

CITY COUNCIL REGULAR MEETING

JULY 19, 2011

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on July 19, 2011 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro-Tem Travis Ussery, Council members: David Brooks, Geralyn Kever, Don Day, Ray Ricchi, and Roger Harris.

Staff Present: City Manager Jason Gray; Deputy City Manager Joe Williams; City Attorney Mark Houser; City Secretary Sandy Hart; Chief of Police Doug Kowalski; Executive Director of Development Services Rob Daake; Police Sergeant David Rodriguez; Engineers – Danny Still, Dan Heischman, Gary Graham, and Paul Tucker; Grants Coordinator Janay Tieken; Assistant to the City Manager Aretha Harvey; Director of Engineering Jack Carr; Senior Help Desk Technician Clif Carnley; Police Administration Manager Cathy Lennox; Planning – Jennifer Cox, Kevin Spath, Brandon Opiela and Michael Quint; and Communications and Media Manager Anna Clark.

There were 42 guests present.

Mayor Loughmiller called the meeting to order at 6:02 p.m. after determining a quorum was present. Invocation was given by Pastor Bona Nabushosi, House of Restoration. Mayor Loughmiller led the Pledge of Allegiance.

11-322 Blue Star Flags were presented to:

Blair VanScoyoc in Honor of Her Husband, Scott VanScoyoc

Kimberly & Ed Silva in Honor of Their Son Darrell D. Silva

Deanne Glasser in Honor of Her Son, Lee Glasser

Mayor Loughmiller called for Citizen Comments

Mr. Andrew Tate, 8404 Desert Dunes Trail, expressed his criticism of the City for erroneously disconnecting the water at his residence.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Kever, to approve the following consent items:

11-323 Minutes of the City Council Work Session of June 21, 2011

11-324 Minutes of the City Council Regular Meeting of June 21, 2011

11-325 Minutes of the City Council Budget Retreat Meeting of June 24, 2011

- 11-326** Minutes of the City Council Special Meeting of June 27, 2011
- 11-327** Minutes of the City Council Work Session of July 8, 2011
- 11-328** Minutes of the Board of Adjustment Board Meeting of April 27, 2011
- 11-329** Minutes of the Library Advisory Board Meeting of May 19, 2011
- 11-330** Minutes of the McKinney Convention & Visitors Bureau Board Meeting of May 23, 2011
- 11-331** Minutes of the McKinney Community Development Corporation Meeting of May 26, 2011
- 11-332** Minutes of the McKinney Economic Development Corporation Board meeting of May 17, 2011
- 11-333** Minutes of the McKinney Housing Authority Board of Commissioners Meeting of May 24, 2011
- 11-002PZ** Minutes of the Planning and Zoning Commission Regular Meeting of May 24, 2011
- 11-003PZ** Minutes of the Planning and Zoning Commission Regular Meeting of June 14, 2011
- 11-004PZ** Minutes of the Planning and Zoning Commission Regular Meeting of June 28, 2011
- 11-337** Consider/Discuss/Act on a Resolution Authorizing a Contract with North Texas Contracting, Inc, for the Construction of the Dudperkins Sanitary Sewer Improvements. Caption reads as follows:

RESOLUTION NO. 2011-07-069 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO
EXECUTE A CONTRACT WITH NORTH TEXAS CONTRACTING,
INC, FOR THE CONSTRUCTION OF THE DUDPERKINS
SANITARY SEWER IMPROVEMENTS

- 11-338** Consider/Discuss/Act on a Resolution Authorizing a Contract with PSI, Inc, for Materials Testing Services for the Dudperkins Sanitary Sewer Improvements. Caption reads as follows:

RESOLUTION NO. 2011-07-070 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO

EXECUTE A CONTRACT WITH PSI, INC, FOR MATERIALS TESTING SERVICES FOR THE DUDPERKINS SANITARY SEWER IMPROVEMENTS

- 11-339** Consider/Discuss/Act on a Resolution Authorizing a Contract for Professional Services for KIP Realty, LLC for Appraisal Services for the Alma Road Completion Project. Caption reads as follows:

RESOLUTION NO. 2011-07-071 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CONTRACT FOR APPRAISAL SERVICES WITH KIP REALTY, LLC, FOR APPRAISALS ASSOCIATED WITH THE ALMA ROAD COMPLETION PROJECT FROM STACY ROAD TO FIRE STATION #8, AND SILVERADO TRAIL FROM ALMA ROAD TO FUTURE COMSTOCK ELEMENTARY

- 11-340** Consider/Discuss/Act on a Resolution Authorizing the Application and Acceptance of the U.S. Department of Justice 2010 Byrne Justice Assistance Grant, if Awarded, Preparing a Budget Amendment for Certain Expenditures Related to this Grant, and Designating the City Manager, or his Designee, as Official Representative of the City in Matters Relating to the Program. Caption reads as follows:

RESOLUTION NO. 2011-07-072 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, AUTHORIZING THE APPLICATION OF AND ACCEPTANCE, IF AWARDED, OF THE U.S. DEPARTMENT OF JUSTICE 2011 BYRNE JUSTICE ASSISTANCE GRANT, PREPARING A BUDGET AMENDMENT FOR CERTAIN EXPENDITURES IN THE MCKINNEY POLICE DEPARTMENT BUDGET, AND DESIGNATING THE CITY MANAGER, OR HIS DESIGNEE, AS OFFICIAL REPRESENTATIVE OF THE CITY IN MATTERS RELATING TO THE PROGRAM

- 11-341** Consider/Discuss/Act on an Resolution Amending the 2011-2015 Capital Improvements Program for Facilities for New Parking at the John & Judy Gay Library. Caption reads as follows:

RESOLUTION NO. 2011- 07-073 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE 2011-2015 CAPITAL IMPROVEMENTS PROGRAM FOR THE CONSTRUCTION OF FACILITY PROJECTS

- 11-342** Consider/Discuss/Act on a Resolution Amending the 2011-2015 Capital

Improvements Program for Facilities for New Parking at the Public Safety Building. Caption reads as follows:

RESOLUTION NO. 2011- 07-074 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE 2011-2015 CAPITAL IMPROVEMENTS PROGRAM FOR THE CONSTRUCTION OF FACILITY PROJECTS

- 11-343** Consider/Discuss/Act on a Resolution to Authorize a Supplemental Agreement with HDR Engineering, Inc, to Complete the Design of Infrastructure Improvements to West Street from Bonner Street to Erwin Street. Caption reads as follows:

RESOLUTION NO. 2011-07-075 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH HDR ENGINEERING, INC, TO COMPLETE THE DESIGN OF INFRASTRUCTURE IMPROVEMENTS TO WEST STREET FROM BONNER STREET TO ERWIN STREET

- 11-344** Consider/Discuss/Act on an Amendment to an Existing Tax Abatement Agreement with Traxxas, L.P. Caption reads as follows:

END OF CONSENT

- 11-334** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Reducing the Speed Limit on Virginia Parkway (FM 3038) from West Park Drive to Jordan Road. Transportation Engineering Manager Gary Graham stated that the ordinance reduces the speed limit from 45 miles per hour to 40 miles per hour along Virginia Parkway from West Park Drive to Jordan Road. Mr. Graham stated that the speed will be lowered in the future from Mallord Lakes to Jordan Road as the area develops. Mayor Pro-Tem stated that he hoped there would be communication to residents that the speed limit will be changing and that some sort of consideration be given to drivers at the beginning because it will be challenging for the public to remember to change speeds in certain sections. Mr. Graham stated that Virginia Parkway is controlled

by TxDOT and a speed study would be required before TxDOT would agree to lower the speed limit along the remaining portions. Council approved the motion by Council member Ricchi, seconded by Council member Kever, to approve an Ordinance reducing the speed limit on Virginia Parkway (FM 3038) from West Park Drive to Jordan Road with a vote of 6 - 1 - 0, Council member Harris voting against. Caption reads as follows:

