Election of a Mayor Pro Tem)

Election Year	Mayor	Council Members at time of Mayor Pro Tem Election					
		D1	D2	D3	D4	A1	A2
2023	G. Fuller	Justin Beller (3)	Patrick Cloutier (1)	Geré Feltus (3)	Rick Franklin (5)	Charlie Philips (7)	Michael Jones (1)
2022	G. Fuller	Justin Beller (2)	Rainey Rogers (8)	Geré Feltus (2)	Rick Franklin (4)	Charlie Philips (6)	Patrick Cloutier (1P)
2021	G. Fuller	Justin Beller (1)	Rainey Rogers (7)	Geré Feltus (1)	Rick Franklin (3)	Charlie Philips (5)	Frederick Frazier (3)
2020	G. Fuller	L. Shemwell (4)	Rainey Rogers (6)	Scott Elliott (4)	Rick Franklin (2)	Charlie Philips (4)	Frederick Frazier (2)
2019	G. Fuller	L. Shemwell (3)	Rainey Rogers (5)	Scott Elliott (3)	Rick Franklin (1)	Charlie Philips (3)	Frederick Frazier (1)
2018	G. Fuller	L. Shemwell (2)	Rainey Rogers (4)	Scott Elliott (2)	Chuck Branch (4)	Charlie Philips (2)	Tracy Rath (3)
2017 (b)	G. Fuller	L. Shemwell (1)	Rainey Rogers (3)	Scott Elliott (1)	Chuck Branch (3)	Charlie Philips (1)	Tracy Rath (2)
2017 (a)	G. Fuller	Don Day (9P)*	Rainey Rogers (3)	Travis Ussery (9P)*	Chuck Branch (3)	Randy Pogue (5P)*	Tracy Rath (2)
2016	B. Loughmiller	Don Day (8)	Rainey Rogers (2)	Travis Ussery (8)	Chuck Branch (2)	Randy Pogue (4)	Tracy Rath (1)
2015	B. Loughmiller	Don Day (7)	Rainey Rogers (1)	Travis Ussery (7)	Ray Ricchi (8P)*	Randy Pogue (3)	Roger Harris (5)
2014	B. Loughmiller	Don Day (6)	Geralyn Kever (7)	Travis Ussery (6)	Ray Ricchi (7)	Randy Pogue (2)	Roger Harris (4)
2013	B. Loughmiller	Don Day (5)	Geralyn Kever (6)	Travis Ussery (5)	Ray Ricchi (6)	Randy Pogue (1)	Roger Harris (3)
2012	B. Loughmiller	Don Day (4)	Geralyn Kever (5)	Travis Ussery (4)	Ray Ricchi (5)	David Brooks (4)	Roger Harris (2)
2011	B. Loughmiller	Don Day (3)	Geralyn Kever (4)	Travis Ussery (3)	Ray Ricchi (4)	David Brooks (3)	Pete Huff (10P)*
2010	B. Loughmiller	Don Day (2)	Geralyn Kever (3)	Travis Ussery (2)	Ray Ricchi (3)	David Brooks (2)	Pete Huff (9)
2009	B. Loughmiller	Don Day (1)	Geralyn Kever (2)	Travis Ussery (1)	Ray Ricchi (2)	David Brooks (1)	Pete Huff (8)
2008	B. Whitfield	Gilda Garza (8)	Geralyn Kever (1)	Bill Vitz (5)	Ray Ricchi (1)	Bill Cox (3)	Thad Helsley (11P)*

2007	B. Whitfield	Gilda Garza (7)	Pete Huff (6)	Bill Vitz (4)	B. Loughmiller (6)	Bill Cox (2)	Thad Helsley (10)
2006	B. Whitfield	Gilda Garza (6)	Pete Huff (5)	Bill Vitz (3)	B. Loughmiller (5)	Bill Cox (1)	Thad Helsley (9)
2005	B. Whitfield	Gilda Garza (5)	Pete Huff (4)	Bill Vitz (2)	B. Loughmiller (4)	Scott Lewis (2)	Thad Helsley (8)
2004	B. Whitfield	Gilda Garza (4)	Pete Huff (3)	Bill Vitz (1)	B. Loughmiller (3)	Scott Lewis (1)	Thad Helsley (7)

Legend

(n) = Year of service for Council member at time of election

Green Highlight = Council member with most tenure elected MPT

Yellow Highlight = Council member without most tenure elected MPR

Red Text = Council member with same or greater tenure than elected MPT

*Notable Runoff Elections (members seated after MPT election)

2017* Shemwell, Elliott, and Philips won runoff after MPT election (a)

2015* Branch won runoff after MPT election

2011* Harris won runoff after MPT election

2007* Huff won runoff after MPT election

First Elected to Council, Pre-2004

- 1998 Thad Helsley
- 2001 Gilda Garza
- 2002 B. Loughmiller
- 2002 Pete Huff

(End of Supplemental Chart)