

## **CITY COUNCIL REGULAR MEETING**

**MAY 2, 2023**

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

The meeting was broadcast live on cable television and through the City's website on Spectrum Channel 16; AT&T U-Verse Channel 99; and <https://mckinney.legistar.com>. A video recording of the meeting is available to the public through the City of McKinney meetings archive.

Mayor George C. Fuller called the meeting to order with the following City Council members present: Mayor Pro Tem Rainey Rogers, and City Council members Justin Beller, Geré Feltus, Rick Franklin, Charlie Philips, and Patrick Cloutier.

The following City of McKinney staff were present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Steve Tilton, Assistant City Manager Barry Shelton, City Attorney Mark Houser, City Secretary Empress Drane, City Secretary Accreditation & Reporting Specialist Edith Ruiz, Director of Organizational Development & Performance Management Joseph Mazzola, Director of Strategic Services Trevor Minyard, Police Officer Bruno Siqueira, Presiding Municipal Court Judge Claire Petty, Municipal Court Administrator April Morman, City Marshal Tim Rich, Deputy City Marshal Beverly Stevens, Deputy City Marshal Gabriel Soto, Municipal Court Supervisor Rosabelle Rueda, Director of Public Safety Greg Conley, Director of Emergency Management Karen Adkins, Director of Parks, Recreation & Open Space Michael Kowski, Information Technology Service Technician Logan Atwood, Downtown Development & Historic Preservation Planning Manager Paula Nasta, Planner Cassie Bumgarner, Director of Engineering Gary Graham, Director of Planning Jennifer Arnold, Assistant Fire Chief Chris Lowry, Fire Suppression Battalion Chief Tino Paredes, Deputy Fire Marshal – Engineering Chad Nester, Fire Administration Battalion Chief Charlie Skaggs, Firefighter/Emergency Medical Technician (EMT)/Paramedic Maggie Brosowske, Fire Driver/Operator Whit Price, Fire Administrative Assistant Michell Clemens, Fire Suppression Captain John Whitus, Fire Administration Captain Jared Turner, Fire Suppression Captain Emily McCall, Fire Driver/Operator Gary Carpenter,

Fire Driver Chris Waller, Firefighter/EMT/Paramedic Bobby Bush, Fire Suppression Captain Mike Roberts, Fire Driver Bryce Purdom, Firefighter/EMT/Paramedic Terry Carr, Fire Executive Administrative Assistant Britton Bates, Fire Public Information & Education Coordinator Merit Ossian, Firefighter/EMT/Paramedic Wyatt Beezley, Firefighter/EMT/Paramedic Bailey Henderson, Fire Driver/Operator Larry Crane, Firefighter/EMT/Paramedic Zack Costa, Firefighter/EMT/Paramedic Ryan Kirkley, Fire Driver Joe Patton, Firefighter Joe Patton II, Firefighter/EMT/Paramedic Lynn Stanford, Fire Driver/Operator Cody Dawson, Firefighter/EMT/Paramedic Ryan Bannister, and Firefighter Bryan Soboleski.

There were approximately one hundred (100) members of the public in the audience including McKinney Community Development Corporation (MCDC) Secretary Deborah Bradford, Capital Improvement Advisory Committee (CIAC) regular member Steve Wilson, Historic Preservation Advisory Board (HPAB) Chair Betty Petkovsek, HPAB regular member Tom Pence, HPAB regular member Kim Black, HPAB regular member Johanna Friedel, HPAB alternate member Maegan Escamilla, and 2023 City Council election candidate Michael Jones.

Mayor Fuller called for the Invocation given by Pastor Deborah Bradford of New Jerusalem Baptist Church, and Pledge of Allegiance led by youth members of New Jerusalem Baptist Church. Youth members were Kaylin Thomas, Tyler Thomas, Zion Bradford, Elisha Bradford, Raegan Bradford, Xaveon Bradford, Jamauri Coleman, and Marcellus Coleman. They were accompanied by adult chaperones Myreon Bradford, Collette Bradford, Jakaris T. Coleman, and Rosa Maxie Bradford.

Mayor Fuller called for the Information Sharing items:

**23-0333** Installation of Fire Chief Paul Dow

Presiding Municipal Court Judge Claire Petty administered to Oath of Office for former Interim Fire Chief Paul Dow as the city's permanent Fire Chief, replacing the retired Danny Kistner. Chief Dow was accompanied by his family and numerous Fire personnel in attendance.

**23-0334** Proclamation for National Historic Preservation Month

City Development Services staff and members of the Historic Preservation Advisory Board were present to receive the proclamation.

**23-0335** Proclamation for Mental Health Awareness Month

Mayor Fuller called for Public Comments.

The following individuals spoke regarding downtown development of city-owned properties and the work of city staff to facilitate public engagement throughout the considerations for development:

Betty Petkovsek, 1101 W. Louisiana Street, McKinney TX 75069

Johanna Friedel, 1103 Hyde Park Drive, McKinney TX 75069

Kim Black, 509 N. Kentucky Street, McKinney TX 75069

Tekevwe Okobiah did not wish to speak but submitted written comments to be entered into the meeting record. (see *Appendix A – Written Comments: Okobiah*)

Tom Pence did not wish to speak but submitted written comments to be entered into the meeting record. (see *Appendix B – Written Comments: Pence*)

Mayor Fuller called for the consent agenda. At the request of Council Member Justin Beller, item #23-0344 would have individual consideration and action.

Council unanimously approved the motion by Council member Geré Feltus, seconded by Council member Rick Franklin, to approve the Consent items as follows:

**23-0336** Minutes of the City Council Work Session of April 18, 2023

**23-0337** Minutes of the City Council Regular Meeting of April 18, 2023

**23-0283** Minutes of the Community Grants Advisory Commission Meeting of February 23, 2023

**23-0266** Minutes of the McKinney Armed Services Memorial Board Meeting of March 8, 2023

**23-0207** Minutes of the McKinney Urban Transit District Board Meeting of December 6, 2022

**23-0206** Minutes of the McKinney Urban Transit District Board Meeting of December 16, 2020

**23-0326** Minutes of the Planning and Zoning Commission Regular Meeting of April 11, 2023

**23-0247** Minutes of the Tax Increment Reinvestment Zone Number One (TIRZ1) Board Meeting of March 7, 2023

- 23-0338** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2022-2023 Annual Budget to Provide Funds for the Oak Hollow Golf Course Renovation Project. Ordinance caption reads as follows:

**ORDINANCE NO. 2023-05-024**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2022-2023 ANNUAL BUDGET, TO PROVIDE FUNDING FOR THE OAK HOLLOW UPGRADES COURSE CLOSURE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

- 23-0339** Consider/Discuss/Act on a Resolution Adopting the FY24 Department-level Objectives to Support Council's Strategic Goals; Resolution caption reads as follows:

**RESOLUTION NO. 2023-05-053 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE COUNCIL'S FY24 STRATEGIC GOALS**

- 23-0340** Consider/Discuss/Act on a Resolution of a Fourth Amendment to the Professional Full Golf Services Management Agreement with DWW Golf Management, a Texas Limited Liability Corporation; Resolution caption:

**RESOLUTION NO. 2023-05-054 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A FOURTH AMENDMENT TO THE PROFESSIONAL FULL GOLF SERVICES MANAGEMENT AGREEMENT WITH DWW GOLF MANAGEMENT, A TEXAS LIMITED LIABILITY CORPORATION**

- 23-0341** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Facilities Agreement for Lots 1 and 2, Block A, McKinney Bluff Addition, Located in the Extraterritorial Jurisdiction (ETJ) of McKinney, Texas, Situated on Farm to Market Road 1827 Approximately 600 Linear Feet North of Surrey Estates Road; Resolution caption reads as follows:

**RESOLUTION NO. 2023-05-055 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A FACILITIES AGREEMENT FOR MCKINNEY BLUFF ADDITION, LOTS 1 AND 2, BLOCK A, LOCATED IN THE ETJ OF MCKINNEY ON FARM TO MARKET ROAD 1827 APPROXIMATELY 600 LINEAR FEET NORTH OF SURREY ESTATES ROAD**

- 23-0342** Consider/Discuss/Act on a Resolution Authorizing the City Manager to

Execute a Facilities Agreement for Lot 1 and 2, Block A, Trejo Addition, Located in the Extraterritorial Jurisdiction (ETJ) of McKinney, Texas, Situated on Farm to Market Road 1827 Approximately 300 Linear Feet west of Creekview Landing Drive; Resolution caption reads as follows:

**RESOLUTION NO. 2023-05-056 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A FACILITIES AGREEMENT FOR TREJO ADDITION, LOT 1 AND 2, BLOCK A, LOCATED IN THE ETJ OF MCKINNEY ON FARM TO MARKET ROAD 1827 APPROXIMATELY 300 LINEAR FEET WEST OF CREEKVIEW LANDING DRIVE**

**23-0343** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Roadway Impact Fee Credit Agreement for Erwin Farms Phase 4 Between the City of McKinney, Texas, and MM Joplin 60, LLC for the Construction of a Two-Lane Portion of Taylor Burk Drive (Extending Approximately 2,003 Linear Feet), Generally Located on the Southeast Corner of Bloomdale Road (CR 164) and Future Taylor Burk Drive (CR 943); Resolution caption reads as follows:

**RESOLUTION NO. 2023-05-057 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A ROADWAY IMPACT FEE CREDIT AGREEMENT WITH MM JOPLIN 60, LLC FOR THE CONSTRUCTION OF A TWO-LANE PORTION OF TAYLOR BURK DRIVE (EXTENDING APPROXIMATELY 2,003 LINEAR FEET), GENERALLY LOCATED ON THE SOUTHEAST CORNER OF BLOOMDALE ROAD (CR 164) AND FUTURE TAYLOR BURK DRIVE (CR 943)**

**23-0345** Consider/Discuss/Act on a Resolution Establishing the Summer School Zone Times for Each School Holding Summer School in 2023; Resolution caption reads as follows:

**RESOLUTION NO. 2023-05-059 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A ROADWAY IMPACT FEE CREDIT AGREEMENT WITH MM JOPLIN 60, LLC FOR THE CONSTRUCTION OF A TWO-LANE PORTION OF TAYLOR BURK DRIVE (EXTENDING APPROXIMATELY 2,003 LINEAR FEET), GENERALLY LOCATED ON THE SOUTHEAST CORNER OF BLOOMDALE ROAD (CR 164) AND FUTURE TAYLOR BURK DRIVE (CR 943)**

Mayor Fuller called for individual consideration of the item pulled from the Consent Agenda:

**23-0344** Consider/Discuss/Act on a Resolution Authorizing the City Manager to

Execute an Interlocal Cooperation Contract with the Texas Department of Public Safety for the Municipal Court to Utilize the Failure to Appear (FTA) Program

Council approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council member Charlie Philips, to approve a Resolution Authorizing the City Manager to Execute an Interlocal Cooperation Contract with the Texas Department of Public Safety for the Municipal Court to Utilize the Failure to Appear (FTA) Program with a vote of 5 - 2, Council members Justin Beller and Geré Feltus voting no; Resolution caption reads as follows:

**RESOLUTION NO. 2023-05-058 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL COOPERATION CONTRACT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR THE MUNICIPAL COURT TO UTILIZE THE FAILURE TO APPEAR (FTA) PROGRAM**

Mayor Fuller called for the Public Hearing item:

**23-0346** Conduct a Public Hearing to Consider/Discuss/Act on a Request by Sphinx Development Corporation for the Waiver of Roadway Impact Fees in Accordance with the Neighborhood Empowerment Zone Program for the Multi-Family Development (380 Villas) Located at 1101 North Throckmorton Street

Joe Agumadu (applicant), 3030 LBJ Fwy, Dallas TX 75234, spoke in support of the impact fee waiver.

There were no other requests to address the City Council regarding the item.

Council unanimously approved the motion by Council member Justin Beller, seconded by Council member Geré Feltus, to close the public hearing the Request by Sphinx Development Corporation for the Waiver of Roadway Impact Fees in Accordance with the Neighborhood Empowerment Zone Program for the Multi-Family Development (380 Villas) Located at 1101 North Throckmorton Street

Following Council and Manager comments, Council unanimously approved the motion by Council member Geré Feltus, seconded by Council member Rick Franklin, to the meeting at 7:02 p.m.

These minutes were approved by the City Council on May 16, 2023.

SIGNED:

\_\_\_\_\_  
GEORGE C. FULLER, Mayor

ATTEST:

\_\_\_\_\_  
EMPRESS DRANE, City Secretary

JOSHUA STEVENSON, Deputy City Secretary

City of McKinney, Texas

Appendix A – Written Comments: Okobiah

<b>Request to Speak Before McKinney City Council</b>		Date <u>5/2/23</u>
(Print) Full Name <u>Tekeve Okobiah</u>	Phone <u>214 342 1400</u>	
Address <u>3030 CB Fwy # 1350</u>	City <u>Dallas</u>	Zip <u>75234</u>
Email <u>TEKEVE@SDCUS.COM</u>		
<b>Public Comments for items ON THE AGENDA</b>		
<input type="checkbox"/> I wish to speak in SUPPORT / OPPOSITION of Item # _____ <i>*Those wishing to speak on Public Hearing item(s) will be called at the time of the Public Hearing.</i>		
<b>Public Comments for items NOT ON THE AGENDA</b>		
<input type="checkbox"/> I wish to speak about: _____ <i>*It is the Mayor's decision to call those wishing to speak on Non-Agenda at either the beginning or end of the meeting.</i>		
<b>Submit a Comment without Speaking</b>		
I do not wish to speak; however, please record my <input checked="" type="checkbox"/> SUPPORT FOR <input type="checkbox"/> OPPOSITION AGAINST		
Topic of Discussion: <u>23-0346</u>		
_____ _____		

Appendix B – Written Comments: Pence

**Request to Speak Before McKinney City Council** Date 5/2/23

(Print) Full Name TOM PENCO Phone 214-695-2810

Address 506 W. Hunt St City McKinney Zip 75069

Email tpenco24@aol.com

**Public Comments for items ON THE AGENDA**

I wish to speak in SUPPORT / OPPOSITION of Item # \_\_\_\_\_  
*\*Those wishing to speak on Public Hearing item(s) will be called at the time of the Public Hearing.*

**Public Comments for items NOT ON THE AGENDA**

I wish to speak about: \_\_\_\_\_  
*\*It is the Mayor's decision to call those wishing to speak on Non-Agenda at either the beginning or end of the meeting.*

**Submit a Comment without Speaking**  
I do not wish to speak; however, please record my  SUPPORT FOR  OPPOSITION AGAINST

Topic of Discussion: reduced building height associated with the properties for redevelopment and presented on the Survey Town Hall. (4/26/23)