ORDINANCE NO. 2011-07-045

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING SPEED ZONES ON VIRGINIA PARKWAY (FM3038); AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 11-335** Mayor Loughmiller called for Consideration/Discussion/Action on the Amendment of Ordinance 2011-04-16 Relating to Reinvestment Zone Number One. Grants Coordinator Janay Tieken stated that the ordinance changes the requirement from quarterly meetings to an as needed basis and removes the requirement for the Board members to be appointed by ordinance or resolution. Council unanimously approved the motion by Council member Day, seconded by Council member Brooks, to approve an Ordinance amending Ordinance 2011-04-16 relating to Reinvestment Zone Number One. Caption reads as follows:

ORDINANCE NO. 2011-07-046

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING ORDINANCE NUMBER 2011-04-16 RELATED TO REINVESTMENT ZONE NUMBER ONE, CITY OF MCKINNEY BY DELETING CURRENT SECTION 3, "BOARD OF DIRECTORS," OF SAID ORDINANCE IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 3, ALSO ENTITLED "BOARD OF DIRECTORS"; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

- 11-336** Mayor Loughmiller called for Consideration/Discussion/Action on the Amendment of Ordinance 2011-04-17 Relating to Reinvestment Zone Number Two. Council unanimously approved the motion by Council

member Brooks, seconded by Council member Day, to approve an Ordinance amending Ordinance 2011-04-17 relating to Reinvestment Zone Number Two. Caption reads as follows:

ORDINANCE NO. 2007-07-047

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING ORDINANCE NUMBER 2011-04-017 RELATED TO REINVESTMENT ZONE NUMBER TWO, CITY OF MCKINNEY BY DELETING CURRENT SECTION 3, "BOARD OF DIRECTORS," OF SAID ORDINANCE IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 3, ALSO ENTITLED "BOARD OF DIRECTORS"; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

- 11-244** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Acknowledging the Withdrawal of the Offer to Lease the McKinney Performing Arts Center by Imagine Schools of North Texas. City Manager Jason Gray stated this Resolution clarifies that the reason for the Imagine School not moving forward was because the applicant had withdrawn their application. Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Harris, to approve a Resolution acknowledging the withdrawal of the offer to lease the McKinney Performing Arts Center by Imagine Schools of North Texas. Caption reads as follows:

RESOLUTION NO. 2011-07-076 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ACKNOWLEDGING THE WITHDRAWAL OF THE OFFER TO LEASE THE MCKINNEY PERFORMING ARTS CENTER BY IMAGINE SCHOOLS OF NORTH TEXAS, AND PROVIDING FOR AN EFFECTIVE DATE

- 11-345** Mayor Loughmiller called for Consideration/Discussion/Action on Appointing Three (3) Members to the Tax Increment Reinvestment Zone Number One Board of Directors and Tax Increment Reinvestment Zone Number Two Board of Directors. City Attorney Mark Houser stated that Council now has the ability to appoint members to these boards by motion rather than by an ordinance or resolution. He stated that there are 2 members that are on one year terms, Ms. Kever and Mr. Ricchi and

new Council Member Mr. Harris. He stated that when the Boards were established in 2010 three members (Geraldyn Kever, Ray Ricchi, and Peter Huff) were appointed to initially serve one year terms. Mr. Houser stated that based on the Council's direction last fall, the Council desired to serve on the two boards. Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Day, to appoint Geraldyn Kever, Ray Ricchi, and Roger Harris to serve on the Reinvestment Zone Number One and Reinvestment Zone Number Two Board of Directors.

- 11-346** Mayor Loughmiller called for Consideration/Discussion/Action on Draft Illustrative Plan Options for Redistricting of Single Member Council Districts Based on 2010 Census Data. Mr. Syd Falk, Bickerstaff Heath Delgado Acosta LLP presented plans that were proposed by Council members from Districts 1, 2, 3, and 4. Plan C was presented at the June 27th Special meeting and was used as the starting point. Mr. Falk explained that Districts 1 and 3 are under populated and Districts 2 and 4 are over populated. Mayor Pro-Tem Ussery stated that to take what is District 3 from the east boundary of the Historic District and put it out to the west boundary of the city would be de-servicing the people he currently serves in District 3. Mayor Loughmiller stated that Stonebridge Ranch is going to have to be split and he thought that Ridge Road would be a good east/west dividing line. City Attorney Mark Houser stated that the Consultant recommended that the latest day for adoption of an Illustrative Plan is September 6th. Mr. Falk stated that the Department of Justice has 60 days to give a thumbs up or thumbs down on the submitted Plan. The election process for next May will begin with candidate sign ups beginning in early February. Additional time would need to be factored in to allow additional time for responses to the Department of Justice questions. Council approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Brooks, to reconvene the

Council committee with a mission of coming up with another possible option along with Plan 1 for public consideration.

- 11-347** Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Action on a Resolution Approving the 2011-12 Community Development Block Grant Action Plan. Community Development Block Grant (CDBG) Coordinator Shirletta Best explained the 2011-12 Community Development Block Grant Action Plan and stated that the City anticipates receiving \$511,257 in CDBG funding for the coming program year effective October 1, 2011. She stated that the funding will be used for public services, housing activities, land acquisition, non public services as well as grant administration. Ms. Best stated that as required under the grant there is a 30 day public hearing period which ends today. She stated that this plan has been available for viewing at the Community Services Office and at the library. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Kever, seconded by Council member Ricchi, to close the public Hearing and approve a Resolution approving the 2011-12 Community Development Block Grant Action Plan. Caption reads as follows:

RESOLUTION NO. 2011-07-077 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE 2011-2012 ANNUAL ACTION PLAN, AND PROVIDING AN EFFECTIVE DATE

- 11-348** Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Action on Application #11-08 for Construction of Parking Lot Improvements and Related Expenses on a Tract of Land Adjacent to the Flour Mill, between Virginia and Louisiana Street Approximately 500 feet east of S.H. 5, in an Amount not to Exceed \$225,000. McKinney Community Development Corporation (MCDC) Executive Director Cindy Schneible explained the Parking Lot improvements application and stated that the MCDC is requesting

Council approval of the proposed parking lot improvement application with an expenditure not to exceed \$225,000 for construction of a parking lot and related expenses on the parcel of the land west of the Flour Mill between Virginia and Louisiana Street. The MCDC board approved a grant of \$97,500 in April, 2011 for the acquisition of land for the parking lot. Approval of this request will provide funds for lot construction and improvements, survey and other related costs. Ms. Schneible stated that this expenditure of the project was approved by the MCDC Board on June 23, 2011. Ms. Schneible stated that they expect to close on this property next week and if Council approves this item tonight the sequence of events would include working with City staff on the design and also on bid solicitation and bid selection. Assistant Planning Director Kevin Spath stated that the parking lot improvement is not related directly to the North Central Texas Council of Governments grant. Mr. Spath stated that the parking lot is being initiated at the request of the owner of the Flour Mill to help him meet the parking lot requirements. Council member Day stated that the parking lot will also service surrounding local business owners. Mayor Loughmiller called for public comment and there was none. Council approved the motion by Council member Day, seconded by Council member Ricchi, to approve application #11-08 for construction of parking lot improvements and related expenses on a tract of land adjacent to the Flour Mill, between Virginia and Louisiana Street approximately 500 feet east of S.H. 5, in an amount not to exceed \$225,000 with a vote of 6 - 1 - 0, Council member Kever voting against.

11-092SU2 Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Action on the Request by Esterly, Schneider & Associates, Inc., AIA, on Behalf of O'Reilly Automotive, Inc., to Extend the Approval for an Existing Specific Use Permit for an Indoor Automotive Parts Sales Building (O'Reilly Auto Parts), Approximately 0.78 Acres, Located on the West Side of Custer Road and Approximately 900 Feet

North of Virginia Parkway, and Accompanying Ordinance. Senior Planner Michael Quint stated that the applicant is requesting an extension of the approval for an existing specific use permit for an indoor automotive parts sales building (O'Reilly Auto Parts) on approximately 0.78 acres, located on the west side of Custer Road and approximately 900 feet north of Virginia Parkway. Mr. Quint stated that the applicant failed to get a building permit within 6 months of approval of the specific use permit and they are looking to move forward with this development and need this extension to do so. Staff recommends approval of the extension for the specific use permit. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Kever, to close the public hearing and approve an Ordinance extending the approval for an existing specific use permit for an indoor automotive parts sales building (O'Reilly Auto Parts), approximately 0.78 acres, located on the west side of Custer Road and approximately 900 feet north of Virginia Parkway, Caption reads as follows:

ORDINANCE NO. 2011-07-048

AN ORDINANCE AMENDING ORDINANCE NOS. 2006-04-039, 2004-11-116, 2004-01-006, AND 98-08-44 OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR AN INDOOR AUTO PARTS SALES USE, APPROXIMATELY 0.78 ACRE, LOCATED ON THE WEST SIDE OF CUSTER ROAD AND APPROXIMATELY 900 FEET NORTH OF VIRGINIA PARKWAY; PROVIDING REGULATIONS; 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

- 11-080Z2** Conduct a Public Hearing to Consider/Discuss/Act on the Request by J. Volk Consulting, Inc., on Behalf of Scott Community Builders, L.P. and Townhome Builders at Pecan Park, Inc. for Approval of a Request to Rezone Approximately 22.05 Acres from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to

"PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards and for Single Family Detached and Attached Uses, Located on the South Side of McKinney Ranch Parkway and Approximately 1,050 Feet West of Lake Forest Drive, and Accompanying Ordinance. Senior Planner Michael Quint stated that the applicant is requesting to rezone the subject property to modify the development standards. Pecan Park has an approved plat, and is currently under construction, but the applicant is requesting to modify the housing types allowed and the development's space limits by replacing the existing planned development district ordinance. Staff recommends approval of the proposed rezoning request. Mr. Quint stated that there will be a slight reduction in density. Mr. Quint stated that the application includes no architectural standard changes and the applicant will be following the current architectural standards of the Zoning Ordinance. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Kever, seconded by Council member Brooks, to close the public hearing and approve an Ordinance rezoning approximately 22.05 acres from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, generally to modify the development standards and for single family detached and attached uses, located on the south side of McKinney Ranch Parkway and approximately 1,050 feet west of Lake Forest Drive, with the following special ordinance provisions: The subject property be rezoned to "PD" - Planned Development District and be developed according to the following regulations: the subject property shall generally conform to the attached general development plan, and the subject property shall develop in accordance with the attached development regulations, Caption reads

as follows.

ORDINANCE NO. 2011-07-049

AN ORDINANCE AMENDING ORDINANCE NO. 1270, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 22.05 ACRE PROPERTY, LOCATED ON THE SOUTH SIDE OF MCKINNEY RANCH PARKWAY AND APPROXIMATELY 1,050 FEET WEST OF LAKE FOREST DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT, GENERALLY 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

11-077Z2 Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Action on the Request by JBI Partners, Inc., on Behalf of CLF Group I, for Approval of a Request to Rezone Approximately 23.00 Acres from "AG" - Agricultural District and "CC" - Corridor Commercial Overlay District to "BG" - General Business District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Ridge Road and U.S. Highway 380 (University Drive), and Accompanying Ordinance. Senior Planner Brandon Opiela stated that the applicant is requesting to rezone approximately 23.00 acres of land, located on the southeast corner of Ridge Road and U.S. Highway 380 from "AG" – Agricultural District to "BG" – General Business District. The applicant has not indicated any proposed uses or development plans for the subject property. He stated that Staff recommends approval of the proposed rezoning request. Applicant, Mr. Jerry Sylo, 16301 Quorum #200B, Addison, stated that they are in agreement with Staff's recommendation. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Day, to close the public hearing and approve an Ordinance rezoning approximately 23.00 Acres from "AG" - Agricultural District and

"CC" - Corridor Commercial Overlay District to "BG" - General Business District and "CC" - Corridor Commercial Overlay District, located on the southeast corner of Ridge Road and U.S. Highway 380 (University Drive), with the following special ordinance provisions: The subject property develop in accordance with Section 146-85 "BG" - General Business District and Section 146-101 "CC" - Corridor Commercial Overlay District of the Zoning Ordinance. Caption reads as follows:

ORDINANCE NO. 2011-07-050

AN ORDINANCE AMENDING ORDINANCE NO. 1270, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 23.00 ACRE PROPERTY LOCATED ON THE SOUTHEAST CORNER OF RIDGE ROAD AND U.S. HIGHWAY 380 (UNIVERSITY DRIVE), IS REZONED FROM "AG" – AGRICULTURAL DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "BG" – GENERAL BUSINESS DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT; 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

Mayor Loughmiller called Council and Manager Comments and Liaison Reports

Council member Ricchi stated that he just returned from vacation and that McKinney is a great place to live and that he would not change that for the world. Mr. Ricchi thanked Staff for all the work they do. Mr. Ricchi stated that the Heard Museum has summer camps that go through August 12, 2011 and that Grandparents get in free on September 11, 2011.

Council member Day did not have any comments.

Council member Kever stated that the cost for the TxDOT improvements to US 75 from Highway 121 to US 380 is \$106 million. Ms. Kever stated that the Chamber presented a Leadership Award to the Mayor at their quarterly meeting last week. Ms. Kever expressed her appreciation to the Chamber for recognizing the Mayor's efforts. Ms. Kever welcomed new Council member Roger Harris.

Council member Harris stated that he is humbled and honored to represent the citizens of McKinney and plans to meet their needs while serving on Council. He thanked all those that helped during his campaign. Mr. Harris congratulated the

Council on their accomplishments to date and he is looking forward to working with them on future endeavors. He thanked Council for welcoming him and is looking forward to working with them.

Council member Brooks welcomed Mr. Harris and congratulated the Mayor for his award. He stated that the three Boards that he serves as liaison have been doing a great job.

Mayor Pro-Tem Ussery congratulated the Mayor for his award and welcomed Mr. Harris. He thanked Staff for what they do day in day out. Mr. Ussery commended everyone associated with Summer Musicals for the excellent job they have done this year.

Mayor Loughmiller thanked everyone for being here at the meeting and thanked his Mother for attending tonight. He stated that Matt Hilton organized help efforts for the victims of the Joplin, Missouri. Mayor stated that he and the City Manager went to the McKinney ISD to talk about incorporating healthy food options for students and promote healthy attitudes within the schools and for the City to join in that effort. He stated that there will be a public hearing in early August to give everyone an opportunity to comment on the redistricting plan. He stated that redistricting is required due to the 141 percent growth that the city has had within the past 10 years. Mayor Loughmiller welcomed Mr. Harris to the Council.

City Manager Gray welcomed Mr. Harris and congratulated the Mayor on his Chamber award. Mr. Gray encouraged the citizens to stay tuned to McKinney Vision to see an upcoming educational segment regarding protecting their property against the current drought conditions. He stated that the City is seeing a lot of water line breaks, and the City has some tips they would like to share to help educate the citizens.

Mayor Loughmiller called for Citizen Comments

Mr. Matt Hilton, 5429 Hampshire Drive, McKinney, spoke about the relief efforts to help the City of Joplin, Missouri that suffered major damaged from a May 22nd tornado. Mr. Hilton encouraged anyone interested I helping to join the relief efforts.

Mr. Alonzo Tutson, 1011 S. Murray Street, McKinney, spoke about the redistricting plans.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Ricchi, to adjourn. Mayor Loughmiller adjourned the meeting at 7:45 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary