

CITY COUNCIL REGULAR MEETING

NOVEMBER 15, 2022

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 15, 2022 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 online at <http://mckinney.legistar.com> and the recording is available through the City of McKinney meeting archives.

Mayor George C. Fuller called the meeting to order at 6:04 p.m. upon determining a quorum consisting of himself and the following members were present: Mayor Pro Tem Rainey Rogers, and Council Members Justin Beller, Geré Feltus, Rick Franklin, Charlie Philips, and Patrick Cloutier.

These City of McKinney Staff were 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, Executive Director of Development Services Michael Quint, Director of Planning Jennifer Arnold, Information Technology Service Technician Logan Atwood, Community Services Administrator Shirletta Best, Housing Services Coordinator Rebecca Salinas, Police Officer Alexis Tarkowski, Assistant Director of Engineering Michael Hebert, and Facilities Construction Manager Patricia Jackson.

There were approximately fifty (50) members of the public in attendance including Capital Improvement Advisory Committee (CIAC) Member Steve Wilson, McKinney Economic Development Corporation (MEDC) Member Mohamed Kacem, and several participants of the 2022 Chamber of Commerce Leadership McKinney program.

Mayor Fuller called Reverend Harold Lowe of Holy Family Episcopal Church to deliver the Invocation, which he did in both English and Spanish languages. The Invocation was followed by the recital of the Pledge of Allegiance.

Mayor Fuller called for the following Information Sharing item:

22-1075 Proclamation for National Hunger and Homelessness Awareness Week

Several city staff and community members who serve those experiencing homelessness were present to receive the proclamation.

Mayor Fuller called for Public Comments on agenda items at which time no one requested to address the City Council.

Mayor Fuller called for the Consent Agenda.

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council member Rick Franklin, to approve the Consent Agenda as presented:

- 22-1065** Minutes of the City Council Special Meeting of March 22, 2022
- 22-1066** Minutes of the City Council Work Session of November 1, 2022
- 22-1067** Minutes of the City Council Regular Meeting of November 1, 2022
- 22-0923** Minutes of the Building and Standards Commission Meeting of September 26, 2022
- 22-1041** Minutes of the Community Grants Advisory Commission Meeting of May 25, 2022
- 22-0898** Minutes of the Historic Preservation Advisory Board Regular Meeting of August 4, 2022
- 22-1011** Minutes of the Historic Preservation Advisory Board Regular Meeting of October 6, 2022
- 22-0768** Minutes of the Library Advisory Board Meeting of July 21, 2022
- 22-0844** Minutes of the Library Advisory Board Meeting of August 18, 2022
- 22-0995** Minutes of the McKinney Community Development Corporation Meeting of September 22, 2022
- 22-0996** Minutes of the McKinney Community Development Corporation TUPPS Subcommittee Meeting of October 19, 2022
- 22-0949** Minutes of the McKinney Housing Finance Corporation Meeting of September 9, 2022
- 22-1047** Minutes of the McKinney Housing Finance Corporation Meeting of October 14, 2022
- 22-1037** Minutes of the Planning and Zoning Commission Regular Meeting of

October 25, 2022

- 22-1068** Consider/Discuss/Act on an Ordinance to Change the 10-minute Loading Zone on Louisiana Street between Wood Street and Kentucky Street to a 20-minute Loading Zone and to Modify the Loading Zones along Louisiana Street in the Ordinance to Reflect Actual Field Locations; Ordinance caption reads as follows:

ORDINANCE NO. 2022-11-132

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS TO CHANGE THE 10-MINUTE LOADING ZONE ON LOUISIANA STREET BETWEEN WOOD STREET AND KENTUCKY STREET TO A 20-MINUTE LOADING ZONE AND TO MODIFY THE LOADING ZONES ALONG LOUISIANA STREET IN THE ORDINANCE TO REFLECT ACTUAL FIELD LOCATIONS; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 22-1069** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Change Order to the Design/Build (D/B) Agreement with Western Specialty Contractors for Additional Services Related to the McKinney Silos Restoration Project (GR2109); Resolution caption reads as follows:

RESOLUTION NO. 2022-11-165 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE PROFESSIONAL SERVICES AGREEMENT WITH WESTERN SPECIALITY CONTRACTORS OF AMERICA FOR ADDITIONAL DESIGN/BUILD (D/B) SERVICES FOR CONSTRUCTION AND ENGINEERING SERVICES RELATED TO THE MCKINNEY SILOS RESTORATION PROJECT (GR2109)

- 22-1070** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Facilities Agreement for Lots 1 and 2, Block A, The Pratt Farm Addition, Located on the North Side of County Road 1029 and approximately 940 Feet West of FM-2933; Resolution caption reads:

RESOLUTION NO. 2022-11-166 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A FACILITIES AGREEMENT FOR THE PRATT FARM ADDITION, LOT 1 & LOT 2, BLOCK A, LOCATED IN THE ETJ OF MCKINNEY ON COUNTY ROAD 1029, APPROXIMATELY 950 FEET WEST OF FM 2933

- 22-1071** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Additional Services Agreement with Spinelli Construction Services, LLC of McKinney, Texas for Continued Owner's Rep Services in Conjunction with the Design and Construction of the McKinney Municipal Complex (MMC) Project (FC1707); Resolution caption reads as follows:

RESOLUTION NO. 2022-11-167 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADDITIONAL SERVICES AGREEMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SPINELLI CONSTRUCTION SERVICES, LLC FOR OWNER'S REP SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE MCKINNEY MUNICIPAL COMPLEX PROJECT (FC1707)

- 22-1072** Consider/Discuss/Act on a Resolution Authorizing the McKinney Public Facility Corporation to Approve a Resolution Authorizing the Jefferson Verdant Apartments Transaction; And Containing Other Provisions Relating Thereto

RESOLUTION NO. 2022-11-168 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY AUTHORIZING THE MCKINNEY PUBLIC FACILITY CORPORATION TO APPROVE A RESOLUTION AUTHORIZING THE JEFFERSON VERDANT APARTMENTS TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

- 22-0001GDP2** Consider/Discuss/Act on a General Development Plan for McKinney Horizons, Located on the Northeast Corner of Bloomdale Road and Future Hardin Boulevard

Mayor Fuller called for the Regular Agenda and Public Hearing items:

- 22-1073** Conduct a Public Hearing to Consider/Discuss/Act on a Request by the North Texas Municipal Water District ("NTMWD") for a Grant by the City of McKinney of Sanitary Sewer Easements Primarily Under and Across Public Land Owned by the City that is Designated as Parkland, Which Parkland is Generally Located Approximately 2,000 feet east of SH 5 and just south of Harry McKillop Boulevard, for the Construction and Installation of Sanitary Sewer Force Mains for the Mutual Benefit of NTMWD and the Public and Accompanying Ordinance

NTMWD Assistant Deputy Mark Simon presented information about the request.

No one else requested to make public comments.

Council unanimously approved the motion by Council member Geré Feltus, seconded by Council member Patrick Cloutier, to close the public hearing and approve the Request by the North Texas Municipal Water District ("NTMWD") for a Grant by the City of McKinney of Sanitary Sewer Easements Primarily Under and Across Public Land Owned by the City that is Designated as Parkland, Which Parkland is Generally Located Approximately 2,000 feet east of SH 5 and just south of Harry McKillop Boulevard, for the Construction and Installation of Sanitary Sewer Force Mains for the Mutual Benefit of NTMWD and the Public and Accompanying Ordinance; caption reads as follows:

ORDINANCE NO. 2022-11-133

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, MAKING FINDINGS REQUIRED BY CHAPTER 26 OF THE TEXAS PARKS AND WILDLIFE CODE REGARDING NORTH TEXAS MUNICIPAL WATER DISTRICT'S REQUEST TO EXTEND SANITARY SEWER FORCE MAINS SITUATED PRIMARILY AT OR BELOW GROUND LEVEL ACROSS A PORTION OF CITY OF MCKINNEY PARK LAND TOGETHER WITH PARTIALLY ABOVE-GROUND METERING AND AIR RELEASE/ODOR CONTROL SYSTEMS, WHICH PARKLAND IS GENERALLY LOCATED IN AN AREA APPROXIMATELY 2,000 FEET EAST OF STATE HIGHWAY 5 AND JUST SOUTH OF HARRY McKILLOP BOULEVARD; APPROVING THE GRANT OF PERMANENT SANITARY SEWER FORCE MAIN EASEMENTS UNDER AND ACROSS SUCH PARK LAND TO NORTH TEXAS MUNICIPAL WATER DISTRICT IN EXCHANGE FOR THE PAYMENT OF FAIR MARKET VALUE FOR SAID SANITARY SEWER EASEMENTS; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE ON BEHALF OF THE CITY OF MCKINNEY, TEXAS ALL NECESSARY DOCUMENTS FOR THE CONVEYANCE OF SAID EASEMENTS FROM THE CITY OF MCKINNEY TO THE NORTH TEXAS MUNICIPAL WATER DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

22-0112Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "PD" - Planned Development District, to Allow for Age Restricted Residential Uses and to Modify the Development Standards, Located Approximately 510 Feet North of Virginia Parkway and Approximately 260 Feet West of Joplin Drive, and Accompanying Ordinance (REQUEST TO BE TABLED)

Mayor Fuller and Director Planning Jennifer Arnold confirmed the applicant requested to table the item until a future meeting.

Paul Lehman declined to speak when called, and no other members of the public requested to address the City Council regarding this item.

Council unanimously approved the motion by Council member Geré Feltus, seconded by Council member Rick Franklin, to table the Request to Rezone the Subject Property from "AG" - Agricultural District to "PD" - Planned Development District, to Allow for Age Restricted Residential Uses and to Modify the Development Standards, Located Approximately 510 Feet North of Virginia Parkway and Approximately 260 Feet West of Joplin Drive, and Accompanying Ordinance, until the City Council Regular Meeting of December 6, 2022.

22-0122Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Bloomdale Road and U.S. Highway 75 (Central Expressway), and Accompanying Ordinance

Bob Roeder, 1700 Redbud Blvd Suite 300, McKinney, Texas 75069, spoke on behalf of the Applicant in support of the request.

The applicant presentation not included on the agenda is included in these minutes as *Appendix A: 22-0122Z2 Applicant Presentation*.

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

Council approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council member Geré Feltus, to close the public hearing and deny the Request to Rezone the Subject Property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Bloomdale Road and U.S. Highway 75 (Central Expressway), and Accompanying Ordinance with a vote of 4 - 3, Mayor George Fuller, Council Member Rick Franklin, and Council Member Patrick Cloutier voting against the denial.

22-1074 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Guaranteed Maximum Price (GMP) Amendment to the Contract

with Crossland Construction Company, Inc. (Crossland) for Construction Services Related to the Design and Construction of the McKinney National Airport Airfield Maintenance and Storage Building - TKI-SRE (AI4315)

Council unanimously approved the motion by Council member Charlie Philips, seconded by Mayor Pro Tem Rainey Rogers, to approve a Resolution Authorizing the City Manager to Execute a Guaranteed Maximum Price (GMP) Amendment to the Contract with Crossland Construction Company, Inc. (Crossland) for Construction Services Related to the Design and Construction of the McKinney National Airport Airfield Maintenance and Storage Building - TKI-SRE (AI4315); Resolution caption reads as follows:

RESOLUTION NO. 2022-11-169 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT TO THE EXISTING AGREEMENT WITH CROSSLAND CONSTRUCTION COMPANY, INC. (CROSSLAND) FOR CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE MCKINNEY NATIONAL AIRPORT AIRFIELD MAINTENANCE AND STORAGE BUILDING (AI4315)

Mayor Fuller called for Public Comments on matters not on the agenda at which time no one requested to speak to the City Council.

Mayor Fuller called for Council and Manager Comments.

Council Member Beller stated that he along with Council Members Franklin and Cloutier and City Manager Grimes attended the Coffee with Courts recent event. He commended the city staff for organizing the event and working to build relationships. Council Member Beller thanked the McKinney Chamber of Commerce for hosting the recent State of the City event and commended Mayor Fuller and City Manager Grimes for doing representing the city.

Council Member Cloutier announced the grand opening of Fire Station #11 noting that many residents attended the event, and children had opportunity to climb on some of the equipment. He also noted the facility is equipped with a sauna for firefighters to decontaminate their skin, and he encouraged the public to visit the new fire station. He attended the recent Veteran's Day celebration at the Veterans Memorial which included a T-6 flyover from Aero Country Airport; attended the McKinney

Education Foundation (MEF) Banquet which is only held every ten (10) years and was appreciative of all those who supported the event.

Council Member Philips stated the McKinney High School football team beat Coppell to advance to second round of the state playoff tournament to play Friday, November 18 (7:00 p.m.) at Dallas Jesuit High School; commended McKinney North High School football team and their first-year head coach on a great season, though they were defeated by Port Arthur in the playoffs.

Council Member Feltus congratulated the McKinney Boyd High School band on advancing to state competition; congratulated the Love Life Foundation on celebrating their 30 years of serving others; and commended the MEF gala which featured special guests former First Lady of Texas and the United States Laura Bush, her daughter Barbara Bush.

Mayor Pro Tem Rainey Rogers stated plans are underway for the Home for the Holidays Christmas event downtown, encouraging everyone to visit the area for the lights, Christmas tree as well as shopping and dining.

City Manager Paul Grimes wished everyone a Happy Thanksgiving and stated the next City Council meeting will take place after the holiday and made this announcement:

- Home for the Holidays and McKinney Christmas Downtown will kickoff with the Christmas tree lighting on Friday, November 25 at 6:15 p.m. and will include family activities; additional information can be found online at mckinneychristmas.com

Mayor Fuller commended MEF on their 30th Anniversary celebration, noting approximately seven hundred (700) people attended; acknowledged his wife Maylee Fuller for the 30th anniversary of the Love Life Foundation as well as those who have contributed to the organization's efforts and success. Mayor Fuller commented on Emma Harris being interviewed for the recent firefighter fitness challenge which included participants climbing a one hundred (100) foot ladder and performing all kinds of physical feats; the city will also host the two-day Resuscitation Academy for emergency personnel from more than thirty (30) different cities, expressing admiration

for the work they do, applauding Fire Chief Danny Kistner for hosting the program, and expressing the desire for it to be an annual event.

The City Council did not meet in Executive Session.

Council unanimously approved the motion by Council member Geré Feltus, seconded by Council member Charlie Philips, to adjourn the meeting at 7:15 p.m.

These minutes were approved by the City Council on December 6, 2022.

SIGNED:

GEORGE C. FULLER, Mayor

ATTEST:

EMPRESS DRANE, City Secretary

City of McKinney, Texas

