

## **CITY COUNCIL REGULAR MEETING**

**JUNE 16, 2015**

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on June 16, 2015 at 6:00 p.m.

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

Staff Present: Interim City Manager Tom Muehlenbeck; Deputy City Manager Jose Madrigal; Assistant City Manager Rob Daake; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Interim Assistant to the City Manager Chandler Merritt; Chief Financial Officer Rodney Rhoades; Assistant Director of Development Services Rick Leisner; Director of Planning Michael Quint; Director of Engineering Mark Hines; Director of Parks, Recreation, and Open Space Rhoda Savage; Assistant Director of Parks, Recreation, and Open Space Ryan Mullins; Assistant Fire Chief Chris Lowry; Assistant Fire Chief Tim Mock; Facilities Construction Manager Patricia Jackson; IT Service Desk Supervisor Amy Greer; Planning Manager Jennifer Arnold; Police Officer Craig Owens; Police Officer Trent Davis; Deputy Police Chief Scott Brewer; Emergency Management Coordinator Karen Adkins; Parks Superintendent Tony Nielsen; McKinney Community Development Corporation President Cindy Schneible.

There were approximately 55 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Mayor Pro Tem Ussery. Mayor Loughmiller led the Pledge of Allegiance.

**15-563** U-Matter Presentation. Deputy City Manager Jose Madrigal presented the June U-Matter presentation.

Mayor Loughmiller called for Citizen Comments.

The following individuals spoke about the June 5, 2015 Police incident surrounding the Craig Ranch pool party:

Mr. Rick Kiefer, 6709 Stony Hill Road, McKinney

Ms. La'Shadiion Anthony, 1008 Canal Street, McKinney

Mr. Peter Bailey, 4700 S. Ridge Road, McKinney

Mr. Lon Bushell, 2900 Aspen Drive, McKinney

Ms. Marta Gore, 1821 Savannah Drive, McKinney

Ms. Aries Webb-Williams, 4508 River Crossing, McKinney

Ms. Ada Simmons, 512 Cypress Hill Drive, McKinney

Ms. Sherasa Thomas, 8701 Grand Haven Lane, McKinney

Minister Dominique Alexander, 2512 Overton Road, Dallas

Ms. Sandra Parker, 1000 Crater Lake Court, Allen

Mr. Mikhsil Tutson, 1200 N. Tennessee Street, McKinney

Mr. Arnulfo Alvarado, 805 Elm Street, McKinney

The following individual did not wish to speak regarding the action of McKinney's  
Corporal Eric Casebolt:

Bishop Wilbert C. Lewis, 7140 San Francisco Trail, Keller, Texas

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

- 15-564** Minutes of the City Council Work Session of June 1, 2015
- 15-565** Minutes of the City Council Regular Meeting of June 2, 2015
- 15-566** Minutes of the City Council Special Meeting of June 8, 2015
- 15-533** Minutes of the Historic Preservation Advisory Board Regular Meeting of  
April 2, 2015
- 15-503** Minutes of McKinney Community Development Corporation Meeting of  
April 23, 2015
- 15-506** Minutes of the McKinney Community Development Corporation  
Performance Facility Subcommittee Meeting May 18, 2015
- 15-505** Minutes of the McKinney Community Development Corporation  
Performance Facility Subcommittee Meeting April 23, 2015
- 15-567** Minutes of the McKinney Housing Authority Meeting of April 28, 2015
- 15-514** Minutes of the Planning and Zoning Commission Regular Meeting of May  
12, 2015
- 15-568** Consider/Discuss/Act on an Ordinance Modifying School Zones,

Crosswalks, Parking Restrictions, Bus Stops and Bus Loading Zones at Various Schools in McKinney for 2015. Caption reads as follows:

ORDINANCE NO. 2015-06-049

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING AND MODIFYING SCHOOL ZONES, CROSSWALKS, PARKING RESTRICTIONS, BUS STOPS, AND BUS LOADING ZONES AT VARIOUS SCHOOLS 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

- 15-569** Consider/Discuss/Act on an Ordinance Establishing a Speed Limit on Silverado Trail from La Tierra Linda Trail to Custer Road (FM 2478).  
Caption reads as follows:

ORDINANCE NO. 2015-06-050

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ESTABLISHING THE SPEED LIMIT ON SILVERADO TRAIL FROM LA TIERRA LINDA TRAIL TO CUSTER ROAD (FM 2478) 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

- 15-570** Consider/Discuss/Act on an Ordinance Modifying the Speed Limit on Industrial Boulevard from Airport Drive Extending East to a Point 1700 Feet East of Airport Drive (McKinney National Airport). Caption reads as follows:

ORDINANCE NO. 2015-06-051

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS MODIFYING THE SPEED LIMIT ON INDUSTRIAL BOULEVARD FROM AIRPORT DRIVE TO A POINT 1700 FEET EAST OF AIRPORT DRIVE 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

- 15-142M2** Consider/Discuss/Act on a Resolution to Accept and File the Semiannual Impact Fee Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees. Caption reads as follows:

RESOLUTION NO. 2015-06-062 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ACCEPTING AND FILING THE SEMIANNUAL REPORT WITH RESPECT TO THE PROGRESS OF THE CAPITAL IMPROVEMENTS PLAN FOR ROADWAY AND UTILITY IMPACT FEES

- 15-571** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Reject All Proposals Associated With 15-30RFP Golf Course Management Services. Caption reads as follows:

RESOLUTION NO. 2015-06-063 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, REJECTING ALL PROPOSALS ASSOCIATED WITH 15-30RFP, GOLF COURSE MANAGEMENT SERVICES

- 15-572** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Reject the Proposal Received for 15-26CC Community Center Patio Project. Caption reads as follows:

RESOLUTION NO. 2015-06-064 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, REJECTING THE PROPOSAL RECEIVED FOR 15-26CC, COMMUNITY CENTER PATIO PROJECT

- 15-573** Consider/Discuss/Act on a Resolution Authorizing the Application and Acceptance, if Awarded, of a Collin County Parks and Open Space Project Funding Assistance Program for the Construction of Hike and Bike Trails. Caption reads as follows:

RESOLUTION NO. 2015-06-065 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER, OR DESIGNEE, TO APPLY FOR AND ACCEPT, IF AWARDED, THE COLLIN COUNTY PARKS AND OPEN SPACE PROJECT FUNDING ASSISTANCE PROGRAM FOR HIKE AND BIKE TRAIL CONSTRUCTION

- 15-574** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with Halff Associates for Professional Services to be Provided in Support of the Parks, Recreation, Trail & Open Space Visioning Master Plan. Caption reads as follows:

RESOLUTION NO. 2015-06-066 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH HALFF ASSOCIATES, INC. FOR PROFESSIONAL SERVICES IN ASSOCIATION WITH THE PARKS, RECREATION, TRAIL & OPEN SPACE VISIONING MASTER PLAN; PROVIDING AN EFFECTIVE DATE

- 15-575** Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with JDC Construction Company of Wylie, Texas for the Construction of the Bonnie Wenk Park Phase I Modifications Project. Caption reads as follows:

RESOLUTION NO. 2015-06-067 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH JDC CONSTRUCTION COMPANY OF WYLIE, TEXAS FOR THE CONSTRUCTION OF THE BONNIE WENK PARK PHASE I MODIFICATIONS PROJECT

- 15-576** Consider/Discuss/Act on a Resolution Authorizing the City Council to Appoint Dr. Muriel Marshall as the Local Health Authority for the City of McKinney. Caption reads as follows:

RESOLUTION NO. 2015-06-068 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY COUNCIL TO APPOINT MURIEL MARSHALL, D.O. AS THE LOCAL HEALTH AUTHORITY FOR THE CITY OF MCKINNEY

END OF CONSENT

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

- 15-060Z4** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Generally Located at the Northern

Terminus of Tremont Boulevard and Along the Northern Side of Darrow Drive, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting to rezone the property generally to modify the PD regulations currently in place governing lot developments, space limitations, things of this nature. About a year ago, Council approved Phase 3 with a modification to the pattern book similar to what is being proposed tonight. This rezoning request is consistent with the last one and staff recommends approval. Applicant, Mr. Ben Crenshaw, 116 Jasper Avenue, Franklin, Tennessee, was in attendance to answer any questions. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Council member Harris, seconded by Mayor Pro Tem Ussery, to close the public hearing and approve an Ordinance rezoning the subject property from "PD" - Planned Development District to "PD" - Planned Development District, generally to modify the development standards, generally located at the northern terminus of Tremont Boulevard and along the northern side of Darrow Drive, with a vote of 4-0-1, Council member Pogue abstaining, with the following special ordinance provision: the subject property be rezoned to "PD" - Planned Development District and be developed according to the following standards: the subject property shall develop in accordance with the attached Tucker Hill Pattern Book Phase 4 regulations. Caption reads as follows:

ORDINANCE NO. 2015-06-052

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 28.75 ACRE PROPERTY, GENERALLY LOCATED AT THE NORTHERN TERMINUS OF TREMONT BOULEVARD AND ALONG THE NORTHERN SIDE OF DARROW DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

Council member Pogue returned to the dais.

- 15-112Z2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "SO" - Suburban Office District, Located on the East Side of Lakota Trail and at the Terminus of Synergy Drive, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting to rezone the subject property generally for office uses. Staff has evaluated the request and recommends approval. Applicant, Mr. Bill Perman, Cross Engineering, 131 S. Tennessee Street, McKinney, was present to answer any questions. Mayor Loughmiller called for public comments 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 rezoning the subject property from "PD" - Planned Development District to "SO" - Suburban Office District, located on the east side of Lakota Trail and at the terminus of Synergy Drive. Caption reads as follows:

ORDINANCE NO. 2015-06-053

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 ON THE EAST SIDE OF LAKOTA TRAIL AND AT THE TERMINUS OF SYNERGY DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "SO" – SUBURBAN OFFICE 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

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

- 15-111Z2** 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 "BN" - Neighborhood Business District to "C2" - Local Commercial District, Located on the Southeast Corner of Custer

Road and Eldorado Parkway, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting to rezone the property located on the southeast corner of Custer Road and Eldorado Parkway for retail and commercial uses. Staff has evaluated the request and has no concerns. As such, staff recommends approval. Applicant, Mr. John David Cross, Cross Engineering Consultant, 131 S. Tennessee Street, McKinney, stated that they are requesting to rezone the property for retail uses and the anchor tenant is a fresh market grocery similar to a small whole foods market. It is an upscale grocery store with an old world vibe offering local produce, prepared foods, wine and more. We are also talking to a high-end fast casual restaurant on the hard corner. It will have a drive-through but is 70% sit down and will be similar to a Petra type restaurant where you order at the counter and they bring your food. We are also looking at approximately 7,000 square feet of additional restaurant space and 18,000 square feet of retail space with two high-quality sit-down restaurants and the remainder would be retail space. Mayor Loughmiller called for public comments and there were none. Council approved the motion made 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 "BN" - Neighborhood Business District to "C2" - Local Commercial District, located on the southeast corner of Custer Road and Eldorado Parkway, and with a vote of 4-0-1, Council member Randy P. Pogue abstaining. Caption reads as follows:

ORDINANCE NO. 2015-06-054

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 7.03 ACRE PROPERTY, LOCATED ON THE SOUTHEAST CORNER OF CUSTER ROAD AND ELDORADO PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "BN" – NEIGHBORHOOD BUSINESS DISTRICT TO "C2" – LOCAL COMMERCIAL 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

Council member Pogue returned to the dais.

**15-100SU2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to Allow for Additional Fuel Pumps, Located on the Southwest Corner of Alma Road and Stacy Road, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is requesting approval of a specific use permit (SUP) to allow up to 14 vehicles to fuel at one time. Last night there was discussion as to whether or not the ordinance would allow auto repair and it does not. Auto repair uses would not be allowed on the property without the Council's approval of an associated rezoning request. Staff is recommending approval. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, stated the reason for the request is to increase the number of pumps that can be provided at this location. Mayor Loughmiller called for public comments and there were none. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Day, to close the public hearing and approve an Ordinance granting a Specific Use Permit Request to allow for additional fuel pumps at a motor vehicle fuel sales facility with the following special ordinance provisions: a motor vehicle fuel sales facility fueling up to a maximum of 14 vehicles at one time shall be permitted on the subject property and the property shall generally develop in accordance with the attached site layout exhibit. Caption reads as follows:

ORDINANCE NO. 2015-06-055

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 MOTOR VEHICLE FUEL SALES FACILITY TO FUEL A MAXIMUM OF 14 VEHICLES AT ONE TIME, APPROXIMATELY 2.27 ACRES, LOCATED ON THE SOUTHWEST CORNER OF ALMA ROAD AND STACY 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

- 15-156A** Mayor Loughmiller called for Consideration/Discussion/Action on a Request by the City of McKinney to Annex Less Than 1 Acre 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, and Accompanying Ordinance. Director of Planning Michael Quint stated that the City of McKinney is proposing to annex approximately one acre of land. This is a tandem item to 15-073A which was approved by the Council on May 5, 2015. Exhibit B for Ordinance No. 2015-05-036, which was adopted on May 5, 2015, was missing one sliver of property in the metes and bounds exhibit attached to that ordinance. All prior noticing and public hearings were held in accordance with state laws. An associated zoning request for this property as well as the approximate 674 acres that was approved on May 5, 2015 will be considered by the Planning and Zoning Commission on June 23, 2015 and by the City Council on July 21, 2015. Staff is recommending approval. Council unanimously approved the motion by Council member Harris, seconded by Mayor Pro Tem Ussery, to approve an Ordinance annexing less than 1 acre 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. Caption reads as follows:

ORDINANCE NO. 2015-06-056

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ANNEXING LESS THAN 1 ACRE 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 CORPORATE LIMITS OF THE CITY OF MCKINNEY; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE THEREOF

- 15-580** Mayor Loughmiller called for Consideration/Discussion/Action on an

Ordinance Repealing Chapter 74, Parks and Recreation, of the City Code of Ordinances and Replacing it in its Entirety. Director of Parks, Recreation, and Open Space Rhoda Savage stated that this item comes to Council as a recommendation from City staff. The Parks, Recreation and Open Space Board approved the changes to the Ordinance. During last night's work session, staff was asked to revise the language in Section 74-74, Item B, removing members of the recognized user groups. The Ordinance for your consideration has incorporated the requested changes. Council unanimously approved the motion by Council member Pogue, seconded by Council member Harris, to approve an Ordinance Repealing Chapter 74, Parks and Recreation, of the City Code of Ordinances and replacing it in its entirety. Caption reads as follows:

ORDINANCE NO. 2015-06-057

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 74, ENTITLED "PARKS AND RECREATION," BY DELETING ARTICLES I THROUGH IX AND SECTIONS 74-1 THROUGH 74-230 OF SAID CHAPTER 74 IN THEIR ENTIRETY TO ALLOW FOR THE ADOPTION AND ENACTMENT OF NEW REGULATIONS CONTROLLING AND PERTAINING TO PARKS AND RECREATION IN PLACE THEREOF AS CHAPTER 74, "PARKS AND RECREATION"; 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

- 15-581** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Interim City Manager to Execute an Interlocal Agreement for the Construction and Use of a Public Safety Training Facility Between the City of McKinney and Collin County Community College District. Interim City Manager Tom Muehlenbeck stated we appreciate Collin College President Dr. Neil Matkin attending our meeting tonight. Staff responded to all the questions Council had last night concerning the number of training hours and that has been addressed in the agreement. 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 interlocal agreement for the construction and use of a public safety training facility between the City of McKinney and Collin County Community College District. Caption reads as follows:

RESOLUTION NO. 2015-06-069 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN INTER LOCAL AGREEMENT FOR THE CONSTRUCTION AND USE OF A PUBLIC SAFETY TRAINING FACILITY BETWEEN THE CITY OF MCKINNEY AND COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

**15-582** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Authorizing the Issuance of "City of McKinney, Texas, Waterworks and Sewer System Revenue Refunding and Improvements Bonds, Series 2015", and Delegating Matters Relating to the Sale and Issuance of Said Bonds to an Authorized City Official(s). Chief Financial Officer Rodney Rhoades stated that this is the planned issuance of the new revenue bonds for water and sewer in the amount of \$4.765 million. The City also has the opportunity to do a refunding of approximately \$8.5 million of 2005 bonds. The action will authorize the Interim City Manager and the Chief Financial Officer to act as pricing agents on behalf of the City. Mr. Rhodes stated that refunding the 2005 bonds, does not extend the period of the bonds, but rather refunds them at a lower interest rate. We anticipate the savings to be in the \$600,000 to \$700,000 range. Council unanimously approved the motion by Council member Pogue, seconded by Council member Harris, to approve an Ordinance authorizing the Issuance of "City of McKinney, Texas, Waterworks and Sewer System Revenue Refunding and Improvements Bonds, Series 2015", and delegating matters relating to the sale and issuance of said bonds to an authorized City Official(s). Caption reads as follows:

ORDINANCE NO. 2015-06-058

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY

OF MCKINNEY, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 2015," MAKING PROVISIONS FOR THE PAYMENT AND SECURITY OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS, ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED CITY OFFICIAL; ENACTING PROVISIONS INCIDENT AND RELATED TO THE PURPOSES AND SUBJECT OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

- 15-583** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Authorizing the Issuance of "City of McKinney, Texas, General Obligation Bonds, Series 2015", and Delegating Matters Relating to the Sale and Issuance of said Bonds to an Authorized City Official(s). Chief Financial Officer Rodney Rhoades stated that this is the planned General Obligation bond sales. In January of this year, staff brought before Council a 10 year financial plan that the Council adopted for planning purposes. During that time, staff presented information to Council stating that we believe we have the bonding capacity in fiscal 2015 to issue \$52.3 million. These are voter authorized bonds from 2006 and 2010. By taking action this evening, this will delegate pricing officers to the Interim City Manager and Chief Financial Officer. Council unanimously approved the motion by Council member Harris, seconded by Council member Day, to approve an Ordinance authorizing the issuance of "City of McKinney, Texas, General Obligation Bonds, Series 2015", and delegating matters relating to the sale and issuance of said bonds to an authorized City Official(s). Caption reads as follows:

ORDINANCE NO. 2015-06-059

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF MCKINNEY, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2015"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED CITY OFFICIAL; ENACTING PROVISIONS

INCIDENT AND RELATED TO THE PURPOSES AND SUBJECT  
OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

- 15-584** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing Reimbursement of Expenditures with Proceeds of Future Debt (General Obligation Bonds). Chief Financial Officer Rodney Rhoades stated that this item is more procedural in nature and is related to the item just passed. It authorizes the reimbursement of expenditures, prior to the receipt of proceeds, for the debt that will be issued. By law, we have to declare an expectation of reimbursement if we do expend funds in advance of bond proceeds. We anticipate receiving bond proceeds in July. Staff does not anticipate needing this but it is more procedural in nature. Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Pogue, to approve a Resolution Authorizing reimbursement of expenditures with proceeds of future debt (General Obligation Bonds). Caption reads as follows:

RESOLUTION NO. 2015-06-070 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, DECLARING EXPECTATION TO  
REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE  
DEBT (GENERAL OBLIGATION BONDS)

- 15-585** Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Amending the Fiscal Year 2014-2015 Annual Budget to Conduct the 2015 Comprehensive Plan 10-Year Update. Planning Manager Jennifer Arnold stated that this item is a budget amendment to the 2014-15 budget in support of the 10-year Comprehensive Plan update in the amount of \$698,400. Council unanimously approved the motion by Council member Harris, seconded by Council member Pogue, to approve an Ordinance amending the Fiscal Year 2014-2015 Annual Budget to conduct the 2015 Comprehensive Plan 10-Year Update. Caption reads as follows:

ORDINANCE NO. 2015-06-060

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 THE COMPREHENSIVE PLAN UPDATE; AND  
PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 15-586** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Interim City Manager to Execute a Contract with Kimley-Horn and Associates, Inc. for Professional Services to be Provided in Support of the 2015 Comprehensive Plan 10-Year Update
- Council unanimously approved the motion by Council member Randy P. Pogue, seconded by Council member Roger Harris, to Approved 15-586 Consider/Discuss/Act on a Resolution Authorizing the Interim City Manager to Execute a Contract with Kimley-Horn and Associates, Inc. for Professional Services to be Provided in Support of the 2015 Comprehensive Plan 10-Year Update. Planning Manager Jennifer Arnold stated that this is a complementary item to the item just approved. This encumbers a portion of the funding for the Comprehensive Plan update to Kimley-Horn Associates for professional services in support of the project. Council unanimously approved the motion by Council member Pogue, seconded by Council member Harris to approve a Resolution Authorizing the Interim City Manager to Execute a contract with Kimley-Horn and Associates, Inc. for Professional Services to be Provided in Support of the 2015 Comprehensive Plan 10-Year Update. Caption reads as follows:

RESOLUTION NO. 2015-06-071 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY  
MANAGER TO EXECUTE A CONTRACT WITH KIMLEY-HORN  
AND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES IN  
ASSOCIATION WITH THE 2015 COMPREHENSIVE PLAN 10-  
YEAR UPDATE; PROVIDING AN EFFECTIVE DATE

- 15-587** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution Authorizing the Interim City Manager to Negotiate an Agreement with Columbus Realty Partners, LTD. for the Redevelopment of Approximately 9 Acres of City-Owned Property in the Downtown Area
- Council unanimously approved the motion by Council member Harris,

seconded by Mayor Pro Tem Ussery, to approve a Resolution Authorizing the Interim City Manager to Negotiate an Agreement with Columbus Realty Partners, LTD. for the Redevelopment of Approximately 9 Acres of City-Owned Property in the Downtown Area. Director of Planning Michael Quint stated that since February staff has been working on a Request for Qualifications for a partnership for redeveloping the downtown nine acres, the former site for the Collin County Courthouse. We have gone through a series of interviews and narrowed down the respondents to two. The top two respondents provided a presentation to the City Council last month. Council was able to listen to the presentations and ask questions. Since that time, staff has narrowed down the selection to one and recommends the City enter into an exclusive, 120-day negotiating period with Columbus Realty. Council unanimously approve the motion by Council member Harris, seconded by Mayor Pro Tem Ussery to approve a Resolution authorizing the Interim City Manager to negotiate an agreement with Columbus Realty Partners, LTD. for the redevelopment of approximately 9 acres of City-Owned property in the downtown area. Caption reads as follows:

RESOLUTION NO. 2015-06-072 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH COLUMBUS REALTY PARTNERS, LTD., FOR THE REDEVELOPMENT OF CITY-OWNED REAL PROPERTY IN THE DOWNTOWN AREA

Mayor Loughmiller called for Citizen Comments.

Mr. Alonzo Tutson, P. O. Box 1584, McKinney, commended the Officers who responded to the June 5, 2015 Police incident surrounding the Craig Ranch pool party.

Ms. Tate, Tennessee Street, McKinney, spoke about the June 5, 2015 Police incident surrounding the Craig Ranch pool party.



Ms. Saneetra Woolridge, 8252 Nicholson Drive, Frisco, inquired on whether there was an investigation by the HOA addressing the person who threw the party and the access of party guests in attendance.

Mayor Loughmiller called for Council and Manager Comments.

Council member Day stated that he is proud of the citizens of McKinney. I think tonight is a very good example of why I'm proud. We had a situation that none of us wanted and we all regretted. To the black community particularly, they have come out and expressed their dismay and frustration and their expectation. But they have done so in a rational, reasonable, and adult manner. We've had several of our ministers step up and point out that we can't solve problems if we hate each other and fight with each other. We have to work together. This is all of our community. Our character is how you deal with adverse situations not how you deal with the good times. McKinney has faced a difficult situation and we are still working through it. I want to point out that the prosperity we enjoy in this country is possible only because we have a rule of law. Civilization is based on this rule of law. Without the police and courts, property and lives can be destroyed and taken. Our schools, our homes, and our shopping centers are safe because of our police department. It does not mean we are perfect and we don't make mistakes. But by and large, they keep us safe and for that they deserve our thanks and our respect. They have a very difficult job. During this pool party, the security guard could not handle the situation and the parents could not. The police are always the last resort. I appreciate our citizens. I thank you very much for how you have approached this. And I thank our police department.

Council member Pogue stated that Mr. Day said it very well. I wanted to address one comment tonight particular in dealing with a misunderstanding of the cash prize to Officer Casebolt. To my knowledge, there is no cash prize and no settlement. With regards to other comments about the restrooms and parks, we are in the process of our 10 year parks plan. If the November Bond Election passes, McKinney Community Development Corporation has a potential to impact our parks department in a large way going forward by redirecting the MCDC monies into the parks program. Mr. Pogue asked Parks Department Director Ms. Savage to consider looking at those particular

issues regarding the water fountains and restrooms for all of our parks. I want to thank all of you that came out tonight and shared your concerns and your voice.

Council member Harris stated that this is his last regular City Council meeting. Councilwoman elect Rath will be sworn in next Monday and I will have comments then. As far as the subject matter discussed this evening, I want to point out that there are always areas for us to learn from. As the Mayor said in one of his statements, one person does not define a community, nor does one incident. I am particularly proud of how this community has handled this post the incident. And I would certainly like to thank everybody that has shown up this evening to voice their opinions and concerns. I would also like to show some appreciation for those people who had points that had differing opinions or demonstrated opposition to what had transpired in an orderly fashion. I happened to attend some of the demonstrations and I think as a community moving forward, we did a very good job in voicing all of the different sides that people wanted to demonstrate their opinions on. Certainly, I want to thank the police department for how they have handled the issue post incident. They are there for the public safety of all of us as a community. I know many of the officers on the Police Department and I think it is very important for everybody in the community to understand that they are there to serve and protect us. They have had a very rough couple of weeks with all of the national media and a lot of the demonstrators. But yet, they are still there, taking care of the community and I want to express appreciation for that. Certainly, I want to show appreciation to the Mayor, Police Chief, City Manager, Assistant City Managers, staff, and members of the community that have stepped up. You don't hear their name all the time but there are many members of the community that have facilitated discussions along with the ministers and pastors in our community. They have all come together and have worked to pull the community together and address these incidents in a way that we can move forward. I was raised on the South side of Chicago. My high school years were 1968 through the Democratic National Convention and the riots. I have seen all of this in my high school years. And seeing this community and knowing Baltimore and other areas of the country, this is not like those cities. This City will demonstrate we are the best City and are one of the finest

organizations and communities in the United States and we will move forward with this group of people leading it. Thank you very much.

Mayor Pro Tem Ussery stated that there have been several points made here tonight and there is no sense in repeating what's already been said. It's important that we all continue to communicate. We can't fix a problem until we talk. We can't move forward until we continue talking. Progress may not be as fast as some want, but it will occur as long as we continue to talk and the dialogue is real, sincere and heart-felt. We will be a number one city if we continue on that path. Mr. Ussery expressed his appreciation to Staff members and departments across the City for all the jobs you do day in and day out. Mr. Ussery expressed his condolences to the Murray family for the passing of McKinney native and fellow classmate Pat Murray. The City has grown smaller in my eyes with his passing.

Mayor Loughmiller expressed his appreciation to everyone who came to the meeting tonight and expressing their views. I've had a lot of meetings over the last week with different groups; everything from a handful to addressing fairly large groups on Sunday. What I have said to people in addressing some of the comments tonight, I understand that there is disappointment in some of the things I have said. I would say to you, to everybody, that I don't know if there is a right answer in terms of how you address something that is becoming a potential crisis situation. It is something we have had to deal with and try to address as best we can. I have made comments to groups and I have tried to post some things in writing that have not made the media splash. There needs to be recognition that this situation was not simple. We do have a very good Police Department and people recognize that and the department as a whole is professional and they conduct their business in a professional manner. I do agree that over the course of the last few years, we've tried to address these issues as it relates to infrastructure improvements in east McKinney and we continue to work on those. We've recently, just this past year, with regard to projects with the help of the housing authority, worked on rehabilitation of projects like Newsome Homes. We have got to continue to work on those issues. Ultimately, we did meet with groups of pastors in excess of 70 folks from McKinney. We talked at length about the investigative process, talked at length about issues like the police academy, the issue of changing a culture

and teaching respect of authority in our youth and getting our youth to appreciate or feel like they can have a relationship with the police department. Not based on being afraid of the police but having a good community relationship. I appreciate the fact that as a community we are trying to move forward. I think the common message that came out of a lot of these meetings is that, we can handle this locally. As a community, this is our City and it's something that we can address. It's not something we need to address through folks coming in from out of state that want to come in and make a statement. I understand that desire but everyone I spoke to, whether it be Alonzo Tutson, Pastors from First Baptist or Pastors from my church, the common message has been as a community we should solve this together, ourselves. I appreciate the courtesy extended tonight through citizen comments coming up and making your statements. Making them in a manner that is becoming of a meeting of this type. I appreciate that. I do want to bring up a couple of other issues. As Council member Harris mentioned, June 22<sup>nd</sup> we will be swearing in new Council members. Council members elect Tracy Rath will be our At-Large representative and Chuck Branch who will be the new District 4 representative. Congratulations to both of you on your successful campaigns. We look forward to working with you. We will have festivities in McKinney celebrating our Fourth of July. There will be a lot of activities centered around that.

Interim City Manager Tom Muehlenbeck stated that he wanted to recognize Michael Quint and Jennifer Arnold for winning the Clyde Award for the Northwest Corridor Study. This is a very prestigious award, and thank you for a job well done.

Council unanimously approved the motion by Council member Pogue, seconded by Council member Harris, to adjourn. Mayor Loughmiller adjourned the meeting at 7:50 p.m.

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BRIAN LOUGHMILLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary