

## **CITY COUNCIL REGULAR MEETING**

**APRIL 7, 2015**

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on April 7, 2015 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; Assistant City Manager Rob Daake; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Assistant Director of Development Services Rick Leisner; Director of Planning Michael Quint; Director of Engineering Mark Hines; Fire Chief Danny Kistner; Director of Public Works Chris Browning; Assistant Director of Public Works Paul Sparkman; McKinney Community Development Corporation President Cindy Schneible; Airport Executive Director Ken Wiegand; Facilities Construction Manager Patricia Jackson; Police Officer Trent Davis; IT Desk Support Tech II David Linson; Human Resources Kathryn Usrey, Laura Morrow, and Roxie Held; Interim Chief of Police David James; Engineering - Kyle Odom and Annita McCormick; Assistant Fire Chief Tim Mock; Assistant Chief of Police Joe Ellenburg, Police Chief Greg Conley; CDBG Administrator Shirletta Best; Housing and Community Development - Janay Tieken and Shirletta Best; Airport - Mark Jaraczewski and Eric Pratt; Assistant Director of Engineering Michael Hebert; Planner Aaron Bloxham; Purchasing Supervisor Ian Coubrough; and Assistant City Attorney Alan Lathrom.

There were approximately 50 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Pastor Arnulfo Alvarado, 1st Hispanic Assembly of God. Mayor Loughmiller led the Pledge of Allegiance.

### **INFORMATION SHARING**

- 15-317** Introduction of Police Chief Greg Conley and Wife Lori. Interim City Manager introduce the new Police Chief Greg Conley and his wife Lori.
- 15-318** Safe Digging Month Proclamation. Mayor Loughmiller presented the Safe Digging Month Proclamation to Director of Public Works Chris

Browning.

- 15-319** National Community Development Week Proclamation. Mayor Loughmiller presented the National Community Develop Week Proclamation to Community Services Administrator Shirletta Best.

Mayor Loughmiller called for Citizen Comments.

The following individuals spoke about the Priceless Project bringing awareness to the human trafficking issues in our country:

Ms. Stephanie Ricchi, 1408 Lakewood Drive, McKinney

Ms. Jennifer McClelland, 3601 Redwood Circle, Melissa

Ms. Rachel Brehm, 2550 Wilmeth, McKinney

Ms. Sydney Reinhardt, 2550 Wilmeth, McKinney

Ms. Emily Sacrife, 2550 Wilmeth, McKinney

Ms. Blair Nagel, 2550 Wilmeth, McKinney

Ms. Cami Stensrud, 2550 Wilmeth, McKinney

Ms. Susan Wideman, 217 E. Louisiana, McKinney spoke about the Police budget and the possible elimination of the bike patrol in downtown McKinney.

The following individuals did not wish to speak but requested their support of the City Council's support of the Newsome Home project:

Ms. Sarah Cramer, 224 Amcott Parkway, McKinney

Ms. Patsy Alexander, 214 Amcott Parkway, McKinney

Council unanimously approved the motion by Council member Pogue, seconded by Council member Kever, to approve the following consent items:

- 15-295** Minutes of the City Council and Planning and Zoning Commission Joint Meeting of March 16, 2015
- 15-320** Minutes of the City Council Regular Meeting of March 17, 2015
- 15-210** Minutes of the Building and Standards Commission Meeting of December 8, 2014
- 15-283** Minutes of the Community Grants Advisory Commission Meeting of November 20, 2015
- 15-287** Minutes of the Library Advisory Board Meeting of February 19, 2015

- 15-223** Minutes of the McKinney Armed Services Memorial Board Meeting of February 11, 2015
- 15-190** Minutes of the McKinney Convention & Visitors Bureau Board Meeting of January 20, 2015
- 15-191** Minutes of the McKinney Convention & Visitors Bureau Finance Committee Meeting of January 13, 2015
- 15-291** Minutes of the McKinney Convention and Visitors Bureau Finance Committee Meeting of February 20, 2015
- 15-192** Minutes of the McKinney Convention & Visitors Bureau HR Committee Meeting of January 23, 2015
- 15-193** Minutes of the McKinney Convention & Visitors Bureau Marketing Committee of January 13, 2015
- 15-265** Minutes of the McKinney Economic Development Corporation Meeting of February 17, 2015
- 15-308** Minutes of the McKinney Housing Authority Meeting of March 4, 2015
- 15-309** Minutes of the McKinney Housing Authority Meeting of March 19, 2015
- 15-235** Minutes of the Parks, Recreation and Open Space Advisory Board Meeting of February, 12, 2015
- 15-226** Minutes of the Planning and Zoning Commission Regular Meeting of February 24, 2015
- 15-294** Minutes of the Planning and Zoning Commission Regular Meeting of March 10, 2015
- 15-242** Minutes of the Reinvestment Zone Number One Meeting of December 1, 2014
- 15-243** Minutes of the Reinvestment Zone Number One Meeting of January 20, 2015
- 15-321** Consider/Discuss/Act on an Ordinance Amending TIRZ No. 1's Fiscal Year 2014-2015 Annual Budget to Provide Funding for Vacant/Underutilized Site/Buildings. Caption reads as follows:

ORDINANCE NO. 2015-04-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2014-2015 ANNUAL BUDGET FOR THE PURPOSE OF PROVIDING FUNDING FOR VACANT/UNDERUTILIZED SITE/BUILDINGS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 15-310** Consider/Discuss/Act on an Ordinance Modifying the Reduced Speed School Zone on Silverado Trail for Ogle Elementary School. Caption reads as follows:

ORDINANCE NO. 2015-04-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS MODIFYING THE REDUCED SPEED SCHOOL ZONE ON SILVERDO TRAIL FOR OGLE ELEMENTARY 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

- 15-311** Consider/Discuss/Act on the Ordinance Establishing a Speed Limit on Virginia Parkway from 800 feet East of Independence Parkway to Coit Road. Caption reads as follows:

ORDINANCE NO. 2015-04-019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING A SPEED LIMIT ON VIRGINIA PARKWAY FROM A POINT 800 FEET EAST OF INDEPENDENCE PARKWAY TO COIT ROAD 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

- 15-312** Consider/Discuss/Act on an Ordinance to Modify the U-Turn Restrictions at Two Median Openings on Virginia Parkway. Caption reads as follows:

ORDINANCE NO. 2015-04-020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS MODIFYING THE U-TURN RESTRICTIONS AT TWO MEDIAN OPENINGS ON VIRGINIA PARKWAY 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

- 15-322** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with Evergreen Solutions, LLC to

Conduct a Compensation and Classification Study. Caption reads as follows:

RESOLUTION NO. 2015-04-035 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH EVERGREEN SOLUTIONS, LLC TO CONDUCT A COMPENSATION AND CLASSIFICATION STUDY

- 15-323** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with The MagneGrip Group for the Design and Installation of a Vehicle Exhaust Removal System. Caption reads as follows:

RESOLUTION NO. 2015-04-036 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH THE MAGNEGRIP GROUP FOR THE DESIGN AND INSTALLATION OF A VEHICLE EXHAUST REMOVAL SYSTEM

- 15-313** Consider/Discuss/Act on a Resolution Establishing the School Zone Summer Hours for Each School Holding Summer School in 2015. Caption reads as follows:

RESOLUTION NO. 2015-04-037 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ESTABLISHING SCHOOL ZONE HOURS FOR EACH SCHOOL HOLDING SUMMER SCHOOL IN 2015

- 15-324** Consider/Discuss/Act on a Resolution Authorizing a Contract for the Material Testing Services Related to the Construction of the Aircraft Transient Hangar located at McKinney National Airport. Captions reads as follows:

RESOLUTION NO. 2015-04-038 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR CONSTRUCTION MATERIALS TESTING SERVICES RELATED TO THE CONSTRUCTION OF THE AIRPORT TRANSIENT HANGAR LOCATED AT MCKINNEY NATIONAL AIRPORT

END OF CONSENT

- 14-189A3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Annex the Property Located Approximately 500 Feet North U.S. Highway 380 (University Drive) and Approximately 2,000 Feet West of Lake Forest Drive, and Accompanying Ordinance. Director of Planning Michael Quint stated the property owner is seeking to annex 314 acres into the City's corporate limits. The City considers a number of factors prior to annexing property into its City limits. First is the current population of the land to be annexed; second is the ability to provide city services and utilities, and the last is the fiscal impact. Staff has evaluated these factors and has no concerns. State law does mandate that a number of public hearings be held. The first public hearing for this item was held on March 2<sup>nd</sup>, the second public hearing was held on March 3<sup>rd</sup>, and final action is taken tonight concurrent with an associated zoning and development annexation agreement. Staff is recommending approval of the proposed annexation request. Applicant, Mr. Jerry Sylo, 16301 Quorum #200B, Addison was available for questions and there were none. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Harris, to close the public hearing and approve an Ordinance annexing the property located approximately 500 feet north U.S. Highway 380 (University Drive) and approximately 2,000 feet west of Lake Forest Drive. Caption reads as follows:

ORDINANCE NO. 2015-04-021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ANNEXING CERTAIN TERRITORIES TO THE CITY OF MCKINNEY; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE THEREOF

- 14-190Z3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on the Request to Zone a Portion of the Subject Property to "SF5" - Single Family Residential District; and Rezone a Portion of the Subject Property from "AG" - Agricultural District and "CC" Corridor Commercial Overlay

District to "SF5" - Single Family Residential District, "C2" - Local Commercial District and "CC" Corridor Commercial Overlay District, Located Approximately 1,100 Feet East of Future Ridge Road and on the North Side of U.S. Highway 380 (University Drive), and Accompanying Ordinance. Director of Planning Michael Quint stated the applicant is requesting to rezone the subject property generally for non-residential and detached single family residential uses. This is the companion zoning request for the annexation that was just approved by the Council. We have evaluated this request in conformance to the Comprehensive Plan and have no concerns. As such, staff is recommending approval. Mr. Jerry Silo, 16301 Quorum Drive, Addison, stated that they really appreciated working with the staff Brandon Opiela, Samantha Pickett and Michael Hebert. This has been a very complicated project that we have been working on for the past three to four years. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Council member Harris, seconded by Council member Pogue, to close the public hearing and approve an Ordinance zoning a portion of the subject property to "SF5" - Single Family Residential District; and rezone a portion of the subject property from "AG" - Agricultural District and "CC" Corridor Commercial Overlay District to "SF5" - Single Family Residential District, "C2" - Local Commercial District and "CC" Corridor Commercial Overlay District, located approximately 1,100 feet east of future Ridge Road and on the north side of U.S. Highway 380 (University Drive). Caption reads as follows:

ORDINANCE NO. 2015-04-022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 347.05 ACRE PROPERTY, LOCATED APPROXIMATELY 1,110 FEET EAST OF FUTURE RIDGE ROAD AND ON THE NORTH SIDE OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE), IS ZONED TO "SF5" – SINGLE FAMILY RESIDENTIAL DISTRICT; AND REZONED FROM "AG" – AGRICULTURAL DISTRICT AND "CC" CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "SF5" – SINGLE FAMILY RESIDENTIAL DISTRICT, "C2" – LOCAL COMMERCIAL 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

**15-325** Mayor Loughmiller called for Consideration/Discussion/Action on a Development Agreement with Felix Y. Chen and Yu Chen Kuo, Located Approximately 500 Feet North of U.S. Highway 380 (University Drive) and Approximately 2,000 Feet West of Lake Forest Drive. Director of Planning Michael Quint stated that this is the development agreement for the annexation and zoning that was just approved by the Council. Staff is recommending approval. Mr. Jerry Silo, 16301 Quorum Drive, Addison, was available for questions and there were none. Council unanimously approved the motion by Council member Harris, seconded by Council member Pogue, to approve a Development Agreement with Felix Y. Chen and Yu Chen Kuo, located approximately 500 feet north of U.S. Highway 380 (University Drive) and approximately 2,000 feet west of Lake Forest Drive.

**15-028A3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Annex the Subject Property, Located on the East Side of State Highway 5 (McDonald Street) and on the South Side of County Road 278, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is seeking to annex approximately 307 acres of land into the City's corporate limits. This property is currently subject to a pre-annexation agreement. The applicant is requesting this annexation be approved in accordance with the pre-annexation agreement. City staff considers a number of factors prior to annexing property into its City limits. First is the current population of the land to be annexed; second is the ability to provide city services and utilities, and the last is the fiscal impact. Staff has evaluated these factors and has no concerns. State law does mandate that a number of public hearings be held. The first public hearing for this item was held on March 2<sup>nd</sup>, the



second public hearing was held on March 3<sup>rd</sup>, and final action is being taken tonight in addition to an associated zoning case, Staff is recommending approval. Mr. Jim Richie, 2600 Eldorado Parkway, Suite 240, McKinney, was present to answer questions. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Harris, to close the public hearing and approve an Ordinance annexing the Subject property, located on the east side of State Highway 5 (McDonald Street) and on the south side of County Road 278. Caption reads as follows:

ORDINANCE NO. 2015-04-023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, ANNEXING CERTAIN TERRITORIES TO  
THE CITY OF McKINNEY; PROVIDING FOR THE PUBLICATION  
OF THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE  
DATE THEREOF

- 15-029Z3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Zone the Subject Property to "PD" - Planned Development District, Generally for Single Family Residential and Commercial Uses, Located on the East Side of State Highway 5 (McDonald Street) and on the South Side of County Road 278, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting to zone the subject property in accordance with the development provisions of the development agreement. Staff has evaluated this request. It is identical to the agreement that was approved by this Council in 2013 and as such staff is recommending approval. Applicant, Mr. James Richey, 2600 Eldorado Parkway, McKinney was available for questions and there were none. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Council member Pogue, seconded by Council member Harris, to close the public hearing and approve an Ordinance zoning the subject property to "PD" - Planned Development District, generally for single

family residential and commercial uses, located on the east side of State Highway 5 (McDonald Street) and on the south side of County Road 278.

Caption reads as follows:

ORDINANCE NO. 2015-04-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 306.59 ACRE PROPERTY, LOCATED ON THE EAST SIDE OF STATE HIGHWAY 5 (MCDONALD STREET) AND ON THE SOUTH SIDE OF COUNTY ROAD 278, IS ZONED "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR SINGLE FAMILY RESIDENTIAL AND COMMERCIAL USES; 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

Council member Pogue stepped down from the dais on the following agenda item.

- 15-073A2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Annex Less than 675 Acres of Land Generally Located at and Around the Intersection of Laud Howell Parkway (F.M. 543 Connector), Trinity Falls Parkway (F.M. 543) and Central Expressway (U.S. Highway 75) into the City of McKinney's Corporate Limits. Director of Planning Michael Quint stated that the City of McKinney is proposing to annex approximately 674 acres of land into its current City limits. The City considers a number of factors prior to annexing land into its corporate limits. First is the current population of the land to be annexed; second is the ability to provide city services and utilities, and the last is the fiscal impact. Staff has evaluated these factors and has no concerns. It is worth noting that the City has entered into pre-annexation agreements with five property owners totaling approximately 206 acres in this area as part of these annexation proceedings. State law does mandate a number of public hearings. The first public hearing for this item was held last night at 5:30 p.m. This is the second public hearing and final action will be taken on May 5<sup>th</sup> at 6:00

p.m. at the regular City Council meeting. Staff is recommending the City Council hold a second public hearing and take no further action at this time. Mayor Loughmiller called for public comment and there was none. Council approved the motion made by Council member Kever, seconded by Council member Harris, to close the public hearing, with a vote of 6-0-1, Council member Pogue abstaining.

Council member Pogue returned to the dais.

**14-151Z5** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone a Portion of the Property from "AG" - Agricultural District, "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "SF5" - Single Family Residential District and "CC" - Corridor Commercial Overlay District; and Rezone a Portion of the Property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located Approximately 1,100 Feet West of Custer Road and on the South Side of U.S. Highway 380 (University Drive), and Accompanying Ordinance. Director of Planning Michael Quint stated that this item is to be tabled to the May 5<sup>th</sup> City Council meeting. Staff is recommending the public hearing be closed and the item be tabled until the May 5<sup>th</sup> meeting. Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, was present on behalf of the applicant. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Kever, seconded by Mayor Pro Tem Ussery, to close the public hearing and table this item to the May 5, 2015 Regular Meeting.

**15-042Z3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C3" - Regional Commercial District and "CC" - Corridor Commercial Overlay District, Located Approximately 450 Feet West of Hardin

Boulevard and on the North Side of U.S. Highway 380 (University Drive), and Accompanying Ordinance. Director of Planning Michael Quint stated the applicant is requesting to rezone approximately two acres of land, generally for regional commercial uses. The applicant for this rezoning request has indicated that a specific use permit application will be submitted in the future for a Caliber Collision facility. Staff has no concerns over the regional commercial zoning district being requested and we are recommending approval. Mr. Quint stated there are no concerns over the regional commercial zoning district that is requested currently, however, there are a lot of Special Use Permits required within this zoning district. He noted there will be other opportunities for Council to consider these types of issues. Staff does have some concerns that they are working through with the applicant in terms of a Caliber Collision facility on this property. Staff has received word from the HOA to the north that they have no concerns. Mr. Quint stated that if Council supported this as a C-3 zoning tonight, it does not by default say that Council would support the SUP going forward. Mr. Quint also stated that this rezoning request just rezones this for the highest intensity commercial use. Caliber Collision would not be able to occupy or develop on this property until they get the Council's approval of a Specific Use Permit. Applicant, Mr. Kevin McKibben, Cross Development, 5317 Inverry Drive, Plano, Texas, was present to answer any questions. Mayor Loughmiller called for public comment.

Mr. James Blanchet, 3724 Buchanan, spoke against this zoning request due to no indication as to how this will affect property values in the area. Council approved the motion by Mayor Pro Tem Ussery, seconded by Council member Harris, to close the public hearing and approve an Ordinance rezoning the subject property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C3" - Regional Commercial District and "CC" - Corridor Commercial

Overlay District, located approximately 450 feet west of Hardin Boulevard and on the north side of U.S. Highway 380 (University Drive), with a vote of 6-1-0, Council member Ricchi voting against. Caption reads as follows:

ORDINANCE NO. 2015-04-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 2.01 ACRE PROPERTY, LOCATED APPROXIMATELY 450 FEET WEST OF HARDIN BOULEVARD AND ON THE NORTH SIDE OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE), IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "C3" – REGIONAL COMMERCIAL 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

**15-058SU2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Private Club (The Pub), Located on the North Side of Virginia Street and Approximately 128 Feet East of Church Street, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting approval of a Specific Use Permit to allow for a private club on the subject property. The approval of a private club SUP will allow the business owner to get 65% of their gross receipts from the sale of alcohol. That is different from a standard restaurant that gets 50% of their gross receipts from alcohol. Staff evaluated this request and given the surrounding areas and character of downtown and has no concerns. Applicant, Mr. Gabe Whatley, 204 Virginia Parkway, McKinney, was available for questions and there were none. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Harris, seconded by Council member Day, to approve an Ordinance granting a Specific Use Permit for a Private Club (The Pub), located on the north side of Virginia Street and approximately 128 feet

east of Church Street. Caption reads as follows:

ORDINANCE NO. 2015-04-026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A PRIVATE CLUB (THE PUB), LOCATED ON THE NORTH SIDE OF VIRGINIA STREET AND APPROXIMATELY 128 FEET EAST OF CHURCH STREET; 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

**15-051SP2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Site Plan for a Use Accessory to the Existing United Parcel Service (UPS) Operations (Driver Training Course), Located on the Northeast Corner of Wilmeth Road and Redbud Boulevard. Director of Planning Michael Quint stated that the applicant is seeking approval of a site plan to allow a UPS driver training course at this site. UPS will be training drivers to drop off packages at doorsteps. Staff has no concerns of the site plan and feels as though the use is accessory to the primary use. Applicant, Mr. Shawn Grunewald, 3150 N. 31<sup>st</sup> Avenue, Phoenix, AZ was present to answer any questions. Mr. Gruenwald stated they are small replica buildings of a house that are model scale. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Kever, seconded by Council member Harris, to close the public hearing and approve a Site Plan for a use accessory to the existing United Parcel Service (UPS) Operations (Driver Training Course), located on the northeast corner of Wilmeth Road and Redbud Boulevard with the following conditions: the applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, attached and prior to issuance of a building permit: the applicant revise the site plan to list the zoning in the site data table as "PD 1563" and "ML" - Light Manufacturing District.

**14-331SU2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit for a Restaurant with Drive-Through Window, Located on the South Side of Eldorado Parkway and Approximately 220 Feet East of Ridge Road, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is seeking approval of the Specific Use Permit for a restaurant with a drive-through window. Staff has evaluated this request and has no concerns. Mr. Quint stated that this and the next two agenda items could have been submitted as one but they chose to submit them individually. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, stated that his client's intent is that all three be approved or they cannot do any of them because they have the property under contract. If they are not approved for all three specific use permits they will not close on the purchase contract. This site is about two acres and is larger than other fast food restaurant sites in order to accommodate getting traffic off of Eldorado Parkway. There is a cross access driveway that parallels Eldorado Parkway that commences on the western edge of the Chick-fil-a site. This will be accompanied by a deceleration lane coming off of Eldorado Parkway and any traffic entering any of the three restaurants that form these three SUPs will utilize either this cross access drive or off of Ridge Road through the fire lane system. There is a common access drive between the bank and the Chick-fil-a property through the fire lane easement. Mayor Loughmiller asked if this Special Use Permit is tied to the user. Mr. Quint stated that it would be tied to the land but there is some provision in the Zoning Ordinance that mandates that they get a building permit and move forward within six months. This is an additional use tied to that property. If they decide within six months they want to abandon it, the approval of the SUP would be null and void. The SUP is site plan specific so you cannot build anything differently than what is shown on the plan. Mayor Loughmiller called for public comment. Mr. Michael

Hanke, 6104 Pine Ridge Boulevard, McKinney, President of the Pine Ridge Estates Homeowner's Association stated that this project will have minimal impact on the surrounding community and they are in favor of the project. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Kever, to close the public hearing. Mr. Quint stated that it is worth noting that the retail zoning allows for some mixture of single family attached uses and the applicant may request in the future to modify the development standards that are currently applicable to the property. Mr. Henke stated that the community felt that since there was a seven foot brick wall with vegetation planned, the noise will not be an issue. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Kever, to approve an Ordinance granting a Specific Use Permit for a restaurant with Drive-Through Window, located on the south side of Eldorado Parkway and approximately 220 feet east of Ridge Road with the following special ordinance provisions: restaurant with drive-through window shall be an allowed use and the site shall generally develop in accordance with the attached site layout exhibit. Caption reads as follows:

ORDINANCE NO. 2015-04-027

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH WINDOW, APPROXIMATELY 2.00 ACRES, LOCATED ON THE SOUTH SIDE OF ELDORADO PARKWAY AND APPROXIMATELY 220 FEET EAST OF RIDGE ROAD; 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

**14-332SU2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Restaurant with Drive-Through Window, Located Approximately 550 Feet East of Ridge Road and on



the South Side of Eldorado Parkway, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant has requested a Specific Use Permit for a restaurant with a drive through window. Staff is recommending approval. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, stated that this is the middle of the three sites and is proposed to be a Whataburger. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Kever, seconded by Mayor Pro Tem Ussery, to approve an Ordinance granting a Specific Use Permit for a restaurant with drive-through window, located approximately 550 feet east of Ridge Road and on the south side of Eldorado Parkway with the following special ordinance provisions: restaurant with drive-through window shall be an allowed use and the site shall generally develop in accordance with the attached site layout exhibit. Caption reads as follows:

ORDINANCE NO. 2015-04-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH WINDOW, APPROXIMATELY 1.07 ACRES, LOCATED ON THE SOUTH SIDE OF ELDORADO PARKWAY AND APPROXIMATELY 550 FEET EAST OF RIDGE ROAD; 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

- 14-333SU2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Restaurant with Drive-Through Window, Located on the South Side of Eldorado Parkway and Approximately 700 Feet East of Ridge Road, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting a Specific Use Permit for a restaurant with a drive through window. Staff had some initial concerns with the proposed location of

the drive through window and the speaker box being in close proximity to the single family residential neighborhood to the east. Staff worked with the applicant and is presented a modified exhibit that shows Eastern Red Cedars planted eight feet on center along the seven foot tall masonry wall along the east side with the required canopy trees 40 foot on center to address some of the noise concerns. Staff is recommending denial of the SUP request at this time. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, stated that they had submitted a drawing as a supplement to the SUP to Council today that they believe is more than sufficient screening to attenuate the noise. The city has a noise ordinance and we have provided competent evidence that the sound is not going to be anywhere close to the limit. We have mitigated the potential impact to the adjoining residents. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Ricchi, seconded by Mayor Pro Tem Ussery, to close the public hearing. Council unanimously approved the motion by Council member Ricchi, seconded by Council member Day, to approve the amended Ordinance granting a Specific Use Permit Request for a restaurant with drive-through window, located on the south side of Eldorado Parkway and approximately 700 feet east of Ridge Road, with the following special ordinance provisions: restaurant with drive-through window shall be an allowed use, the site shall generally develop in accordance with the attached site layout exhibit, and the location and number of Eastern Red Cedar shrubs shall be planted in conformance with Exhibit D - Screening Exhibit, being a minimum of eight (8) feet in height at the time of planting and spaced eight (8) feet on center along the eastern property line as shown. These shrubs shall be planted in addition to the canopy trees required by Section 146-135 (Landscape Requirements) of the Zoning Ordinance along the eastern property line. Caption reads

as follows:

ORDINANCE NO. 2015-04-029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH WINDOW, APPROXIMATELY 1.05 ACRES LOCATED ON THE SOUTH SIDE OF ELDORADO PARKWAY AND APPROXIMATELY 700 FEET EAST OF RIDGE ROAD; 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

**14-235PF** Mayor Loughmiller called for Consideration/Discussion/Action on a Preliminary-Final Plat for Lots 1, 2, and 3, Block A, of the TCI McKinney Ranch Parkway Addition, Located on the Southeast Corner of McKinney Ranch Parkway and Future Collin McKinney Parkway. Director of Planning Michael Quint stated that the applicant is proposing to plat the subject property into three lots. Staff has reviewed the proposed plat and offered three conditions of approval. The applicant has indicated they are okay with these conditions of approval. Additionally, there is a variance being requested from the requirements of the Subdivision Ordinance to reduce the right-of-way width for McKinney Ranch from 120 feet to 100 feet. Staff feels this is sufficient and is supportive of both the plat and the requested variance. Applicant, Mr. Levi Wild, 402 North Tennessee Street, McKinney, was present on behalf of the client. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Harris, to approve a Preliminary-Final Plat for Lots 1, 2, and 3, Block A, of the TCI McKinney Ranch Parkway Addition, located on the southeast corner of McKinney Ranch Parkway and future Collin McKinney Parkway and associated variance with the following conditions: approval of a variance to section 142-105 (Improvements) of the subdivision Ordinance reducing the required width of right-of-way from 20 feet (ultimate right-of-way of 120 feet) to 10 feet

(ultimate right-of-way of 100 feet) for Future McKinney Ranch Parkway, prior to filing the plat for record: the applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat/Replat Approval Checklist, the applicant revise the plat to provide a location map of the subject property, and the applicant revise the plat to remove the 15' setback/build-to line along the north side of lot 1 and 2.

- 15-326** Mayor Loughmiller called for a Public Hearing and Consider/Discuss/Act on an Ordinance of the City Council of the City of McKinney, Texas, Amending the Code of Ordinances of the City of McKinney, Texas, Through the Amendment of Chapter 110, Entitled "Utilities," Through the Amendment of Article VII, Entitled "Municipal Surface Water Drainage Utility System," by Adding New Division Markers to Aid in the Organization of Article VII, Amending Section 110-394, "Definitions," in Part, by Updating the State Law Reference in the First Line of Said Section and by Amending Certain of the Existing Definitions and Adding a Definition for the Phrase "System-Wide Fee Component," by Amending Sections 110-395 and 110-396 by Replacing Said Sections in Their Entirety With New Section 110-395 and 110-396 Bearing the Same Respective Titles, by Amending Section 110-397, "Exemptions," in Part, by Amending Paragraph (a) to Add "Institutions of Higher Education" to the List of Governmental Entities Exempted From the SDUS Fee and Re-Numbering the List Accordingly, by Amending Section 110-398, "Billing, Deposits and Expenditures," in Part, by Amending Paragraphs (a), (c) and (d), Re-Lettering a Portion of Existing Paragraph (d) as Paragraph (e) and Adding a New Paragraph (f), and by Adding New Sections 110-399 Through 110-404; by Amending Appendix A - "Schedule of Fees" by Deleting Section 110-395, "Schedule of Charges," in its Entirety and Replacing Said Section With a New Section 110-395, "Schedule of Charges," Repealing all Conflicting Ordinances; Providing a Severability Clause; Reserving All Existing Rights and Remedies; Providing For

Immunity; Providing For Injunctions; Providing for the Publication of the Caption of This Ordinance; and Providing an Effective Date. Assistant Director of Engineering Michael Hebert stated the existing stormwater concerns and recent changes to the stormwater management ordinance show the need for increased revenues to address the review, maintenance and installation of creek improvements. Increasing the SDUS fee is proposed to help recover the costs. The Ordinance was published on three consecutive Sundays starting March 1<sup>st</sup>. The Ordinance reflects proposed modifications based on multiple discussions and analyses regarding the Surface Drainage Utility System fee. The fee is proposed to be set at \$4.00 per single family home and per single family land use equivalent (SFLUE) for multi-family properties. The fee is proposed to be set at \$3.00 per SFLUE for commercial and industrial customers, recognizing the impact of lifting the cap on larger commercial and industrial customers. Based on advice from the City Attorney, Staff is recommending removal of the \$200 monthly cap on drainage fees to make the system nondiscriminatory, and equitable under State law. Removal of the cap will have a significant impact on commercial and industrial customers with a high amount of impervious surface. Staff is also recommending modifying an SFLUE from its current value of 2,343 square feet of impervious surface to 3,000 square feet, recognizing the change in average size of a single-family home in McKinney since the last adjustment. Impervious area is a widely accepted method of determining storm water fees. Based on the proposed modifications, the net fee for one SFLUE for commercial and industrial customers will actually be slightly lower per square foot of impervious surface. The previous fee was approximately \$1.17 per 1,000 square feet of impervious area while the proposed fee is \$1.00 per 1,000 square feet of impervious area. The proposed revisions to the Code of Ordinances includes a Storm Water Credit Program which will allow commercial and

industrial customers who are most affected by the removal of the cap, referenced above, to receive credit for existing or proposed best management practices (BMP's) on-site. The proposed stormwater credit program allows users to offset SDUS fees by maintaining stormwater best management practices (BMPs) on their property. The proposed program includes possible reductions up to 40% for BMPs that provide a benefit to the stormwater drainage utility system. The proposed policy/program was amended to remove the annual maintenance verification submittal requirement for permanent structures, and modifying weekly parking lot sweeping to monthly to receive that credit. In an effort to determine whether or not the proposed fee is appropriate, Staff utilized data from previous improvements to Jeans Creek to determine possible future improvement costs for creeks City wide. Based on the improvements done to Jeans Creek to date, costs are approximately \$1.4 million per stream mile. Mayor Loughmiller called for public comment.

Mr. Lewis McLain, 4906 Morning Gory Way, McKinney spoke in favor of the proposed changes.

Mr. James Harris, attorney for Encore Wire, spoke in opposition to how the fees would be calculated for Encore Wire.

Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Kever, to close the public hearing. Council unanimously approved the motion by Council member Kever, seconded by Council member Day, to approve an Ordinance of the City Council of the City of McKinney, Texas, amending the Code of Ordinances of the City of McKinney, Texas, through the amendment of Chapter 110, Entitled "Utilities," through the amendment of Article VII, entitled "Municipal Surface Water Drainage Utility System," by adding new division markers to aid in the organization of Article VII, amending Section 110-394, "Definitions," in Part, by updating the State Law

reference in the first line of said section and by amending certain of the existing definitions and adding a definition for the phrase "System-Wide Fee Component," by Amending Sections 110-395 and 110-396 by Replacing said sections in their entirety with new Section 110-395 and 110-396 bearing the same respective titles, by amending Section 110-397, "Exemptions," in part, by Amending Paragraph (a) to add "Institutions of Higher Education" to the list of Governmental Entities exempted from the SDUS Fee and Re-Numbering the list accordingly, by amending Section 110-398, "Billing, Deposits and Expenditures," in Part, by amending Paragraphs (a), (c) and (d), re-lettering a portion of existing Paragraph (d) as Paragraph (e) and adding a new Paragraph (f), and by adding new Sections 110-399 Through 110-404; by amending Appendix A - "Schedule of Fees" by deleting Section 110-395, "Schedule of Charges," in its Entirety and replacing said section with a new Section 110-395, "Schedule of Charges," repealing all conflicting Ordinances; Providing a severability clause; reserving all existing rights and remedies; providing for immunity; providing for injunctions; providing for the publication of the caption of this Ordinance; and Providing an effective date. Caption reads as follows:

ORDINANCE NO. 2014-04-030

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, THROUGH THE AMENDMENT OF CHAPTER 110, ENTITLED "UTILITIES," THROUGH THE AMENDMENT OF ARTICLE VII, ENTITLED "MUNICIPAL SURFACE WATER DRAINAGE UTILITY SYSTEM," BY ADDING NEW DIVISION MARKERS TO AID IN THE ORGANIZATION OF ARTICLE VII, BY AMENDING SECTION 110-394, "DEFINITIONS," IN PART, BY UPDATING THE STATE LAW REFERENCE IN THE FIRST LINE OF SAID SECTION AND BY AMENDING CERTAIN OF THE EXISTING DEFINITIONS AND ADDING A DEFINITION FOR THE PHRASE "SYSTEM-WIDE FEE COMPONENT," BY AMENDING SECTIONS 110-395 AND 110-396 BY REPLACING SAID SECTIONS IN THEIR ENTIRETY WITH NEW SECTIONS 110-395 AND 110-396 BEARING THE SAME RESPECTIVE TITLES, BY AMENDING SECTION 110-397, "EXEMPTIONS," IN PART, BY AMENDING PARAGRAPH (a) TO ADD "INSTITUTIONS OF HIGHER EDUCATION" TO THE LIST OF GOVERNMENTAL ENTITIES EXEMPTED FROM THE SDUS FEE AND RE-NUMBERING THE LIST ACCORDINGLY, BY AMENDING SECTION 110-398,

“BILLING, DEPOSITS AND EXPENDITURES,” IN PART, BY AMENDING PARAGRAPHS (a), (c) AND (d), RE-LETTERING A PORTION OF EXISTING PARAGRAPH (d) AS PARAGRAPH (e) AND ADDING A NEW PARAGRAPH (f), AND BY ADDING NEW SECTIONS 110-399 THROUGH 110-404; BY AMENDING APPENDIX A – “SCHEDULE OF FEES” BY DELETING SECTION 110-395, “SCHEDULE OF CHARGES,” IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 110-395, “SCHEDULE OF CHARGES”; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

- 15-327** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Amending the Fiscal Year 2014-15 Annual Budget; and Amending the 2015-2019 Capital Improvements Program, to Provide Additional Funds for Project AI4369, Airport Transient Hangar Construction Project. Assistant Airport Director Mark Jaraczewski stated that this item is to request additional funding to pay for additional costs of soil preparation and concrete slab construction caused by poor soil conditions at the airport for the airport transient hangar project. Council unanimously approved the motion by Council member Harris, seconded by Mayor Pro Tem Ussery, to approve an Ordinance amending the fiscal year 2014-15 Annual Budget; and amending the 2015-2019 Capital Improvements Program, to provide additional funds for Project AI4369, Airport Transient Hangar Construction Project. Caption reads as follows:

ORDINANCE NO. 2015-04-031

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2014-2015 BUDGET AND THE 2015-2019 CAPITAL IMPROVEMENTS PROGRAM TO PROVIDE ADDITIONAL FUNDING FOR THE AIRPORT TRANSIENT HANGAR CONSTRUCTION PROJECT (AI4369); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 15-328** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Interim City Manager to Execute an Amendment to the Existing Professional Services Contract with Don Jackson Construction Company of Reisel, Texas for Design / Build (D/B)



Services Related to the Design and Construction of the Airport Transient Hangar (AI4369) Located at McKinney National Airport. Facilities Construction Manager Patricia Jackson stated that this item is to approve a contract with a guaranteed maximum price for the design/build contract for the airport transient hangar in the amount of \$1,649, 601. Council unanimously approved the motion by Council member Harris, seconded by Council member Pogue, to approve a Resolution authorizing the Interim City Manager to Execute an amendment to the existing professional services contract with Don Jackson Construction Company of Reisel, Texas for design / build (d/b) services related to the design and construction of the Airport Transient Hangar (AI4369) located at McKinney National Airport. Caption reads as follows:

RESOLUTION NO. 2015-04-039 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT FOR DESIGN / BUILD SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE AIRPORT TRANSIENT HANGAR LOCATED AT MCKINNEY NATIONAL AIRPORT

Mayor Loughmiller Called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Council member Pogue welcomed new Police Chief Conley and wished him a successful tenure with the City. Mr. Pogue thanked Mrs. Ricchi and her group of young ladies who presented the Priceless project tonight.

Council member Harris welcomed Police Chief Conley. Mr. Harris stated that he appreciated the comments tonight regarding Bicycle Patrol Officer Randy Patton and his work around the downtown area. Mr. Harris thanked the Pine Ridge HOA for coming tonight and expressing the support for the specific use projects. Mr. Harris expressed his condolences and prayers to the family and friends of the young man who died tragically this week.

Council member Ricchi thanked Council member Pogue for acknowledging his wife and her efforts regarding the human trafficking issues. It is not only her efforts but

all the young ladies in the high schools who are working to save and protect our children from the sex trafficking issue. Mr. Ricchi thanked Michael Hebert for the amazing job he and his staff have done on the Surface Drainage Ordinance that was approved tonight. Mr. Ricchi thanked Interim City Manager Muehlenbeck for the process he put into place for the hiring of the new Police Chief. The process was started with the hiring of the Interim Police Chief David James who brought stability to the City during one of the most trying times during his tenure on Council. Mr. Conley is an excellent hire and he is looking forward to see what he brings forth. Mr. Ricchi thanked Mr. Muehlenbeck for what he has done to stabilize the City in his short time.

Council member Day did not have any comments.

Council member Kever expressed appreciation to Mr. Muehlenbeck's staff that worked on the McKinney National Airport Frequently Asked Questions document. Mr. Muehlenbeck stated that this is a portion of the information that will be prepared to present to the Bond Committee and will be placed on the City's website in the future. Ms. Kever requested that this information be shared with the McKinney Economic Development Corporation and the McKinney Airport Development Corporation Boards. Ms. Kever welcomed Police Chief Conley and his wife Lori to a long and successful career in McKinney.

Mayor Pro Tem Ussery wished the new Police Chief Greg Conley all the success in his tenure here in McKinney. Mr. Ussery stated that the Staff are Number one not only in the hearts and minds of himself but of his Colleagues. It is the staff's perseverance that has made McKinney the #1 place to live.

Mayor Loughmiller welcomed Chief Conley to McKinney. Mr. Loughmiller stated that since the City took over the vertical assets at the airport, there has been in increased demand for hangar space. In making that decision and going through the analysis, we looked at pro forma in terms of what the revenue generation would be for that and how the revenue generation will ultimately pay the debt service associated with the construction of those hangars. The Council is making decisions based on the return on investment and the ability to generate future revenue through future business and in order to do that we will have to build additional hangars at the airport. Mr. Loughmiller announced that Relay for Life will be held on April 24<sup>th</sup>. This is the 13th year that we

have had Relay for Life in McKinney and has raised over \$4 million to celebrate and raise money for cancer research and awareness. The first weekend in May there will be the "Strikes Against Cancer Tournament" at Craig Ranch. This is a baseball tournament that was started by a young man who was 12 at the time and his Mother had just passed away from breast cancer. His memorial to her was to create this tournament to raise money for cancer. Through those efforts, this year there will be 500 teams participating over one weekend. This tournament was started by a young man who turned his grief into something meaningful.

Interim City Manager Muehlenbeck stated that residents will have an opportunity help keep McKinney beautiful by picking up litter off the roadways during the Texas Trash Off on Saturday, April 11<sup>th</sup>. Teams can register on the City of McKinney's website. Also on April 11<sup>th</sup> is the annual Arts in Bloom Festival in downtown McKinney. The City is hosting a free community shred day o April 18<sup>th</sup> from 9 a.m. to 1:00 p.m. at the McKinney High School parking lot. All items shredded will be recycled.

Mayor Loughmiller recessed the meeting into executive session at 8:29 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 551.074 Personnel Matters, and Section 551.087 Discuss Economic Development Matter as listed on the posted agenda. Mayor Loughmiller recessed to the open session at 8:42 p.m.

Council unanimously approved the motion by Council member Pogue, seconded by Council member Harris, to Adjourn. Mayor Loughmiller adjourned the meeting at 8:45 p.m.

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BRIAN LOUGHMILLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary