

CITY COUNCIL REGULAR MEETING

MAY 16, 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 16, 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 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 Rainey Rogers, and Council Members Justin Beller, Geré Feltus, Rick Franklin, Charlie Philips, and Patrick Cloutier. City Council Member-Elect Michael Jones was also present.

These City of McKinney Staff were present: City Manager Paul Grimes, Assistant City Manager Steve Tilton, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, City Attorney Mark Houser, City Secretary Empress Drane, City Secretary Accreditation & Reporting Specialist Edith Ruiz, Director of Strategic Services Trevor Minyard, Director of Public Safety Greg Conley, Director of Organizational Development & Performance Management Joseph Mazzola, Director of Planning Jennifer Arnold, Assistant Director of Engineering Shelley Lang, Executive Director of Development Services Michael Quint, Senior Communication & Media Specialist Meredith Haynes, Police Chief Joe Ellenburg, Executive Office Supervisor Blanca Garcia, Executive Assistant to the City Manager Amy Jeter, Police Officer Jason Connelly, Police Sergeant Joseph Spano, and Information Technology Service Technician Logan Atwood.

There were approximately fifty (50) members of the public present in the audience including McKinney City First Lady Maylee Fuller, and these city Boards & Commissions members: McKinney Community Development Corporation (MCDC) Chair Angela Richardson-Woods, MCDC Member David Riche, Planning & Zoning

Commission Member Steve Lebo, and Community Grants Advisory Commission Member Chris Thornton.

Mayor Fuller called for the Pledge of Allegiance given by McKinney Texas Stake President Todd Richardson, of The Church of Jesus Christ of Latter-day Saints. The Invocation was followed by the group recital of the Pledge of Allegiance.

Mayor Fuller called for these Information Sharing items:

23-0383 Installation of City Council Members for District 2, District 4 and At Large #2, Elected on May 6, 2023

City Secretary Empress Drane administered the Oath of Office to Michael Jones who was elected to his first term as Council Member At-Large #2; Rick Franklin who was elected unopposed to his second term as Council Member for District 4; and Patick Cloutier who was elected to his first term as Council Member for District 2. Council Member Cloutier was previously elected by Special Election in 2021 and completed the remaining At-Large #2 term vacated by former Council Member Frederick who resigned from the City Council to run for State Representative office. Mayor Fuller presented each member with a Certificate of Election.

Each Certificate of Election is included in this minutes document at Appendix A: Certificates of Election – Jones, Franklin and Cloutier.

23-0384 Recognition of Mayor Pro Tem Rainey Rogers, Outgoing City Council Member for District 2

Mayor Pro Tem Rainey Rogers made comments regarding his time serving on the City Council. The Council members and City Manager Grimes thanked Mayor Pro Tem Rogers for his service and presented him with a recognition plaque. Mayor Pro Tem Rogers represented District 2 on the City Council and successfully completed the maximum two terms of office.

23-0385 Proclamation for Military Appreciation Month

23-0386 Recognition of Medical City McKinney

Council member Rick Franklin departed the meeting following the Information Sharing items and did not return.

Mayor Fuller called for Public Comments.

Angela Woods, 2301 Spruce Meadow, McKinney TX 75069, congratulated the Council members newly elected on May 6, 2023 and thanked Mayor Pro Tem Rainey Rogers for his service on the City Council.

Dan Porzio, 5500 McKinney Place Drive, McKinney TX 75070, commended the city on the success of the Byron Nelson Golf Tournament and commended Mayor Pro Tem Rainey Rogers.

David Craig (no speaker card) also commended the city on the success of the Byron Nelson Golf Tournament and commended Mayor Pro Tem Rainey Rogers.

Mayor Fuller called for the Consent Agenda. At the request of Council member Geré Feltus, agenda item #23-0392 (Naming a Roadway) was removed from the Consent agenda for individual consideration.

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

- 23-0387** Minutes of the City Council Work Session of May 2, 2023
- 23-0388** Minutes of the City Council Regular Meeting of May 2, 2023
- 23-0328** Minutes of the Historic Preservation Advisory Board Regular Meeting of April 6, 2023
- 23-0306** Minutes of the Library Advisory Board Meeting of March 16, 2023
- 22-1133** Minutes of the McKinney Armed Services Memorial Board Meeting of November 9, 2022
- 23-0316** Minutes of the McKinney Community Development Corporation Retail Development Infrastructure Grant Subcommittee Meeting of March 17, 2023
- 23-0314** Minutes of the McKinney Community Development Corporation Meeting of March 23, 2023
- 23-0317** Minutes of the McKinney Community Development Corporation Potential Projects Subcommittee Meeting of March 27, 2023
- 23-0214** Amended Minutes of the McKinney Economic Development Corporation Meeting of November 15, 2022

- 23-0213** Minutes of the McKinney Economic Development Corporation Meeting of February 21, 2023
- 23-0275** Minutes of the McKinney Main Street Board Meeting of March 9, 2023
- 23-0278** Minutes of the Planning and Zoning Commission Regular Meeting of March 28, 2023
- 23-0362** Minutes of the Planning and Zoning Commission Regular Meeting of April 25, 2023
- 23-0309** Minutes of the Visit McKinney Board Meeting of March 28, 2023
- 23-0389** Consider/Discuss/Act on an Ordinance Amending Chapter 87 - Special Events, Sec.87-5 - Exemptions of the City Code of Ordinances, Exempting Certain Special Events Held on Library Property from the Special Events Permitting Process. Ordinance caption reads as follows:

ORDINANCE NO. 2023-05-027

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING CHAPTER 87 OF THE CITY'S CODE OF ORDINANCES, "SPECIAL EVENTS," BY EXEMPTING FROM THE CITY'S SPECIAL EVENTS PERMIT REQUIREMENTS THOSE EVENTS APPROVED BY THE CITY'S LIBRARY DEPARTMENT DIRECTOR AND WHOLLY LOCATED WITHIN A CITY-CONTROLLED LIBRARY PROPERTY; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE

- 23-0390** Consider/Discuss/Act on an Ordinance Authorizing the Issuance of "City of McKinney, Texas, General Obligation Bonds, Series 2023", and Delegating Matters Relating to the Sale and Issuance of Said Bonds to an Authorized City Official(s); Ordinance caption reads as follows:

ORDINANCE NO. 2023-05-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF MCKINNEY, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2023"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED CITY OFFICIAL; ENACTING PROVISIONS INCIDENT AND RELATED TO THE PURPOSES AND SUBJECT OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

- 23-0391** Consider/Discuss/Act on an Ordinance Authorizing the Issuance of "City of McKinney, Texas, Waterworks and Sewer System Revenue and Improvement Bonds, Series 2023", and Delegating Matters Relating to the Sale and Issuance of Said Bonds to an Authorized City Official(s); Ordinance caption reads as follows:

ORDINANCE NO. 2023-05-029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF MCKINNEY, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2023," MAKING PROVISIONS FOR THE PAYMENT AND SECURITY OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS, ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED CITY OFFICIAL; ENACTING PROVISIONS INCIDENT AND RELATED TO THE PURPOSES AND SUBJECT OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

- 23-0393** Consider/Discuss/Act on a Resolution Allowing the Use of Homelessness Prevention and Mitigation Funding for Anti-Panhandling Signage and Housing Related Legal Services. Resolution caption reads as follows:

RESOLUTION NO. 2023-05-060 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE EXPENDITURE OF FUNDS FOR HOMELESS PREVENTION AND MITIGATION

- 23-0394** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Birkhoff, Hendricks & Carter, LLP for Professional Engineering Services for the Citywide Inflow & Infiltration Sewer Basin Monitoring Project (WW2334) and Any Necessary Supplemental Agreements. Resolution caption reads as follows:

RESOLUTION NO. 2023-05-061 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$609,200 WITH BIRKHOFF, HENDRICKS & CARTER, LLP FOR CONSULTING ENGINEERING SERVICES FOR THE CITYWIDE INFLOW & INFILTRATION SEWER BASIN MONITORING PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$670,000

- 23-0395** Consider/Discuss/Act on a Resolution Awarding a Contract to The Goodyear Tire & Rubber Company, of Akron, Ohio for the Purchase and Delivery of Tires. Resolution caption reads as follows:

RESOLUTION NO. 2023-05-062 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO THE GOODYEAR TIRE & RUBBER COMPANY OF AKRON, OHIO FOR THE PURCHASE AND DELIVERY OF TIRES

Mayor Fuller called for the item removed from the Consent Agenda:

- 23-0392** Consider/Discuss/Act on an Ordinance Designating a Name for the Unnamed Arterial 5 Roadway that will Ultimately Extend from Custer Road (FM 2478), Adjacent to Aster Park, and Continuing East of Trinity Falls Parkway

Council member Geré Feltus expressed support for naming the roadway Coughlin Parkway to honor the late Richard “Dick” Coughlin who served in WWII and was a former City Council Member and Mayor of McKinney in the 1970’s and 1980’s. Members of Mr. Coughlin’s family were present at the meeting.

Council unanimously approved the motion by Council member Geré Feltus, seconded by Council member Patrick Cloutier, to approve the name of Coughlin Parkway for the Arterial 5 Roadway that will Ultimately Extend from Custer Road (FM 2478), Adjacent to Aster Park, and Continuing East of Trinity Falls Parkway. Ordinance caption reads as follows:

ORDINANCE NO. 2023-05-030

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS TO DESIGNATE A NAME FOR THE UNNAMED ARTERIAL 5 ROADWAY THAT WILL ULTIMATELY EXTEND FROM CUSTER ROAD (FM 2478), ADJACENT TO ASTER PARK AND CONTINUING EAST OF TRINITY FALLS PARKWAY IN MCKINNEY, TEXAS; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF

Mayor Fuller called for Plat Consideration under Chapter 212 of the Texas Local Government Code.

- 23-0092FP** Consider/Discuss/Act on a Final Plat for Lot 1 & 2, Block A of the Trejos Addition, Located in the McKinney Extra Territorial Jurisdiction (ETJ), Located at 2558 FM 1827

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Geré Feltus to approve the plat with conditions as recommended by staff.

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

22-0003RW Conduct a Public Hearing to Consider/Discuss/Act on a Right-of-Way Abandonment of an Unnamed Alley Located South of First Street and North of Pearson Avenue, Approximately 130 Feet East of Waddill Street, Being Part of the College Addition, and Accompanying Ordinance

There were no public comments regarding the item.

Council unanimously approved the motion by Council member Charlie Philips, seconded by Council member Geré Feltus, to close the public hearing and approve a Right-of-Way Abandonment of an Unnamed Alley Located South of First Street and North of Pearson Avenue, Approximately 130 Feet East of Waddill Street, Being Part of the College Addition, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2023-05-031

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, VACATING A PORTION OF AN UNNAMED ALLEY LOCATED SOUTH OF FIRST STREET AND NORTH OF PEARSON AVENUE, APPROXIMATELY 130 FEET EAST OF WADDILL STREET, BEING PART OF THE COLLEGE ADDITION, AND CONTAINING APPROXIMATELY 0.167 ACRES; PROVIDING FOR THE CONVEYANCE OF SAID RIGHT-OF-WAY TO THE ADJOINING PROPERTY OWNERS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

23-0001RW Conduct a Public Hearing to Consider/Discuss/Act on a Right-of-Way Abandonment of an Unnamed Alley Located South of Andrews Street and North of Anthony Street, Approximately 300 Feet East of Railroad Street, Being Part of the Geo A. Wilson Addition, and Accompanying Ordinance

There were no public comments regarding the item.

Council unanimously approved the motion by Council member Charlie Philips, seconded by Council member Geré Feltus, to close the public hearing and approve a Right-of-Way Abandonment of an Unnamed Alley Located South of Andrews Street and North of Anthony Street, Approximately 300 Feet East of Railroad Street, Being

Part of the Geo A. Wilson Addition, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2023-05-032

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, VACATING A PORTION OF AN UNNAMED ALLEY LOCATED SOUTH OF ANDREWS STREET AND NORTH OF ANTHONY STREET, APPROXIMATELY 300 FEET EAST OF RAILROAD STREET, BEING PART OF THE GEO A. WILSON ADDITION, AND CONTAINING APPROXIMATELY 0.05 ACRES; PROVIDING FOR THE CONVEYANCE OF SAID RIGHT-OF-WAY TO THE ADJOINING PROPERTY OWNERS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

23-0030Z2 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, Located on the Northeast Corner of Carlisle Street and Virginia Parkway, Generally to Modify the Development Standards, and Accompanying Ordinance

Bob Roeder (applicant), 1700 Redbud Blvd Ste 300, McKinney TX 75069, spoke in support of the request.

There were no other public comments regarding the request.

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Charlie Philips, to close the public hearing and approve the Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Located on the Northeast Corner of Carlisle Street and Virginia Parkway, Generally to Modify the Development Standards, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2023-05-033

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 5.08 ACRE PROPERTY, LOCATED ON THE NORTHEAST CORNER OF CARLISLE STREET AND VIRGINIA PARKWAY, IS REZONED FROM "PD" - PLANNED DEVELOPMENT DISTRICT TO "PD" - PLANNED DEVELOPMENT DISTRICT, GENERALLY TO ALLOW FOR MULTI-FAMILY USES AND TO MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

23-0396 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Term Sheet with McKinney Ranch, LTD. Governing the

Development of Property to be Located Within the Honey Creek
Improvement District No. 1

Council unanimously approved the motion by Council member Charlie Philips, seconded by Council member Michael Jones, to approve a Resolution Authorizing the City Manager to Execute a Term Sheet with McKinney Ranch, LTD. Governing the Development of Property to be Located Within the Honey Creek Improvement District No. 1. Resolution caption reads as follows:

RESOLUTION NO. 2023-05-063 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A TERM SHEET WITH MCKINNEY RANCH, LTD. GOVERNING THE DEVELOPMENT OF PROPERTY TO BE LOCATED WITHIN THE HONEY CREEK IMPROVEMENT DISTRICT NO. 1; AND PROVIDING AN EFFECTIVE DATE

Council unanimously approved the motion by Council member Patrick Cloutier, seconded by Council member Geré Feltus, to adjourn the meeting at 7:08 p.m.

These minutes were approved by the City Council on October 2, 2023.

SIGNED:

GEORGE C. FULLER, Mayor

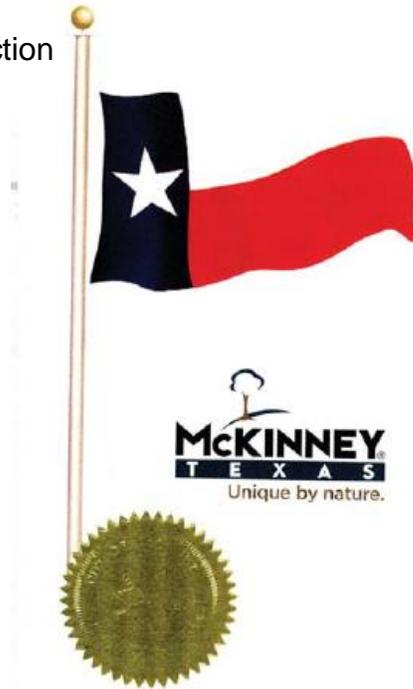
ATTEST:

EMPRESS DRANE, City Secretary

City of McKinney, Texas

Appendix A:
Certificates of Election

Michael Jones



In the name and by the authority of
The State of Texas
THIS IS TO CERTIFY THAT
MICHAEL JONES
was duly elected
City Council Member At Large
McKinney, Texas
by the General Election of May 6, 2023,
in accordance with all requirements of the
Texas Election Code.
In testimony whereof, I have hereunto signed my name and
caused the Seal of McKinney to be affixed this
the 16th day of May, 2023.

GEORGE C. FULLER
Mayor of the City of McKinney, Texas

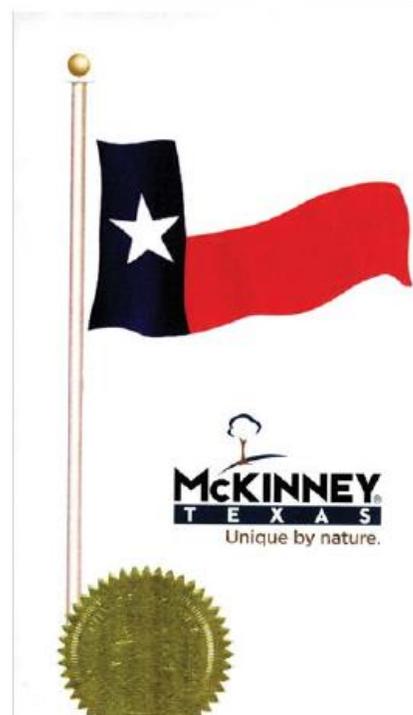
Rick Franklin



In the name and by the authority of
The State of Texas
THIS IS TO CERTIFY THAT
RICK FRANKLIN
was duly elected
City Council Member of District 4
McKinney, Texas
by the General Election of May 6, 2023,
in accordance with all requirements of the
Texas Election Code.
In testimony whereof, I have hereunto signed my name and
caused the Seal of McKinney to be affixed this
the 16th day of May, 2023.

GEORGE C. FULLER
Mayor of the City of McKinney, Texas

Patrick Cloutier



In the name and by the authority of
The State of Texas
THIS IS TO CERTIFY THAT
PATRICK CLOUTIER
was duly elected
City Council Member of District 2
McKinney, Texas
by the General Election of May 6, 2023,
in accordance with all requirements of the
Texas Election Code.
In testimony whereof, I have hereunto signed my name and
caused the Seal of McKinney to be affixed this
the 16th day of May, 2023.

GEORGE C. FULLER
Mayor of the City of McKinney, Texas