

CITY OF MCKINNEY, TEXAS



Minutes - Final

Tuesday, August 20, 2019

6:00 PM

**Council Chambers
222 N. Tennessee Street
McKinney, TX 75069**

City Council Regular Meeting

CALL TO ORDER**INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation given by Deacon Barry Schliesmann, St. Gabriel the Archangel Catholic Church

Pledge Allegiance led by Cub Scout Pack 531, escorted by Den Leader Elena Berg

INFORMATION SHARING

Presentation of the Muscular Dystrophy Fill the Boot Campaign by the Professional Firefighters of McKinney

CITIZEN COMMENTS Regarding Agenda Items (Not Public Hearing Related)

Up to 30 minutes allocated at this time for public comments regarding regular agenda items that are not a public hearing. Public Hearing comments will be allowed during the public hearing.

CONSENT AGENDA

A motion was made by Council member Rogers, seconded by Franklin, that this be Approved . The motion carried by the following vote.

These items consist of non-controversial or housekeeping items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.

MINUTES

Minutes of the City Council Work Session of June 18, 2019

This that this Minutes be Approved by consent roll call

Minutes of the City Council Work Session of August 5, 2019

This that this Minutes be Approved by consent roll call

Minutes of the City Council Regular Meeting of August 5, 2019

This that this Minutes be Approved by consent roll call

Minutes of the Historic Preservation Advisory Board Regular Meeting of May 2, 2019

This that this Minutes be Approved by consent roll call

Minutes of the McKinney Convention and Visitors Bureau Meeting of June 25, 2019

This that this Minutes be Approved by consent roll call

Minutes of the McKinney Housing Finance Corporation Meeting of June 27, 2019

This that this Minutes be Approved by consent roll call

This that this Minutes be Approved by consent roll call

Minutes of the McKinney Urban Transit District Board Meeting of January 16, 2019

This that this Minutes be Approved by consent roll call

Minutes of the McKinney Urban Transit District Board Meeting of April 10, 2019

This that this Minutes be Approved by consent roll call

Minutes of the Planning and Zoning Commission Regular Meeting of June 25, 2019

This that this Agenda Item be Approved by consent roll call

RESOLUTIONS

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Apply for and Accept if Awarded, a Grant from the Department of Housing and Urban Development (HUD), through the Metro Dallas Homeless Alliance (MDHA), for Continuum of Care Rapid Rehousing Funding for Housing and a Case Manager Position at Samaritan Inn

This that this Resolution be Approved by consent roll call

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Accept a Selective Traffic Enforcement Program (STEP) Grant for Fiscal Year 2020 from the Texas Department of Transportation for Overtime Traffic Safety Enforcement

This that this Resolution be Approved by consent roll call

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Atkins North America, Inc. for Professional Engineering Design Services for the Stacy Road Lanes 5 and 6 (Custer Road to Ridge Road) Project (ST3212) and Authorizing Any Necessary Supplemental Agreements

This that this Resolution be Approved by consent roll call

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Brinkley Sargent Wiginton Architects, Inc. (BSW) of Dallas, Texas for Architectural and Engineering Services in Conjunction with the McKinney Senior Center Renovation & Expansion Project PK4394 located at 1400 South College Street, McKinney, Texas 75069

This that this Resolution be Approved by consent roll call

Consider/Discuss/Act on a Resolution Awarding a Contract to OKTEX Utility Construction of Royse City, Texas for the Mowing and Cleanup Services for Street Right of Way (ROW) Locations

This that this Resolution be Approved by consent roll call

Consider/Discuss/Act on a Resolution Committing to Requirements to Obtain a Grant from the Texas State Soil and Water Conservation Board for the Rehabilitation of the National Resources Conservation Service Floodwater Retarding Structures 15 and 16 East Fork above Lavon

This that this Resolution be Approved by consent roll call

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

This that this Resolution be Approved by consent roll call

END OF CONSENT

REGULAR AGENDA AND PUBLIC HEARINGS

This portion of the agenda consists of items requiring individual consideration by the Council.

PUBLIC HEARINGS

Conduct First Public Hearing on Proposed Tax Rate for Fiscal Year 2019-20 (Tax Year 2019)

A motion was made by Council member Rogers, seconded by Council member Frazier, that this Agenda Item be Close the public hearing . The motion carried by the following vote.

Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Certain Provisions of Chapter 142 (Subdivision Regulations) of the Code of Ordinances Regarding the Timing and Process to Receive a Determination on Certain Development

Applications to Bring Such Provisions into Conformity with New State Laws Adopted by and through House Bill 3167, and Accompanying Ordinance

A motion was made by Council member Rogers, seconded by Council member Philips, that this Ordinance be Closed the public hearing . The motion carried by the following vote.

Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Certain Provisions of Chapter 142 (Subdivision Regulations) of the Code of Ordinances

Regarding the Timing and Process to Receive a Determination on Certain Development Applications to Bring Such Provisions into Conformity with New State Laws Adopted by and through House Bill 3167, and Accompanying Ordinance

Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Certain Provisions of Chapter 142 (Subdivision Regulations) of the Code of Ordinances Regarding the Timing and Process to Receive a Determination on Certain Development Applications to Bring Such Provisions into Conformity with New State Laws Adopted by and through House Bill 3167, and Accompanying Ordinance

A motion was made by Council member Rogers, seconded by Council member Philips, that this Ordinance be Approved . The motion carried by the following vote.

Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Certain Provisions of Chapter 146 (Zoning Regulations) of the Code of Ordinances that Regulate the Building Products, Materials, or Methods Used in the Construction or Renovation of Residential or Commercial Buildings to Bring Such Provisions into Conformity with New State Laws Adopted by and through House Bill 2439, and Accompanying Ordinance

A motion was made by Franklin, seconded by Council member Frazier, that this Ordinance be Closed the public hearing . The motion carried by the following vote.

Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Certain Provisions of Chapter 146 (Zoning Regulations) of the Code of Ordinances that Regulate the Building Products, Materials, or Methods Used in the Construction or Renovation of Residential or Commercial Buildings to Bring Such Provisions into Conformity with New State Laws Adopted by and through House Bill 2439, and Accompanying Ordinance

Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Certain Provisions of Chapter 146 (Zoning Regulations) of the Code of Ordinances that Regulate the Building Products, Materials, or Methods Used in the Construction or Renovation of Residential or Commercial Buildings to Bring Such Provisions into Conformity with New State Laws Adopted by and through House Bill 2439, and Accompanying Ordinance

A motion was made by Franklin, seconded by Council member Frazier, that this

Ordinance be Approved . The motion carried by the following vote.

Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Certain Provisions of Chapter 146 (Zoning Regulations) of the Code of Ordinances Regarding the Timing and Process to Receive a Determination on Certain Development Applications to Bring Such Provisions into Conformity with New State Laws Adopted by and through House Bill 3167, and Accompanying Ordinance

A motion was made by Council member Rogers, seconded by Franklin,that this Ordinance be Close the public hearing . The motion carried by the following vote.

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A motion was made by Council member Rogers, seconded by Franklin,that this Ordinance be Approved . The motion carried by the following vote.

Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Day Care Facility, Located on the Northeast Corner of Alma Road and Eldorado Parkway and Accompanying Ordinance

A motion was made by Franklin, seconded by Council member Frazier,that this Ordinance be Close the public hearing . The motion carried by the following vote.

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A motion was made by Franklin, seconded by Council member Frazier,that this Ordinance be Approved . The motion carried by the following vote.

Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for an Automotive Storage Facility (Jordan Towing),

Located Approximately 1,160 Feet North of Harry McKillop Boulevard (FM 546) and on the East Side of Couch Drive, and Accompanying Ordinance

A motion was made by Council member Rogers, seconded by Council member Philips, that this Ordinance be Closed to the public hearing. The motion carried by the following vote.

Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for an Automotive Storage Facility (Jordan Towing), Located Approximately 1,160 Feet North of Harry McKillop Boulevard (FM 546) and on the East Side of Couch Drive, and Accompanying Ordinance

Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for an Automotive Storage Facility (Jordan Towing), Located Approximately 1,160 Feet North of Harry McKillop Boulevard (FM 546) and on the East Side of Couch Drive, and Accompanying Ordinance

A motion was made by Council member Rogers, seconded by Council member Philips, that this Ordinance be Approved. The motion carried by the following vote.

Consider/Discuss/Act on an Ordinance Repealing Chapter 46 of the Code of Ordinances and Replacing with a New Chapter 46 to be Titled Food Establishment Regulations

A motion was made by Mayor Fuller, seconded by Franklin, that this Ordinance be Tabled to Another Meeting. The motion carried by the following vote.

Consider/Discuss/Act on a Resolution Amending the Policy on Board and Commission Member Appointments and Eligibility

A motion was made by Council member Philips, seconded by Council member Shemwell, that this Resolution be Approved. The motion carried by the following vote.

CITIZEN COMMENTS Regarding Matters Not on the Agenda

COUNCIL AND MANAGER COMMENTS

Council and Manager Comments relating to items of public interest: Announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, informational update on City projects, awards, acknowledgement of meeting attendees, birthdays, requests of the City Manager for items to be placed on upcoming agendas, and condolences.

EXECUTIVE SESSION

In Accordance with the Texas Government Code:

A. Section 551.071(2) Consultations with Attorney on any Work Session, Special Session, or Regular Session agenda item requiring confidential attorney/client advice necessitated by the deliberation or discussion of said items (as needed)

B. Section 551.071 (A) Pending or contemplated litigation

- Petition of the Cities of Garland, Mesquite, Plano, and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District, PUC Docket No. 46662, Public Utility Commission of Texas.

C. Section 551.072. Deliberations about Real Property

- Concrete Batch Plants

- Municipal Facilities

- McKinney National Airport—WesternTKI Leasing, Inc. Ground Lease
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D. Section 551.074. Personnel Matters

E. Section 551.087. Deliberation Regarding Economic Development Matters

ACTION ON EXECUTIVE SESSION ITEMS

ADJOURN

A motion was made by Mayor Fuller, seconded by Council member Shemwell, that this be Adjourn. The motion carried by the following vote.

Posted in accordance with the Texas Government Code, Chapter 551, on the 17th day of August, 2019 at or before 6:00 p.m.

Empress Drane, City Secretary
Lisa Sewell, Deputy City Secretary

In accordance with the Americans with Disabilities Act, it is the policy of the City of McKinney to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at least 48 hours in advance of the event. Phone 972-547-2694 or email contact-adacompliance@mckinneytexas.org. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. ADA grievances may also be directed to the ADA Coordinator or filed online at <http://www.mckinneytexas.org/ada>.