



McKINNEY CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 15, 2009
COUNCIL CHAMBERS
222 N. TENNESSEE

5:30 P.M.

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Pastor Bruce Miller, McKinney Fellowship Bible Church

INFORMATION SHARING

- Proclamation Honoring Colonel Paul Yeager

EXECUTIVE SESSION

In Accordance with the *Texas Government Code*:

- A. Section 551.071 (2) – Consultation with City Attorney on any Work Session, Special or Regular Session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed)
- B. Section 551.071 (1) (A) – Litigation / Anticipated Litigation
 - *McKinney Economic Development Corporation v. McKinney Shores Properties, Inc v. City of McKinney (Counter-Defendant) ; McKinney Shores Hotel Partners, Inc. v. City of McKinney, McKinney Economic Development Corporation, McKinney Community Development Corporation, Thad Helsley and Bill Cox Cause No. 296-01372-2009 ; In the District Court, Collin County, Texas, 296th Judicial District*
- C. Section 551.074 – Discuss Personnel Matters
 - Judge Ordonez Contract

CITIZEN COMMENTS (*Comments are limited to 3 minutes per person*)

CONSENT AGENDA *(This portion of the agenda consists of non-controversial or “housekeeping” items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.)*

MINUTES

- 09-419** Minutes of the City Council and Planning & Zoning Commission Special Joint Session of August 31, 2009
- 09-420** Minutes of the City Council Work Session of August 31, 2009
- 09-421** Minutes of the City Council Regular Meeting of September 1, 2009
- 09-422** Minutes of the Board of Adjustment Meeting of July 22, 2009
- 09-423** Minutes from McKinney Arts Commission Meeting of April 16, 2009
- 09-424** Minutes for McKinney Community Development Corporation Board Meeting of July 30, 2009
- 09-425** Minutes of the McKinney Convention and Visitors Bureau Meeting of July 6, 2009
- 09-426** Minutes of the McKinney Industrial Development Corporation Meeting of February 6, 1980
- 09-427** Minutes of the McKinney Industrial Development Corporation Meeting of May 27, 1980
- 09-428** Minutes of the McKinney Industrial Development Corporation Meeting of November 12, 1980
- 09-429** Minutes of the McKinney Industrial Development Corporation Meeting of March 31, 1981
- 09-430** Minutes of the McKinney Industrial Development Corporation Meeting of May 5, 1981
- 09-431** Minutes of the McKinney Industrial Development Corporation Meeting of October 3, 1994
- 09-432** Minutes of the McKinney Industrial Development Corporation Meeting of June 10, 1999

- 09-433** Minutes of the McKinney Industrial Development Corporation Meeting of June 8, 2004
- 09-434** Minutes of the McKinney Industrial Development Corporation Meeting of August 27, 2009
- 09-435** Minutes of the Regular Planning and Zoning Commission Meeting of August 11, 2009

ORDINANCES

- 09-436** Consider/Discuss/Act on an Amendment to Chapter 4 of the Code of Ordinance, Alcoholic Beverages, to Allow Alcohol Consumption on Lot A, Block 7, North Texas Athletic Center Addition, Including the Dr Pepper StarCenter – McKinney at Craig Ranch, and Certain Specified Areas of the Collin County Regional Airport, and Accompanying Ordinance
- 09-437** Consider/Discuss/Act on an Ordinance Approving the Revised and Uncontested Rate of Tariffs for CoServ Gas Ltd. Within Its Service Areas in McKinney
- 09-438** Consider/Discuss/Act on an Ordinance Establishing a Speed Limit on Collin McKinney Parkway

RESOLUTIONS

- 09-439** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Submit Proposals in Response to the Sustainable Development Funding Program 2009 Call for Projects from the North Central Texas Council of Governments
- 09-440** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Establish Just Compensation for the Property Rights to be Acquired and Authorizing the City Manager to Take All Necessary Steps to Acquire the Needed Property Rights for the Construction of a Replacement Runway at the Collin County Regional Airport and the Associated Realignment of FM 546
- 09-441** Consider/Discuss/Act on a Resolution Authorizing the Execution of Documents to Grant Easements to the North Texas Municipal Water District to Construct and Maintain a Gravity Main on City Property
- 09-442** Consider/Discuss/Act on a Resolution Authorizing the Execution of Documents to Grant Easements to the North Texas Municipal Water

District to Construct and Maintain a Force Main on City Property at the Former Landfill Property

- 09-443** Consider/Discuss/Act on a Resolution Approving the Recommendations of the Arts Commission for Awarding Grants for Funding of the Arts
- 09-444** Consider/Discuss/Act on a Resolution Dissolving the McKinney Industrial Development Corporation
- 09-445** Consider/Discuss/Act on a Resolution Authorizing the Application to the Federal Motor Carrier Safety Administration for a Motor Carrier Safety Assistance Program High Priority Grant

END OF CONSENT AGENDA

REGULAR AGENDA *(This portion of the agenda consists of items requiring individual consideration by the Council.)*

- 09-418** Conduct a Public Hearing to Consider/Discuss/Act on the Budget Appropriation Ordinance for FY 2009-10 – 2nd Reading
- 09-446** Consider/Discuss/Act on an Ordinance Ratifying the Property Tax Revenue Increase in the 2009-10 Budget as a Result of the City Receiving More Revenues from Property Taxes than the Previous Fiscal Year
- 09-447** Consider/Discuss/Act on an Ordinance Adopting a Tax Rate for Fiscal Year 2009-10
- 09-448** Consider/Discuss/Act on an Ordinance to Change the City Services Rates/Fees
- 09-449** Consider/Discuss/Act on McKinney Community Development Corporation Budget for Fiscal Year 2009-2010
- 09-450** Consider/Discuss/Act on McKinney Economic Development Corporation Budget for Fiscal Year 2009-2010

PUBLIC HEARINGS

- 09-087Z** Conduct a Public Hearing to Consider/Discuss/Act on the Request by The Bungalow Company, on Behalf of First National Bank of Trenton, for

Approval of a Request to Rezone Approximately 0.37 Acres, from “BG” – General Business District and “H” – Historic Preservation Overlay District to “PD” – Planned Development District and “H” – Historic Preservation Overlay District, Generally to Modify the Allowed Uses and Development Standards, Located on the West Side of Kentucky Street and Approximately 150 Feet North of Walker Street, and Accompanying Ordinance

09-096Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Bradley S. Kidwell Ltd. Family Partnership for Approval of a Request to Rezone Approximately 1.71 Acres from “ML” – Light Manufacturing District to “PD” – Planned Development District, Generally to Allow Mixed Use Development, Located on the Northwest Corner of Louisiana Street and Throckmorton Street, and Accompanying Ordinance

09-103AA Conduct a Public Hearing to Consider/Discuss/Act on the Request by Thomas Lane for Approval of an Alley Abandonment for an East/West Alley, Approximately 0.06 Acres, Located on the East Side of West Street and Approximately 200 Feet North of Erwin Street, More Specifically Located between Lots 1B, 2B, 3R, 14, 15B, and 16C, Block 15, of the College Addition, and Accompanying Ordinance

09-052Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Bracewell & Guiliani, L.L.P., on Behalf of Betty M. Bacon Trust c/o Jim Bacon, for Approval of a Request to Rezone Approximately 0.64 Acres from “AG” – Agricultural District to “PD” – Planned Development District, Generally to Modify the Development Standards, Allow for a Support Tower with Communication Antennas, and for General Business Uses, Located on the North Side of Virginia Parkway and Approximately 1,000 Feet West of Hardin Boulevard, and Accompanying Ordinance

CITY COUNCIL AND MANAGER COMMENTS

Council and Manager Comments relating to items of public interest: Announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, informational update on City projects, awards, acknowledgement of meeting attendees, birthdays, requests of the City Manager for items to be placed on upcoming agendas, and condolences.

CITIZEN COMMENTS *(Comments are limited to 3 minutes per person)*

ACTION ON EXECUTIVE SESSION ITEMS

ADJOURN

Posted in accordance with the Texas Government Code, Chapter 551, on the 10th day of September at or before 5:00 p.m.

Lincoln Thompson
Deputy City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements, please contact Sandy Hart, City Secretary at 972-547-7505 or Lincoln Thompson, Deputy City Secretary at 972-547-7504, 48 hours prior to the scheduled meeting. Reasonable accommodations will be made to assist you.