

CITY COUNCIL REGULAR MEETING

OCTOBER 2, 2012

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on October 2, 2012 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; Deputy City Manager Rob Daake; City Attorney Mark Houser; City Secretary Sandy Hart; Assistant to the City Manager Aretha Adams; Director of Planning Michael Quint; Director of Engineering Jack Carr; Assistant Director of Development Services Rick Leisner; Assistant Fire Chief Tim Mock; Fire Chief Danny Kistner; Assistant Fire Chief Neil Howard'; Parks, Recreation and Open Space Director Lemuel Randolph; Airport Executive Director Ken Wiegand; Engineering - Matt Richardson and Danny Still; Senior Planner Brandon Opiela; Police Officer ; Director of Public Works Hal Cranor; Grants Coordinator Janay Tieken; Communications and Marketing Director CoCo Good; and Strategic Services and Budget Director Jason Cooley.

There were 12 guests present.

Mayor Loughmiller called the meeting to order at 6:01 p.m. after determining a quorum was present. Invocation was given by Pastor Victor (Vic) E. Casad of Stonebridge United Methodist Church. Mayor Loughmiller led the Pledge of Allegiance.

INFORMATION SHARING

12-810 Parks, Recreation, and Open Space Director Lemuel Randolph and USTA of Texas Executive Director Ken Mcallister presented the United States Tennis Association Awards:

- USTA 2012 Outstanding Facility Award
- USTA 2012 Featured Facility Award

12-811 Strategic Services and Budget Director Jason Cooley presented the Budget Award.

Mayor Loughmiller called for Citizens Comments and there were none.

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

MINUTES

- 12-812** Minutes of the City Council Special Meeting of September 11, 2012
- 12-813** Minutes of the City Council Work Session of September 17, 2012
- 12-814** Minutes of the City Council Regular Meeting of September 18, 2012
- 12-706** Minutes of the Collin County Airport Development Meeting of August 9, 2012
- 12-768** Minutes of the Animal Services Facility Advisory Committee Meeting of September 21, 2011
- 12-704** Minutes of the Historic Preservation Advisory Board Regular Meeting of August 2, 2012.
- 12-786** Minutes of the Library Advisory Board Meeting of August 16, 2012
- 12-720** Minutes of the McKinney Armed Services Memorial Board Meeting of August 8, 2012
- 12-775** Minutes of the McKinney Economic Development Corporation Board Meeting of August 21, 2012
- 12-776** Minutes of the McKinney Economic Development Corporation Special Board Meeting of September 6, 2012
- 12-777** Minutes of the McKinney Economic Development Corporation Special Board Meeting of September 7, 2012
- 12-726** Minutes of the McKinney Main Street Board meeting of August 9, 2012
- 12-732** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of August 9, 2012
- 12-719** Minutes of the Planning and Zoning Commission Regular Meeting of August 28, 2012.
- 12-815** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with RKM Utility Services, Inc., for the Reconstruction of West Street from Bonner Street to Erwin Street and Authorizing any Change Orders. Caption reads as follows:

RESOLUTION NO. 2012-10-123 (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 \$986,384 WITH RKM UTILITY SERVICES, INC. FOR THE RECONSTRUCTION OF WEST STREET FROM BONNER STREET TO ERWIN STREET AND AUTHORIZING ANY CHANGE ORDERS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID CHANGE ORDERS, OF \$1,100,000

- 12-816** Consider/Discuss/Act on a Resolution Authorizing Payment to Collin County for the Participation in the Cost to Improve County Roads Located Adjacent to Areas Incorporated by the City of McKinney. Caption reads as follows:

RESOLUTION NO. 2012-10-124 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING PAYMENT TO COLLIN COUNTY FOR THE PARTICIPATION IN THE COST TO IMPROVE COUNTY ROADS LOCATED ADJACENT TO AREAS INCORPORATED BY THE CITY OF MCKINNEY

- 12-817** Consider/Discuss/Act on a Resolution Authorizing a Contract with PSI, Inc, for Materials Testing Services for the Reconstruction of West Street from Bonner Street to Erwin Street. Caption reads as follows:

RESOLUTION NO. 2012-10-125 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PSI, INC, TO PERFORM MATERIALS TESTING SERVICES FOR THE RECONSTRUCTION OF WEST STREET FROM BONNER STREET TO ERWIN STREET

- 12-818** Consider/Discuss/Act on a Resolution Establishing a Goal to Reduce Electric Consumption for City Facilities by Five Percent Per Year for Ten Years. Caption reads as follows:

RESOLUTION NO. 2012-10-126 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING ENERGY CONSERVATION GOALS AS REQUIRED BY TEXAS HEALTH AND SAFETY CODE § 388.005, AS AMENDED BY SENATE BILL 898 OF THE 82ND LEGISLATIVE SESSION OF 2011, STATE OF TEXAS; REQUIRING THE FILING OF AN ANNUAL REPORT ON COMPLIANCE WITH THE CITY'S ENERGY CONSERVATION GOALS WITH THE STATE ENERGY CONSERVATION OFFICE ("SECO") ON A FORM PROVIDED BY SECO; AND PROVIDING AN EFFECTIVE DATE

- 12-819** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Accept and Implement Urban Area Security Initiative (UASI) Program

Grant Funding from the Department of Homeland Security through the North Central Texas Council of Governments (NCTCOG) for APX 6000 Radio Deployment Hardware and Accessories. Caption reads as follows:

RESOLUTION NO. 2012-10-127 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT AND IMPLEMENT URBAN AREA SECURITY INITIATIVE (UASI) PROGRAM GRANT FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY THROUGH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) FOR APX 6000 RADIO DEPLOYMENT HARDWARE AND ACCESSORIES

- 12-820** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Accept a Funding Grant from the Texas Department of Transportation, Division of Aviation. Caption reads as follows:

RESOLUTION NO. 2012-10-128 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AVIATION FUNDING AGREEMENT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION, DIVISION OF AVIATION

- 12-821** Consider/Discuss/Act on a Resolution Awarding a Contract to Total Highway Maintenance for Street Striping and Pavement Markers. Caption reads as follows:

RESOLUTION NO. 2012-10-129 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT FOR STREET STRIPING AND PAVEMENT MARKERS

- 12-822** Consider/Discuss/Act on the Request by Winkelmann & Associates, Inc., on Behalf of Minerva Partners, Ltd., for Approval of a Concept Plan for Lots 1-9, Block A, of the Water Tower Place Addition, Approximately 23.45 Acres, Located on the Southwest Corner of Virginia Parkway and Custer Road

END OF CONSENT

- 12-823** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Approving the Recommendations of the Arts Commission for Awarding Grants for Funding of the Arts. Mayor Loughmiller questioned

the addition of \$12,000 for Public Art Funding. Assistant to the City Manager Aretha Adams stated that the Arts Commissioners came to a consensus that they wanted to propose to the Council to fund \$12,000 toward a public art trust fund and would still attempt to acquire private funding to match the \$12,000. Chairman Spina stated that the allocations that the Commissioners have submitted are for this year that includes the \$12,000 for the public art trust fund without any assumptions that this would be done in future year allocations. Mayor Loughmiller stated that he takes issue with the fact that the document that was approved by Council clearly stated that the policy was going to be funded through private contributions. If we are now changing that policy going forward than the Council needs to look at the document again and revisit it. If it is the policy of the Council to allow a certain percentage of the arts funding allocated for the public art trust fund on a matching fund basis, then that needs to be written into the policy so that anyone who is applying for funding understands it. Council unanimously approved the motion by Council member Harris, seconded by Council member Day, to approve the Resolution recommending the Arts Commission Awarding Grants for Funding of the Arts with the \$12,000 allocated to the Public Art Trust Fund be conditioned upon a dollar for dollar match from the private sector before the City's matching money is expended and with no other funds from public sources. Caption reads as follows:

RESOLUTION NO. 2012-10-130 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, FUNDING ART GROUPS FROM THE GENERAL FUND IN AN AMOUNT NOT TO EXCEED \$185,000.00; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Loughmiller called for Council and Manager Comments

Council member Ricchi did not have any comments

Council member Day did not have any comments

Council member Kever thanked all the volunteers and the public response during the rainy Oktoberfest last weekend. Ms. Kever announced that there is a neighborhood revitalization which is part of a city-wide outreach initiative "Cities of Service" that will be going on Saturday, October 6th. Habitat for Humanity, citizens of McKinney and those associated with 3E are coming together for a neighborhood cleanup response. Ms. Kever encouraged everyone to get involved by contacting Habitat for Humanity and help the efforts on October 6, 13th, 20th, and 27th.

Mayor Pro-Tem Ussery stated that a lot of hard work went into Oktoberfest and it was much appreciated. Mr. Ussery thanked staff for what they do.

Council member Brooks did not have any comments.

Council member Harris did not have any comments.

Mayor Loughmiller mentioned that there will be over 500 volunteers at the 1st weekend of Cities of Service. He stated that we can certainly use more volunteers for all 4 weekends. There have been 82 properties that have been identified in this first neighborhood cleanup project. Mr. Loughmiller stated that the accolades that the City has been receiving is attributable to the volunteers, the community, and the private sector who are willing to set up and help the community. Mr. Loughmiller mentioned that last Saturday was a memory walk for Alzheimer that was well attended despite the wet weather. This coming Saturday is Wish 100 bike ride starting in downtown McKinney benefiting the Make a Wish Foundation.

City Manager Gray did not have any comments.

Mayor Loughmiller called for Citizen Comments.

Ms. Linda Spina, 5804 Spring Hill Drive, McKinney spoke about the Imagine Art Here! Workshop on October 27th from 9 a.m. to noon at the McKinney Performing Arts Center.

Mayor Loughmiller recessed the meeting into executive session at 6:39 p.m. per Texas Government Code 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), Section 551.071 (1) (A). Litigation / Anticipated Litigation, Section 551.072 Discuss Real Property, and Section 551.087 Discuss Economic Development Matter as

listed on the posted agenda. Mayor Loughmiller recessed to the open session at 7:27 p.m.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Kever, to adjourn. Mayor Loughmiller adjourned the meeting at 7:30 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary