



**McKINNEY CITY COUNCIL  
REGULAR MEETING  
TUESDAY, OCTOBER 6, 2009  
COUNCIL CHAMBERS  
222 N. TENNESSEE**

**5:30 P.M.**

**CALL TO ORDER**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation given by Pastor John Blacklock, First Presbyterian Church

**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**

- 09-452** Minutes of the City Council Work Session of September 15, 2009
- 09-453** Minutes of the City Council Regular Meeting of September 15, 2009
- 09-454** Minutes of the Historic Preservation Advisory Board Meeting of August 6, 2009
- 09-455** Minutes of the Library Advisory Board Meeting of August 20, 2009
- 09-456** Minutes of the McKinney Airport Development Corporation Board Meeting of August 13, 2009
- 09-457** Minutes of the McKinney Armed Services Memorial Board Meeting of August 18, 2009
- 09-458** Minutes of the McKinney Community Development Corporation Board Meeting of August 27, 2009

- 09-459** Minutes of the McKinney Economic Development Corporation Board Meeting of August 20, 2009
- 09-460** Minutes of the McKinney Housing Finance Corporation Board Meeting of July 10, 2009
- 09-461** Minutes of the McKinney Main Street Board Meeting of August 12, 2009
- 09-462** Minutes of the Parks, Recreation, and Open Space Advisory Board Meeting of August 13, 2009
- 09-463** Minutes of the Planning and Zoning Commission Meeting of August 25, 2009

## **ORDINANCES**

- 09-464** Consider/Discuss/Act on Adopting Amendments to the Animal Control Ordinance
- 09-465** Consider/Discuss/Act on an Ordinance Amending the FY2008-2009 Budget and the 2009-2013 Capital Improvements Program for the Redundant Radio System

## **RESOLUTIONS**

- 09-466** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter Into a Memorandum of Understanding between the United States Department of Agriculture Natural Resources Conservation Service and City of McKinney, Texas for the Rehabilitation of East Fork above Lavon Floodwater Retarding Structure Site 2A
- 09-467** Consider/Discuss/Act on a Resolution Authorizing a Supplemental Agreement for Engineering Services Related to the Lake Forest Drive - US 380 to Wilmeth Project
- 09-468** Consider/Discuss/Act on a Resolution Authorizing a Contract for the Operational Review of Development Services Department
- 09-469** Consider/Discuss/Act on a Resolution Authorizing a Contract with Oncor Electric Delivery for the Installation of Median Lighting along Lake Forest Drive
- 09-470** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Submit a Proposal in Response to the Brownfields Assessment Grant

Program FY 2010 Call for Proposals from the Environmental Protection Agency (EPA)

**MISCELLANEOUS**

- 09-471** Consider/Discuss/Act on an Amendment to the Amended and Restated 380 Economic Development Agreement and Program with McKinney Ranch Ltd. ("MRL")

**END OF CONSENT AGENDA**

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

- 09-472** Consider/Discuss/Act on Appointing a Member to the Building and Standards Commission
- 09-473** Consider/Discuss/Act on a Resolution Nominating Members to the Board of Directors for the Central Appraisal District of Collin County

**PUBLIC HEARINGS**

- 09-474** Conduct a Public Hearing to Consider/Discuss Act on an Ordinance of the City Council of the City of McKinney Amending Chapter 10, Article II of the Code of Ordinances by Requiring That an Alarm Company Attempt to Verify an Alarm Call Prior to Notifying the City of the Alarm; Repealing Section 10-30 Relating to Inspections; Providing a Penalty; Providing for the Repeal of Conflicting Ordinances; Providing for a Severability Clause; Providing for an Effective Date
- 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 **TABLED FROM SEPTEMBER 15, 2009**
- 09-123MRP** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Geer Engineering and Surveying, on Behalf of the Estate of Doyle S.

Stacy, for Approval of a Minor Replat for Lots 19R and 22, Block 8, of the Russels 2<sup>nd</sup> Addition, Approximately 0.46 Acres, Located Between Rockwall Street and Lindsey Avenue and Approximately 300 Feet North of Elm Street

- 09-126Z** Conduct a Public Hearing to Consider/Discuss/Act on the Request by PM Realty Group, on Behalf of Joplin Partners, Ltd., for Approval of a Request to Rezone Approximately 2.36 Acres from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Architectural Standards, Located on the South Side of Virginia Parkway and Approximately 750 Feet West of Crutcher Crossing, 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)*

### **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*
  - *El Dorado Land Company, LP vs. City of McKinney*
- C. Section 551.072 – Discuss Real Property
  - Municipal Facilities

## **ACTION ON EXECUTIVE SESSION ITEMS**

## **ADJOURN**

Posted in accordance with the Texas Government Code, Chapter 551, on the 1<sup>st</sup> day of October at or before 5:00 p.m.

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**Sandy Hart, TRMC, MMC**  
**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.