



CITY OF MCKINNEY, TEXAS

Agenda City Council Regular Meeting

Tuesday, May 1, 2012

6:00 PM

Council Chambers
222 N. Tennessee Street
McKinney, Texas

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Minister Neill Grimes, First Christian Church of McKinney

INFORMATION SHARING

12-260 [National Night Out Presentation](#)

CITIZEN COMMENTS

CONSENT AGENDA

These items consist 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

12-261 [Minutes of the City Council Work Session of April 17, 2012](#)

Attachments: [Minutes](#)

12-262 [Minutes of the City Council Regular Meeting of April 17, 2012](#)

Attachments: [Minutes](#)

12-263 [Minutes of the City Council Work Session of April 23, 2012](#)

Attachments: [Minutes](#)

12-264 [Minutes of the City Council and McKinney Housing Authority
Joint Meeting of April 17, 2012](#)

Attachments: [Minutes](#)

- 12-265** [Minutes of the Board of Adjustment Meeting of March 28, 2012](#)
Attachments: [Minutes](#)
- 12-266** [Minutes of the Library Advisory Board Meeting of February 16, 2012](#)
Attachments: [Minutes](#)
- 12-267** [Minutes of the McKinney Airport Development Corporation Meeting of March 8, 2012.](#)
Attachments: [Minutes](#)
- 12-268** [Minutes of the McKinney Armed Services Memorial Board Meeting of January 11, 2012](#)
Attachments: [Minutes](#)
- 12-220** [Minutes of the McKinney Arts Commission Meeting of January 19, 2012](#)
Attachments: [Minutes](#)
- 12-221** [Minutes of the McKinney Arts Commission Work Session of January 25, 2012](#)
Attachments: [Minutes](#)
- 12-269** [Minutes of the McKinney Economic Development Corporation Meeting of March 20, 2012](#)
Attachments: [Minutes](#)
- 12-207** [Minutes of the McKinney Main Street Board Meeting of March 8, 2012](#)
Attachments: [Minutes](#)
- 12-270** [Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of March 8, 2012](#)
Attachments: [Minutes](#)
- 12-180** [Minutes of the Planning and Zoning Commission Regular](#)

Meeting of March 13, 2012**Attachments:** Minutes**ORDINANCES**

- 12-271** Consider/Discuss/Act on an Ordinance Amending the 2011-2012 Annual Budget, Including the 2012-2016 Capital Improvements Program, from the Parkland Dedication Fund Zone 3 to Project PK5085 for the Bonnie Wenk Park Phase I Project.

Attachments: Ordinance
 Budget Amendment
 Location Map

RESOLUTIONS

- 12-272** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with JC Commercial, Inc. of Lewisville, Texas for the Construction of the Bonnie Wenk Park Phase I Project.

Attachments: Resolution
 Location Map

- 12-273** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into an Interlocal Agreement with Collin County for Funding for the Intersection Capacity Improvements along Virginia Parkway and Along Eldorado Parkway

Attachments: Resolution
 Interlocal Agreement
 Location Map

- 12-274** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Enter into a Restated Interlocal Agreement with Collin County for Funding the Ridge Road (Creekside - US 380) Project

Attachments: Resolution
 Interlocal Agreement
 Location Map

- 12-275** [Consider/Discuss/Act on a Resolution Authorizing Additional Funding for S.J. Louis Construction of Texas, Ltd. to Complete the US 380 Water Main - 920 Pressure Plane Connection - West Project.](#)

Attachments: [Resolution](#)
 [Location Map](#)

- 12-276** [Consider/Discuss/Act on a Resolution Revising and Restating Resolution 2012-04-049 \(R\) Establishing the School Zone Summer Hours for Each School Holding Summer School in 2012](#)

Attachments: [Resolution](#)
 [Location Map](#)

- 12-277** [Consider/Discuss/Act on a Resolution Authorizing a Contract Amendment with Kleinfelder for Construction Materials Testing Services Related to the Completion of Construction of the Tennis Complex at Gabe Nesbitt Park](#)

Attachments: [Resolution](#)

END OF CONSENT

REGULAR AGENDA AND PUBLIC HEARINGS

This portion of the agenda consists of items requiring individual consideration by the Council.

- 12-278** [Consider/Discuss/Act on Appointing a Member to the North Texas Municipal Water District Board](#)

Attachments: [NTMWD Letter](#)
 [Candidates](#)

- 12-279** [Consider/Discuss/Act on Filling the Vacant Position on the McKinney Armed Services Memorial Board](#)

Attachments: [Rath Resignation 041812](#)
 [Candidates](#)

- 12-280** [Consider/Discuss/Act on a Request by the City of McKinney to Modify Section 138-23 \(Regulations Pertaining to Audits of Private Clubs\) and Section 138-25 \(Regulations Pertaining to Non-Compliance with Specific Use Permit Requirements\) of the Code of Ordinances, and Accompanying Ordinance](#)
- Attachments:** [Proposed 138-23](#)
 [Proposed 138-25](#)
 [Proposed Ordinance](#)
- 12-247** [Consider/Discuss/Act on the Six Month Probation on a Specific Use Permit for a Private Club \(Dawgs N Hawgs\), Approximately 0.11 Acres, Located on the South Side of Louisiana Street and Approximately 100 Feet West of McDonald Street](#)
- Attachments:** [Six Month Audit](#)
- 12-248** [Consider/Discuss/Act on the Apparent Noncompliance with an Approved Specific Use Permit for a Private Club \(Dawgs N Hawgs\), Approximately 0.11 Acres, Located on the South Side of Louisiana Street and Approximately 100 Feet West of McDonald Street](#)
- Attachments:** [Ordinance No. 2010-06-015](#)
 [Dawgs n Hawgs 2011 Financial Report](#)
- 11-050Z5** [Conduct a Public Hearing to Consider/Discuss/Act on the Request by Doug Parker, for Approval of a Request to Rezone Approximately 0.33 Acres from "BN" - Neighborhood Business District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, to Allow a Digital Billboard, Located on the Southeast Corner of Rockhill Road and U.S. Highway 75 \(Central Expressway\), and Accompanying Ordinance.](#)

Attachments: [PZ Report 041012](#)
[PZ Minutes 041012](#)
[Letter of Intent](#)
[Maps](#)
[Letters of Opposition and Letter of Support](#)
[Applicant Safety Study Pennsylvania](#)
[Applicant Safety Study Virginia](#)
[PZ Report 042611](#)
[PZ Minutes 042611](#)
[Letters of Opposition 042611](#)
[Letters of Support 042611](#)
[View of Subject Property from South](#)
[Proposed Ordinance](#)
[Proposed Zoning Exhibit A - Location Map](#)
[Proposed Zoning Exhibit B - Boundary](#)
[Proposed Zoning Exhibit C - Site Layout](#)
[Proposed Zoning Exhibit D - Elevation](#)
[PowerPoint Presentation](#)

12-059AA [Conduct a Public Hearing to Consider/Discuss/Act on the Request by January Consultants, Inc., on Behalf of The Samaritan Inn, Inc., for Approval of an Alley Abandonment for the Action Addition and Millie Muse Addition, Approximately 0.63 Acres, Located Approximately 195 Feet West of Tennessee Street and on the North Side of University Drive \(U.S. Highway 380\), and Accompanying Ordinance.](#)

Attachments: [Staff Report](#)
[Maps](#)
[Letter of Intent](#)
[Alley / Street Closing Petition](#)
[Proposed Ordinance](#)
[Exhibit A - Location Map](#)
[Exhibit B - Metes and Bounds Description](#)
[Exhibit C - Right-of-Way Vacation Exhibit](#)
[PowerPoint Presentation](#)

- 12-281** [Consider/Discuss/Act on a Resolution Approving the Second Amended Articles of Incorporation of the Renamed \(Pending Approval\) Collin County Airport Development Corporation](#)
Attachments: [Resolution](#)
 [Articles of Incorporation - 2nd Amendment](#)
- 12-282** [Consider/Discuss/Act on a Resolution Authorizing the Execution of Documents for the Acquisition of Right-of-Way/Easements and the Consideration of the Use of Eminent Domain to Condemn Property for the Construction of a Portion of Virginia Parkway Commencing East of Rose Garden Estates then West Past Independence Parkway and the Construction of a Portion of Future Independence Parkway North of Virginia Parkway Including Associated Utilities](#)
Attachments: [Resolution](#)
 [Location Map](#)
- 12-283** [Consider/Discuss/Act on a Resolution Authorizing the Execution of Documents for the Acquisition of Easements and the Consideration of the Use of Eminent Domain to Condemn Property for the Construction of Utility Lines Along the South Side of University Drive \(US 380\) from Custer Road to Coit Road and South of US 380 Along the West Side of the Creek Adjacent to Future Independence Parkway for Approximately 2000 Feet.](#)
Attachments: [Resolution](#)
 [Location Map](#)

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

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 551.074 Discuss Personnel Matters
 - McKinney Economic Development Corporation President Search
 - Presiding Municipal Court Judge Dickey--Annual Review
 - Associate Municipal Judge Efren Ordonez – Annual Review
 - City Attorney Transition Plan
- C. Section 551.087 – Discuss Economic Development Matters
 - Project A66
 - Project A71
 - Project A78

ACTION ON EXECUTIVE SESSION ITEMS**ADJOURN**

Posted in accordance with the Texas Government Code, Chapter 551, on the 26th day of April, 2012 at or before 5:00 p.m.

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 Blanca Garcia, Assistant City Secretary at 972-547-7504, 48 hours prior to the scheduled meeting. Reasonable accommodations will be made to assist you.