

**CITY COUNCIL REGULAR MEETING**

**OCTOBER 1, 2019**

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, October 1, 2019 at 6:00 p.m.

Mayor George Fuller called the meeting to order at 6:00 p.m. with a quorum of the following Council Members: Mayor George Fuller, Mayor Pro Tem Rainey Rogers, and Council Members Scott Elliott, La'Shadion Shemwell, and Richard Franklin.

Council Members Charlie Philips and Frederick Frazier were absent from the meeting.

The following City of McKinney Staff were present: City Manager Paul Grimes, Assistant City Managers Barry Shelton and Steve Tilton, City Attorney Mark Houser, Strategic Services Manager Trevor Minyard, Assistant Director of Public Works Paul Sparkman, Facilities Construction Manager Patricia Jackson, Director of Parks & Recreation Michael Kowski, Police Chief Greg Conley, Police Officer Bruno Siqueira, Fire Chief Danny Kistner, Assistant Fire Chiefs Chris Lowry, Mike Smith and Robert Alley, Fire Public Information & Education Coordinator Merit Ossian, Planning Manager Aaron Bloxham, Video Producer Sidney Diongzon, and City Secretary Empress Drane.

There were approximately one hundred guests present.

Mayor Fuller called for the Invocation and recital of the Pledge of Allegiance. The Invocation given by Assistant Fire Chief Chris Lowry, and the Pledge of Allegiance was led by members of the McKinney Fire Department.

Mayor Fuller called for the following Information Sharing items:

**19-0799** Proclamation for Fire Prevention Month – Mayor Fuller read a proclamation recognition the importance of fire safety and prevention, commended the outreach and education efforts of the McKinney Fire Department, and encouraged the public to take part in becoming more educated in fire safety and prevention. Members of the Fire Department accepted the proclamation and stood with the mayor for photographs.

**19-0800** Proclamation for 16th Annual Arbor Day – Mayor Fuller read a

proclamation recognizing the history of Arbor Day, and the modern-day environmental value of planting trees, encouraging the public to make efforts to preserve trees and woodlands and to plant trees for the benefit of future generations. City Arborist Adam Engelskirchen accepted the proclamation and stood with the mayor for photographs.

**19-0801** Proclamation for Dyslexia Awareness Month – Mayor Fuller read a proclamation recognizing the benefits of education and support for children affected by dyslexia and recognizing the organizations that serve the youth and their families. Approximately forty guests attended the meeting in support of Dyslexia Awareness. These individuals accepted the proclamation and stood with the mayor for photographs: (Students) Henry Bloxham, Kami Bloxham, Ashley O'Malley, Sydney Carly, Julia Feldmen, and Ethan Conner; (Teachers and Parents) Rhonda Taylor, Pamela Parkman, Chanda Justice, Chontae Feldman, Abby Bloxham, Monica Hoover, Jean Possehl, and Michele Fagan.

Mayor Fuller called for Public Comments.

The following individuals spoke requesting Council to consider residential zoning requirements regarding sex offenders, and specifically an issue affecting McKinney resident Rick Ballard:

Sarah Pearson, 5220 Evergreen Drive, McKinney, Texas 75070

Rick Ballard, 5220 Evergreen Drive, McKinney, Texas 75070

The following individual spoke in support of providing resources for individuals experiencing homelessness:

Thomas Tolan, 710 N. Tennessee Street, McKinney, Texas 75069

The following individual spoke in support of Dyslexia Awareness:

Peyton Frazier, 321 Bachman Creek Drive, McKinney, Texas 75072

The following individuals did not wish to speak but submitted comments to the City Secretary for the meeting record:

Ricky Wayne, 507 W Davis Street, McKinney, Texas – Comment: “Tearing down my grandmothers house”

Nacole Tate, P.O. Box 333, Prosper, Texas 75078 – Supported approval of agenda item 19-0812 (Resolution approving Annual Funding of the Arts in McKinney) and specifically funding to the Ovation Academy

Mayor Fuller called for the Consent Agenda. Council unanimously approved the motion by Council Member Richard Franklin, seconded by Council Member Scott Elliott, approve the following consent items:

- 19-0802** Minutes of the City Council Special Meeting of August 26, 2019 - Boards & Commissions Appointments
- 19-0803** Minutes of the City Council Work Session of September 17, 2019
- 19-0804** Minutes of the City Council Regular Meeting of September 17, 2019
- 19-0727** Minutes of the Historic Preservation Advisory Board Regular Meeting of August 1, 2019
- 19-0758** Minutes of the McKinney Economic Development Corporation Meeting of August 20, 2019
- 19-0805** Minutes of the McKinney Housing Authority Meeting of July 23, 2019
- 19-0806** Minutes of the McKinney Housing Authority Meeting of August 27, 2019
- 19-0493** Minutes of the McKinney Housing Finance Corporation Meeting of May 10, 2019
- 19-0714** Minutes of the McKinney Convention and Visitors Bureau Meeting of July 23, 2019
- 19-0785** Minutes of the Visit McKinney Board of August 27, 2019
- 19-0807** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with Conduit Architecture + Design, LLC of McKinney, Texas for Architectural and Engineering Services Related to the Design and Construction of McKinney Fire Station 11 located at 6260 Rundell Way, McKinney, Texas. Resolution caption reads as follows:

**RESOLUTION NO. 2019-10-116 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH CONDUIT ARCHITECTURE + DESIGN, LLC OF MCKINNEY, TEXAS, FOR**

**ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF MCKINNEY FIRE STATION 11**

- 19-0808** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with Schrickel Rollins/ PSC, Inc. of Arlington, Texas for Landscape Architectural and Engineering Services Related to the Design of the Old Settlers Park Renovation Master Plan (PK2041). Resolution caption reads as follows:

**RESOLUTION NO. 2019-10-117 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH SCHRICKEL ROLLINS/PSC, INC. OF ARLINGTON, TEXAS FOR LANDSCAPE ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE DESIGN OF THE OLD SETTLERS PARK MASTER PLAN, LOCATED AT 1201 E LOUISIANA STREET**

- 19-0809** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Contract with Balfour Beatty Construction, LLC (BBC) located at 3100 McKinnon Street, 6th Floor, Dallas, Texas for Construction Manager at Risk (CMAR) Services Related to the Senior Recreation Center Renovations Project (PK4394) located at 1400 S. College Street, McKinney, Texas. Resolution caption reads:

**RESOLUTION NO. 2019-10-118 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH BALFOUR BEATTY CONSTRUCTION, LLC (BALFOUR BEATTY) WHOSE LOCAL OFFICE IS IN DALLAS, TEXAS FOR CONSTRUCTION MANAGER AT RISK SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE SENIOR RECREATION CENTER RENOVATIONS PROJECT (PK4394)**

- 19-0810** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute the Third Amendment to the Greater Texoma Utility Authority Potable Water Pass Through & Pumping Agreement. Resolution caption reads as follows:

**RESOLUTION NO. 2019-10-119 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AUTHORIZING THE CITY MANAGER'S OFFICE TO EXECUTE THE THIRD AMENDMENT TO THE GREATER TEXOMA UTILITY AUTHORITY POTABLE WATER PASS THROUGH AND PUMPING AGREEMENT**

**19-0101PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1, Block A, of the SmartStop Self Storage Addition, Located on the East Side of North Custer Road (FM 2478) and Approximately 800 Feet North of West University Drive (U.S. Highway 380)

**18-0070RP** Consider/Discuss/Act on a Record Plat (Meridian at Southgate), Located on Stewart Drive and Approximately 500 Feet East of Medical Center Drive

Mayor Fuller called for the following Public Hearing and Regular Agenda items:

**19-0002SUP2** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for an Automobile Repair Facility (Meineke Car Care Center), Located on the Southwest Corner of Ridge Road and McKinney Ranch Parkway and Accompanying Ordinance (ITEM HAS BEEN WITHDRAWN)

Planning Manager Aaron Bloxham stated the request was withdrawn by the applicant, so no Council action was required. There were no citizen requests to speak on the item. Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Elliott, to close the public hearing.

**19-0811** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Kimley-Horn and Associates, Inc. for Professional Engineering Design Services for the Wilmeth Road (Lake Forest Drive to Hardin Boulevard) Project (ST1719) and Authorizing Any Necessary Supplemental Agreements.

Capital Improvements Project Manager Nick Ataie presented information regarding the item. The Capital Improvements Program includes funding for Wilmeth Road from Lake Forest Drive to Hardin Boulevard, approximately 8,450 linear feet, as a 4-lane divided greenway arterial. The project will also include the northbound lanes of Unnamed Arterial A (CR 943) from Ryeland Cove to Wilmeth Road (approximately 1,100 linear feet) and the southbound lanes of Hardin Boulevard from the existing terminus south of Holley Ridge Way to Wilmeth Road (approximately 1,550 linear feet). Once constructed, and upon completion of CIP Project ST1617 (Ridge Road from US 380 to

Wilmeth Road), Wilmeth Road will serve as a continuous/parallel route to US 380 between Ridge Road and SH 5. Mr. Ataie also noted several members of the Leadership McKinney Class of 2020 were in attendance. Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Franklin, to approve a Resolution Authorizing the City Manager to Execute a Contract with Kimley-Horn and Associates, Inc. for Professional Engineering Design Services for the Wilmeth Road (Lake Forest Drive to Hardin Boulevard) Project (ST1719) and Authorizing Any Necessary Supplemental Agreements. Resolution caption reads:

**RESOLUTION NO. 2019-10-120 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$2,058,500.00 WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR ENGINEERING DESIGN SERVICES FOR THE WILMETH ROAD (LAKE FOREST DRIVE TO HARDIN BOULEVARD) PROJECT (ST1719), AND AUTHORIZING ANY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO THE AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF SAID SUPPLEMENTAL AGREEMENTS, OF \$2,265,000**

**19-0812** Consider/Discuss/Act on a Resolution Approving the Recommendations of the Arts Commission for FY20 Season Grants and Annual Funding of the Arts in the City of McKinney

Community Services Administrator Shirletta Best explained the proposed funding:

<b>Organization</b>	<b>Request</b>	<b>Award</b>
Arts and Music Guild	\$8,000	\$8,000
Friends of the Library	\$5,625	\$6,250
Junior Players	\$9,000	\$8,625
McKinney Community Band	\$20,000	\$20,000
McKinney Community Concert Association	\$20,000	\$6,300
McKinney Repertory Theatre	\$20,000	\$15,625
Melissa Youth on Stage	\$15,000	\$14,250
Odysseus Chamber	\$20,000	\$19,375
Ollimpaxqui Ballet Company	\$10,000	\$9,750
Ovation Academy	\$20,000	\$16,200
Plano Symphony	\$7,000	\$6,125
Young Actors Guild	\$20,000	\$20,000
<b>Subtotal: Arts Grants</b>	<b>\$174,625</b>	<b>\$150,500</b>
Public Art		\$20,000
Outreach Grants		\$12,600
Business Council for the Arts		\$3,000
Reproduction		\$300
Project Grants		\$10,000
Texas Commission on Arts Conference		\$600
Zoom Grants		\$3,000
<b>TOTAL</b>		<b>\$200,000</b>

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Elliott, to approve a Resolution Approving the Recommendations of the Arts Commission for FY20 Season Grants and Annual Funding of the Arts in the City of McKinney. Resolution caption reads as follows:

**RESOLUTION NO. 2019-10- 121 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE FOLLOWING FUNDING ALLOCATIONS FOR THE SUPPORT OF THE ARTS IN MCKINNEY IN AN AMOUNT NOT TO EXCEED \$200,000.00; AND PROVIDING FOR AN EFFECTIVE DATE**

**19-0813** Consider/Discuss/Act on a Resolution Approving Funding Recommendations under the FY 2020 Community Support Grant

Council Member Scott Elliott recused himself from discussion and action on this item (at 6:32 p.m., returning afterward at 6:35 p.m.) Community Services Administrator Shirletta Best explained the proposed allocation of funding:

**Alliance of Elite Youth Leadership (AEYL), \$3,333**

Youth Follow Lead Succeed Program, Professional Services - mental health treatment and counseling services: portion of salary support

**Assistance Center of Collin County, \$14,283**

Homeless prevention: Rent and utility assistance

**Boys and Girls Clubs of Collin County, \$22,417**

Youth Skills Mastery and Resistance Training (SMART) Moves: coordinator portion of salary/benefits

**Christ Fellowship, \$4,167**

Community Improvement Program (CIP): materials for small home repairs; professional services

**Community Health Clinic, \$16,500**

Chronic Disease Management Patient Care: nurse practitioners' salary/benefits support

**Direction 61:3, \$5,050**

Oak Creek Place - Transition Home for Aged Out Youth: basic needs (clothing, hygiene, household items, groceries); transportation

**The Family Place, \$18,283**

Collin County Counseling Center: basic needs (food, shelter)

**Habitat for Humanity of Collin County, \$14,167**

Construction and Family Programs: salary/benefits support, Construction Crew Leader and Family Services Coordinator

**LIFT (Landlord Individual & Family Tenant Program), \$20,000**

City administered pilot homeless prevention program: incentivizing landlords to reduce the tenancy barrier of not accepting housing choice vouchers, and support resident success self-sufficiency program (good neighbor goals, financial literacy education, and understanding of tenant and landlord responsibilities.)

**Meals on Wheels Collin County, \$10,000**

Senior Safety Net: incontinent items, and durable medical equipment

**The Turning Point, \$5,950**

Access to Counseling Services for Victims of Sexual Violence: clinical director, therapist, LCSMW, and case manager, portion of salary/benefits support

**Emergency Water Utility Assistance, \$20,000**

City administered assistance program for vulnerable residents. Intake provided by EWUA program non-profits to determine need.

**Wellness Center for Older Adults, \$5,550**

Senior Gatekeeper McKinney program - Portion of salary/benefits support for office manager-strict direct program support to gatekeeper program, and social worker

The motion by Council Member Shemwell, seconded by Council Member Franklin, to approve a Resolution Funding Recommendations under the FY 2020 Community Support Grant carried with four members voting in favor, none voting against, with Council Member Elliott recused from the vote, and Council Members Frazier and Philips absent from the meeting. Resolution caption reads:

**RESOLUTION NO. 2019-10-122 (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE 2019-2020 COMMUNITY SUPPORT GRANT FUNDING ALLOCATIONS, AND PROVIDING AN EFFECTIVE DATE**

**19-0814** Consider/Discuss/Act on Appointing a Member to the McKinney Historic Preservation Advisory Board

Council unanimously approved the motion by Council Member Elliott, seconded by Council Member Franklin, to Appoint a Member to the McKinney Historic Preservation Advisory Board. The appointed member Betty Petkovsek will replace alternate member Madhuri Mohan, who relocated outside of the city. The appointment term will be effective October 1, 2019 to September 30, 2021. Ms. Petkovsek's appointments leaves a vacancy at the Planning & Zoning Commission alternate position, which will be filled on October 15, 2019.

Mayor Fuller again called for Citizen Comments, at which time there were no requests to address the Council.

Mayor Fuller called for Council and Manager Comments.

Council Member Elliott thanked former Chair and Vice Chair of the McKinney Community Development Corporation for their service to the board:

“Thank you to David Clarke (Vice Chair) and Kurt Kuehn (Chair). It is a great board. they have done a great job, and they have helped make the board what it is today. When i visited the group last week, they embodied four things. I think we know people who are up people and people who are down people. When I say “up,” it was “study up.” They came prepared. They looked over the agenda. They looked over the material, and they were ready every time. The second “up” was “show up,” and I have to commend the board with overall the attendance has been stellar. The third is “speak up.” We want people to speak up, and last one was really “lift up.” I can't think of a board more dedicated to lifting up the city as a whole. The culture that makes McKinney...we want people like that on our boards and commissions.”

Mayor Pro Tem Rogers commended all those involved with presenting the Oktoberfest event, including the Main Street Board and the McKinney Police, stating it was probably one of the most well-attended events and praising event coordinator Amy Rosenthal for doing a first-class job.

Council Member Shemwell thanked city staff and police department for swiftly responding to an incident which occurred earlier in the day. Mr. Shemwell expressed excitement for Parks & Recreation renovation projects in-progress on the east side of the city: Fitzhugh Park, Cottonwood Park and Old Settler's Recreation Center. Mr. Shemwell stated his interest in meeting with city staff to address the issue presented by Sarah Pearson and Rick Ballard.

Council Member Franklin said 872,000 Oktoberfest tickets were sold (for food, beverages and activities) up from 812,000 last year; and 66,000 people attended throughout the weekend. Mr. Franklin thanked Amy Rosenthal, Main Street Board, McKinney Convention and Visitors Bureau, city staff and hundreds of volunteers who supported the event.

City Manager Paul Grimes praised the Oktoberfest event, Amy Rosenthal, city staff and Main Street Board, volunteers, first responders and downtown merchants for the concerted efforts to create a great event. City Manager announced the Communications and Marketing Department earned three awards at the 3MCA (City-County Communications & Marketing Association) annual conference, and four awards

from NATOA (National Association of Telecommunications and Advisors). The awards were earned from among more than 900 other entrants from across the country.

Mayor Fuller commended the Oktoberfest event at which his wife Maylee sang the National Anthem. Mayor Fuller thanked the police for ensuring safety of the city, and commended former MCDC members Kurt Kuehn and David Clarke for their service to that board. Mayor Fuller announced his and Maylee's recent celebration of their 25<sup>th</sup> wedding anniversary. Mayor Fuller also acknowledged the Leadership McKinney graduates, encouraging everyone to learn about the Leadership McKinney Program, and announced the State of the City event will take place on November 7, 2019 (the same day as his birthday), encouraging the public to attend and learn more about the things happening in the city.

The City Council did not meet in Executive Session.

The Council unanimously approved the motion by Council Member Elliott, seconded by Council Member Franklin, to adjourn. Mayor Fuller adjourned the meeting at 6:50 p.m.

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GEORGE C. FULLER  
Mayor

ATTEST:

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EMPRESS DRANE  
City Secretary