

CITY COUNCIL REGULAR MEETING

OCTOBER 7, 2014

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on October 7, 2014 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro Tem Travis Ussery, Council members: Geralyn Kever, Don Day, Ray Ricchi, Roger Harris, and Randy P. Pogue.

Staff Present: Interim City Manager Tom Muehlenbeck; Deputy City Manager Jose Madrigal; Interim Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Assistant Director of Development Services Rick Leisner; Planning Manager Brandon Opiela; Planning Manager Matt Robinson; Director of Engineering Mark Hines; McKinney Economic Development Corporation - Jim Wehmeier, Abby Liu, and Cayti Stein; Fire Chief Danny Kistner; Assistant to the City Manager Darrek Ferrell; McKinney Community Development Corporation President Cindy Schneible; Airport Executive Director Ken Wiegand; Engineering - Gary Graham and Carla Easton; IT Desk Support Tech II David Linson; Housing and Community Services Manager Janay Tieken; Senior CIP Engineer Joshua Cotton; Parks, Recreation, and Open Space Director Rhoda Savage; Fire Department – Steve Dorris and Jeremy Spencer; Assistant Parks, Recreation, and Open Space Director Ryan Mullins; and Police Officer Trent Davis.

There were approximately 35 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present.

Invocation was given by Jeremy Spencer, McKinney Fire Department. Mayor Loughmiller led the Pledge of Allegiance.

INFORMATION SHARING

14-967 Welcome New Corporate Partner to McKinney. Mayor Loughmiller welcomed to McKinney Barclays that will be opening a new technology center for London-based Barclays Bank in McKinney. Barclays will be at the McKinney Corporate Center at Craig Ranch. Michael Naggar, representing Barclays, stated that they are looking forward to being in

McKinney.

- 14-968** Blood Cancer Awareness Month Proclamation. Mayor Loughmiller presented the Blood Cancer Awareness Month Proclamation to Chris Ponder.
- 14-969** Fire Prevention Month Proclamation. Mayor Loughmiller presented the Fire Prevention Month Proclamation to Fire Chief Danny Kistner and Captain Jeremy Spencer.
- 14-970** Proclamation of National Community Planning Month. Mayor Loughmiller presented the National Community Planning Month Proclamation to Planning Managers Brandon Opiela and Matt Robinson.
- 14-971** U Matter Presentation. Deputy City Manager Jose Madrigal presented the September U Matter employee award video.

Mayor Loughmiller called for Citizen Comments and there were none.

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

- 14-972** Minutes of the City Council Work Session of September 15, 2014
- 14-973** Minutes of the City Council Regular Meeting of September 16, 2014
- 14-974** Minutes of the City Council Special Meeting of September 24, 2014
- 14-929** Minutes of the Library Advisory Board Meeting of June 19, 2014
- 14-894** Minutes of the Main Street Board Meeting of August 14, 2014
- 14-931** Minutes of the McKinney Airport Development Corporation Meeting of August 21, 2014
- 14-932** Minutes of the McKinney Airport Development Corporation Meeting of September 3, 2014
- 14-885** Minutes of the McKinney Armed Services Memorial Board Meeting of August 13, 2014
- 14-886** Minutes of the McKinney Armed Services Memorial Board Meeting of July 9, 2014
- 14-948** Minutes of the McKinney Community Development Corporation Meeting of August 21, 2014

- 14-949** Minutes of the McKinney Community Development Corporation Finance Committee Meeting of June 10, 2014
- 14-950** Minutes of the McKinney Community Development Corporation Finance Committee Meeting of July 17, 2014
- 14-951** Minutes of the McKinney Community Development Corporation Promotional and Community Event Grant Committee Meeting of August 11, 2014
- 14-937** Minutes of the McKinney Convention and Visitors Bureau Board Meeting of August 26, 2014
- 14-939** Minutes of the McKinney Convention & Visitors Bureau Advertising/Marketing Committee Meeting of August 21, 2014
- 14-938** Minutes of the McKinney Convention & Visitors Bureau Finance Committee Meeting of August 21, 2014
- 14-876** Minutes of the McKinney Economic Development Corporation Board Meeting of August 19, 2014
- 14-975** Minutes of the McKinney Housing Authority Meeting of July 22, 2014
- 14-976** Minutes of the McKinney Housing Authority Meeting of August 4, 2014
- 14-875** Minutes of the McKinney Housing Finance Corporation Meeting of May 9, 2014
- 14-900** Minutes of the Parks, Recreation and Open Space Advisory Board of August 14, 2014
- 14-884** Minutes of the Planning and Zoning Commission Regular Meeting of August 26, 2014
- 14-945** Minutes of the Planning and Zoning Commission Regular Meeting of September 9, 2014
- 14-977** Consider/Discuss/Act on an Ordinance Repealing Ordinance 2004-10-104 which Established the School Zone and Crosswalk for Good Shepherd Montessori School. Caption reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS REPEALING ORDINANCE 2004-10-104 WHICH ESTABLISHED THE SCHOOL ZONE AND CROSSWALK FOR GOOD SHEPHERD MONTESSORI SCHOOL IN MCKINNEY; AMENDING THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; PROVIDING FOR PUBLICATION OF THE CAPTION OF THE ORDINANCE, EFFECTIVE DATE HEREOF AND A PENALTY CLAUSE

- 14-980** Consider/Discuss/Act on a Resolution Approving the Recommendations of the Arts Commission for Awarding Grants for Funding of the Arts within the City of McKinney. Caption reads as follows:

RESOLUTION NO. 2014-10- 114 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE FUNDING FOR THE SUPPORT OF THE ARTS IN MCKINNEY IN AN AMOUNT NOT TO EXCEED \$185,000.00; AND PROVIDING FOR AN EFFECTIVE DATE

- 14-981** Consider/Discuss/Act on a Resolution Amending the Third Meet and Confer Agreement with the Professional Fire Fighters of McKinney, IAFF Local 2661. Caption reads as follows:

RESOLUTION NO. 2014-10-115 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, RATIFYING THE AMENDED THIRD MEET AND CONFER AGREEMENT WITH THE PROFESSIONAL FIRE FIGHTERS OF MCKINNEY IAFF LOCAL 2661

- 14-982** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Memorandum of Understanding with the Texas Department of Transportation to Remove FM 3038 and Spur 359 from the State Highway System. Caption reads as follows:

RESOLUTION NO. 2014-10-116 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN MEMORANDUM OF UNDERSTANDING WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO REMOVE FM 3038 AND SPUR 359 FROM THE STATE HIGHWAY SYSTEM

- 14-983** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract and All Necessary Change Orders with P.C. Contractors, LLC for the Construction of the SCADA Controlled Pressure Reducing Valve 850 PP to 794 PP Project. Caption reads as

follows:

RESOLUTION NO. 2014-10-117 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$225,131.94 WITH P.C. CONTRACTORS, LLC FOR THE CONSTRUCTION OF THE SCADA PRESSURE REDUCING VALVE 850 PP TO 794 PP PROJECT AND AUTHORIZING ALL NECESSARY CHANGE ORDERS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY CHANGE ORDERS, NOT TO EXCEED \$247,000

- 14-984** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) to Receive Regional Toll Revenue for the Design and Right-of-Way for Virginia Parkway Lanes 5 & 6 from Bellegrove Drive to US 75. Caption reads as follows:

RESOLUTION NO. 2014-10-118 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A LOCAL PROJECT ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO RECEIVE REGIONAL TOLL REVENUE FOR THE DESIGN AND RIGHT OF WAY FOR VIRGINIA PARKWAY LANES 5 & 6 FROM BELLEGROVE DRIVE TO US 75

- 14-985** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute an Interlocal Agreement with the City of Frisco for the Construction of Two Turn Lanes on Coit Road. Caption reads as follows:

RESOLUTION NO. 2014-10-119 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF FRISCO FOR THE CONSTRUCTION OF TWO TURN LANES ON COIT ROAD

- 14-987** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute Supplemental Agreements for the Design of the Historic Flour Mill Infrastructure Project. Caption reads as follows:

RESOLUTION NO. 2014-10-120 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE SUPPLEMENTAL AGREEMENTS WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC., TO PROVIDE ENGINEERING SERVICES FOR THE HISTORIC FLOUR MILL INFRASTRUCTURE PROJECT, FOR AN AGGREGATE CONTRACT AMOUNT NOT TO EXCEED \$550,000

END OF CONSENT

14-978 Mayor Loughmiller called for Consideration/Discussion/Action on McKinney Community Development Corporation Project #14-13 Submitted by North Collin County Habitat for Humanity for \$188,870 for Neighborhood Revitalization Initiative Projects, Land Acquisition, Surveys and Lot Preparation for Construction of Affordable Housing and Evaluation Training and Program. McKinney Community Development Corporation President Cindy Schneible stated Habitat for Humanity submitted a request for funds in the amount of \$188,870 which included \$60,000 for acquisition of six lots for construction of affordable houses, \$25,000 for lot surveys, and \$15,000 for lot preparation. Additionally, the request included \$87,750 for rehab of 27 homes, exterior repairs on 27 homes, and a little over \$1,000 for training and evaluation software used in connection with the program offered. On September 25, 2014, the McKinney Community Development Corporation approved Project #14-13, submitted by North Collin County Habitat for Humanity, in the amount of \$188,870, for Neighborhood Revitalization Initiative Projects, acquisition of six lots for the construction of affordable housing, surveys and lot preparation for ten lots; and Success Measures Training and Program. Under MCDC bylaws, City Council approval is required for any project(s) approved by the board of directors that are to be funded by the Contingency allocation. Council member Day expressed his concern for utilizing taxpayer money to build new homes that will not contribute enough tax dollars to fund the city services required for the life of the homes and placing this tax burden on generations to come. He noted

that the McKinney Housing Authority is a public organization that the city supports whereas Habitat for Humanity is a private charity. Ms. Schneible noted that under state statute, sales tax dollars can be used for projects related to non-profits. Council approved the motion by Council member Kever, seconded by Council member Harris, to approve the McKinney Community Development Corporation Project #14-13 Submitted by North Collin County Habitat for Humanity for \$188,870 for neighborhood revitalization initiative projects, land acquisition, surveys and lot preparation for construction of affordable housing and evaluation training and program, with a vote of 6-1-0, Council member Day voting against.

Council member Ricchi stepped down on the following item.

- 14-979** Mayor Loughmiller called for Consideration/Discussion/Action on McKinney Community Development Corporation Project #14-12 Submitted by Texoma Area Paratransit System, Inc. (TAPS) for \$218,500 to Improve Public Transportation in the City of McKinney through Procurement and Installation of Bus Shelters, Bus Stop Seating, Signage and Bike Racks for Fixed Routes in McKinney. Ms. Schneible stated that the MCDC board approved a modified funding request at the September 25, 2014 board meeting that included costs for shelters, seating, signage and bike racks on the approved fixed routes, totaling \$218,500. Approval did not include funding \$75,000 for the multimodal transportation center or \$10,000 for signage in downtown McKinney. Capital costs associated with the TAPS project application, totaling \$218,500, would be funded by FY 13-14 MCDC funds, from its Economic Development and Capital allocation. The city will execute a Performance Agreement with TAPS addressing the ownership of the shelters, bike racks, seating, and signage as well as advertising costs. Council approved the motion made by Council member Pogue, seconded by Council member Harris, to approve the McKinney Community Development Corporation Project

#14-12 submitted by Texoma Area Paratransit System, Inc. (TAPS) for \$218,500 to improve public transportation in the City of McKinney through procurement and installation of bus shelters, bus stop seating, signage and bike racks for fixed routes in McKinney with a vote of 6-0-1, Council member Ricchi abstaining.

Council member Ricchi returned to the dais.

14-148Z4 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone Fewer than 20 Acres from "AG" - Agricultural District to "PD" - Planned Development District, Generally to Allow for Single Family Residential Detached Uses and to Modify the Development Standards, Located Approximately 1,400 Feet South of U.S. Highway 380 (University Drive) and on the West Side of Bois D'Arc Road, and Accompanying Ordinance. Planning Manager Brandon Opiela stated that this item is a request to rezone fewer than 20 acres from Agricultural District to a RS-45, Single Family Residential District which allows for a greater density and smaller lot size than what is outlined in the Comprehensive Plan. On August 19th, the City Council expressed concerned about the proposed density and lot sizes. The Council requested that the applicant reconsider the application and look at providing additional provisions that would insure a higher level of quality. The applicant has come back with some architectural requirements regarding higher masonry percentages, as well as the maximum density of 4.26 dwelling units per acre, a mean lot size of 6,249 square feet and a median lot size of 5,879 square feet as part of a Planned Development District. From a policy standpoint, the request is not in conformance with the Future Land Use Plan which designates the property for office uses; therefore Staff is unable to support the request. From a professional standpoint, Staff is not opposed to residential uses in this area and is not opposed to the architectural standards that have been proposed. However, Staff does not see why the applicant cannot meet the density,

mean and median lot sizes called for in the Comprehensive Plan and Staff recommends denial of the request. Applicant Mr. Don Plunk, 14001 Dallas Parkway, Dallas, representing Megatel Homes stated that Megatel Homes builds homes in other areas of McKinney, including Robinson Ridge. He noted that the property is outside of the zone that Council has recommended holding back for commercial or office use. He stated that the 86 lots would have a value estimated at \$280,000 to \$290,000 each and he believes the tax revenue would be more than reflected by staff's report. Council member Pogue asked if the builder plans to use efface on this product. Mr. Plunk stated that those were merely guidelines. The builder does not use efface and it can be eliminated from the guidelines if Council so desires.

Mayor Loughmiller called for public comment.

Mr. Thad Helsley, representing MISD, stated that the school district owns approximately six acres on the west end of this property. Three years ago the school district implemented a policy to liquidate unused properties that they felt would never be used in conjunction with a school and as a result this property was determined to be surplus. The school district has deed restricted the property to single-family residential and they fully support the project. The 86 lots proposed would provide 52 students to MISD in K-12.

Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Kever, to close the public hearing.

The motion by Council member Ricchi, seconded by Council member Day, to approve a request to rezone fewer than 20 Acres from "AG" - Agricultural District to "PD" - Planned Development District, generally to allow for single family residential detached uses and to modify the development standards, located approximately 1,400 feet south of U.S. Highway 380 (University Drive) and on the west side of Bois D'Arc Road failed with a vote of 3-4-0, Mayor Loughmiller, Council members Kever,

Harris, and Pogue voting against.

Council approved the motion by Council member Kever, seconded by Council member Pogue, to deny the rezoning with a vote of 4-3-0, Mayor Pro Tem Ussery and Council members Day and Ricchi voting against.

Council member Ricchi stepped down from the dais for the next three agenda items.

14-199MRP Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on the Request for Approval of a Minor Replat for Lots 5A-8A, Block A, of the Lustig Addition, Being Less than 1 Acre, Located Approximately 270 Feet North of Walker Street and on the East Side of Tennessee Street. Planning Manager Matt Robinson stated that this item is a minor replat of Lots 5A through 8A of the Lustig Addition. The current property is subdivided as two lots with four dwelling units. The applicant is requesting to subdivide the property into four lots with one dwelling unit on each lot in order to sell the units as townhomes. As part of the request, the applicant is requesting a variance to the City's Subdivision Ordinance to utilize private water and sanitary sewer lines within a private water and sewer easement in order to serve all lots with water and sewer service and to ensure that there is enough access to the lines to serve the public infrastructure located within the Tennessee Street right-of-way. The City Engineer has reviewed the request and does not object to the variance. To ensure that these easements remain in place indefinitely, the applicant will be required to file an irrevocable private water and sewer line easement and maintenance agreement on the proposed lots. Staff is recommending approval of the minor replat. Applicant Mr. Ron Lustig, 733 Creek Valley Court, Allen, was available for questions. Mayor Loughmiller called for public comment and there were none. Council approved the motion made by Council member Pogue, seconded by Council member Harris, to close the public hearing and approve a Minor Replat for Lots 5A-8A, Block A, of the Lustig Addition, being less

than 1 acre, located approximately 270 feet north of Walker Street and on the east side of Tennessee Street, with the following conditions: the applicant satisfy the conditions as shown on the Standard Conditions for Minor Replat Approval Checklist; the applicant receive approval of a variance to Section 142-105 of the Subdivision Ordinance allowing the use of a private water and sewer line, and associated access and maintenance easement, to serve individual dwelling units; prior to filing the plat for record: the applicant revise the plat to add a private water and sewer easement on each lot; the applicant revise the plat to add owner information and owner's certification for all property owners; the applicant revise the plat to modify the title block to correct the notation of lots; and the applicant revise the plat to modify the owner's certification to reflect the plat is a minor plat, with a vote of 6-0-1, Council member Ricchi abstaining.

14-200MRP Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on the Request for Approval of a Minor Replat for Lots 1A-4A, Block A, of the Lustig Addition, Being Less than 1 Acre, Located Approximately 85 Feet North of Walker Street and on the East Side of Tennessee Street. Planning Manager Matt Robinson stated that this item is similar to the previous item. The subject properties are divided into two lots and the applicant is requesting to subdivide into four lots in order to develop the property for townhomes. Applicant is requesting a variance to the City's Subdivision Ordinance to allow the use of private water and sewer lines and the associated access and maintenance easements to serve individual dwelling units. The original plat contained a single water and sewer utility connection stubbed to each lot. Because the existing lots are being split, additional utility stubs are required for the newly created lots. In an effort to eliminate the need to saw cut the existing pavement on Tennessee Street and to provide additional utility connections, the applicant is requesting the variance to allow the future dwelling units to

be served by private lines. The City Engineer has reviewed the request and has no objections. To ensure these variances remain in place indefinitely, the applicant will again be required to file an irrevocable private water and sewer easement and maintenance agreement. Staff is recommending approval of the minor replat. Mayor Loughmiller called for public comment and there were none. Council approved the motion made by Council member Harris, seconded by Council member Kever, to close the public hearing and approve a Minor Replat for Lots 1A-4A, Block A, of the Lustig Addition, being less than 1 acre, located approximately 85 feet north of Walker Street and on the east side of Tennessee Street, with the following conditions: the applicant satisfy the conditions as shown on the Standard Conditions for Minor Replat Approval Checklist; the applicant receive approval of a variance to Section 142-105 of the Subdivision Ordinance allowing the use of a private water and sewer line, and associated access and maintenance easement, to serve individual dwelling units; prior to filing the plat for record: the applicant revise the plat to add a private water and sewer easement on each lot; the applicant revise the plat to remove the jog in the lot lines; the applicant revise the plat to modify the title block to correct the notation of lots; and the applicant revise the plat to modify the owner's certification to denote the plat as a minor replat, with a vote of 6-0-1, Council member Ricchi abstaining.

14-201MRP Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on the Request for Approval of a Minor Replat for Lots 9A-10A, Block A, of the Lustig Addition, Being Less than 1 Acre, Located Approximately 390 Feet North of Walker Street and on the East Side of Tennessee Street. Planning Manager Matt Robinson stated that the current property is divided as one lot and applicant would like to subdivide into two lots in order to develop the property for townhomes. As previously mentioned, the lots were provided with single water and sewer utility connections to

the lot. Due to the split, an additional utility stub is required per the Subdivision Ordinance. The applicant is proposing a private water and sanitary sewer line easement to the proposed lot. The City Engineer has reviewed the request and has no objections. To ensure these easements remain in place indefinitely, there will be an irrevocable private water and sewer easement and maintenance agreement. Staff is recommending approval of the minor replat. Mayor Loughmiller called for public comment and there were none. Council approved the motion made by Council member Harris, seconded by Council member Pogue, to close the public hearing and approve a Minor Replat for Lots 9A-10A, Block A, of the Lustig Addition, being less than 1 acre, located approximately 390 feet north of Walker Street and on the east side of Tennessee Street with a vote of 6-0-1, Council member Ricchi abstaining.

Council member Ricchi returned to the dais.

- 14-207SP** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Site Plan for an Office Building (David Yowell Construction), Being Less than 1 Acre, Located Approximately 190 Feet South of Eldorado Parkway and Approximately 635 Feet West of Hardin Boulevard. Planning Manager Brandon Opiela stated that is a site plan for a small office building. Site plans are typically approved by staff; however, the governing ordinance on the property requires that City Council be the final approval authority. Applicant is also requesting a variance to the screening device for an overhead bay door at the southeast corner of the building. Staff recommends approval of the site plan. Applicant Mr. Jonathan Hayes, Cross Engineering, 131 S. Tennessee, McKinney was available for questions. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Council member Roger Harris, seconded by Council member Geralyn Kever, to close the public hearing and approve a Site Plan for an office building (David Yowell Construction), being less than 1 acre, located

approximately 190 feet south of Eldorado Parkway and approximately 635 feet west of Hardin Boulevard, with the following conditions: the applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist and the applicant receive approval to waive the required screening for the overhead bay door oriented towards the non-industrial property to the east.

14-252SP Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Site Plan for Four Office Buildings (Capital Plaza on Eldorado), Being Fewer than 2 Acres, Located Approximately 765 Feet West of Hardin Boulevard and Approximately 245 Feet North of Eldorado Parkway. Planning Manager Brandon Opiela stated that this is a site plan for four office buildings at the northwest corner of Hardin Boulevard and Eldorado Parkway. The PD ordinance requires City Council approval for the site plan. The applicant has met all requirements of the zoning ordinance and therefore staff recommends approval. Applicant Mr. David Macatee, Macatee Engineering, 3519 Miles Street, Dallas, was available for questions. Council unanimously approved the motion by Council member Harris, seconded by Council member Pogue, to close the public hearing and approve a Site Plan for four office buildings (Capital Plaza on Eldorado), being fewer than 2 acres, located approximately 765 feet west of Hardin Boulevard and approximately 245 feet north of Eldorado Parkway, with the following condition: the applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist.

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments

Council member Pogue did not have any comments.

Council member Harris congratulated City Staff, citizens, current and prior Councils on achieving the designation of being the Number One from Money Magazine. It is a great achievement for the City and thanks to the Communications and Marketing

for their efforts. Mr. Harris congratulated the Planning Department for all their excellent work and for the Community Planning Month Proclamation presented tonight.

Council member Kever stated that the beginning of the Council meeting was awesome with the welcoming of Barclays to McKinney, recognizing Captain Jeremy Spencer and his stated departure plans to go on a mission to Uganda, the moving testimonies presented with the Blood Cancer Awareness Proclamation, and the recognition of Officer Cary Herrin and the above and beyond story presented tonight. Ms. Kever thanked everyone for all the good work and the moving individuals who are making a difference here and beyond our borders in the world. Ms. Kever welcomed the new Parks, Recreation and Open Space Director Rhoda Savage to McKinney. Cedar Hill Mayor Rob Frankie expressed his frustrations of losing her to McKinney.

Council member Day did not have any comments.

Council member Ray complimented Planning Director Michael Quint and Planning Manager Brandon Opiela for doing an outstanding job at some public forums that they attended with him. Mr. Ricchi stated that he is very proud of how they represent the City and themselves. Mr. Ricchi wished his daughter Mary a Happy Birthday as well as his wife Stephanie will be turning 50 tomorrow.

Mayor Pro Tem Ussery stated that Money Magazine #1 rating is a culmination of a lot of people's efforts including each and every member of Staff. Mr. Ussery stated that he has always felt that the McKinney Staff are #1 and he is glad someone else recognizes it. Mr. Ussery stated that when you see the ratings for McKinney it is as much for you to share as anyone else. Mr. Ussery stated that 50,000+ people attended this year's Oktoberfest with 570,000+ tickets sold. The three day event this year was a success. Mr. Ussery thanked all the staff that participated to make this a successful event – Public Works, Fire Department, Police Department, Main Street Staff, and all the volunteers.

Mayor Loughmiller stated that this is Breast Cancer Awareness Month and everyone should keep this in the forefront of their mind when we think of the many people who are fighting cancer or are being diagnosed with cancer. Continue to work to support those organizations. Mr. Loughmiller stated that we had several events over the last few weekends in downtown McKinney - Oktoberfest and Wish 100. The Wish

100 that starts and ends in downtown McKinney that benefits the Make a Wish Foundation with 800 cyclists participating. Mr. Loughmiller thanked the downtown merchants and shop owners for their support in having to adjust their typical schedule and the way they do things to accommodate the thousands of people who show up for events as well as dealing with street closures. Mr. Loughmiller noted that there was a spirited debate last night regarding the Boards and Commissions. When the City Council has these debates it is a way to improve on what we are already doing and to make this City better. We have great boards and volunteers in the Community. The Mayor recognized the City Council members for their accessibility and attendance at public meetings, meeting with residents, and subcommittees that work on different projects. Mr. Loughmiller expressed his appreciation to everyone for stepping up and serving McKinney so well.

Interim City Manager Tom provided a briefing on the process for selection of a new Chief of Police. In October, there will be a series of about two and a half days of public meetings for community interviews with the Consultant Jim Mercer. He will be visiting the Mayor and Council, Boards and Commission members, talking to the Homeowners Associations, Corporate Executives, City of McKinney Department Directors, and past Mayors and Council. There will also be an evening of community input and a second meeting of target groups being invited. We are putting together a brochure that we will use to advertise for the position. We are targeting sometime in November for process to be completed and a brochure approved. There will be a 30 day advertising period. We will be working through the process to get the very best one for the City of McKinney.

Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Harris, to adjourn. Mayor Loughmiller adjourned the meeting at 7:32 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary