



Wylie City Council Minutes

July 27, 2021 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098

CALL TO ORDER

Mayor Matthew Porter called the regular meeting to order at 6:00 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, Councilman Timothy T. Wallis, and Councilman Garrett Mize.

Staff present included: City Manager Chris Holsted; Assistant City Manager Brent Parker; Assistant City Manager Renae Ollie; Assistant Police Chief Tommy Walters; Police Chief Anthony Henderson; Fire Chief Brandon Blythe; Finance Director Melissa Beard; Human Resources Director Lety Yanez; Parks and Recreation Director Rob Diaz; Building Official Bret McCullough; Public Works Director Tim Porter; Library Director Ofilia Barrera; Building Official Bret McCullough; Project Engineer Jenneen Elkhaid; Public Information Officer Craig Kelly; Economic Development Executive Director Jason Greiner; City Secretary Stephanie Storm, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Kurt Ulmer, representing Faith Lutheran Wylie, led the invocation and Councilman Williams led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

PR1. Wylie Way Students.

Mayor Porter and Councilman Wallis, presented medallions to students demonstrating “Shining the Wylie Way.” Each nine weeks one student from each WISD campus is chosen as the “Wylie Way Student.”

PR2. Presentation for the Battle of the Badges Blood Drive Winner.

Jonathan Buck, representing the East Fork Masonic Lodge, and Vicky Long, representing Carter Blood Care, addressed Council stating that during Bluegrass on Ballard, the fifth annual “Battle of the Badges” was conducted. This year 85 units were collected, which will help save about 255 lives. Buck announced the winner of the contest was the Wylie Fire Department. Representatives of Wylie Fire Rescue and Wylie Police Department were present for the award.

PR3. Presentation for Bluegrass on Ballard Recap.

Public Information Officer Kelly addressed Council giving a brief recap presentation on Bluegrass on Ballard. The presentation included: sponsors that were involved, statistics, metrics for the number of estimated customers and visits, and mobile data analysis for home locations and customer journeys. Bobby Heath Jr., representing the Downtown Merchants, addressed Council thanking and recognizing many people and organizations involved in making Bluegrass on Ballard successful.

CITIZEN COMMENTS ON NON-AGENDA ITEMS

Meg Elmore addressed Council regarding concerns with the development near Rush Creek, and the proposed Fuel City on Highway 78.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider, and act upon, approval of July 13, 2021 Regular City Council Meeting minutes.**
- B. Consider, and act upon, the approval of a vendor application for the “Back to the Future” back to school event at Olde City Park on September 25, 2021.**
- C. Consider, and act upon, the approval of the purchase of Turf Chemicals and Micronutrients from various vendors in the estimated annual amount of \$60,000.00 through a cooperative purchasing contract with BuyBoard Cooperative, and authorizing the City Manager to execute any necessary documents.**
- D. Consider, and place on file, the City of Wylie Monthly Investment Report for June 30, 2021.**
- E. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for June 30, 2021.**
- F. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of June 30, 2021.**
- G. Consider, and act upon, the award of bid #W2021-88-A for Parks and Recreation Outdoor Litter & Restroom Service to PureService Corporation in the estimated annual amount of \$76,030.00, and authorizing the City Manager to execute any necessary documents.**
- H. Consider, and act upon, authorizing the City Manager to sign a Development Agreement, between the City of Wylie, 2819 West FM544 Ventures, LLC, and MMGC DBR DFW, LLC regarding the use of building materials for a commercial development on 1.022 acres, property located at 2817 FM 544.**

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Consent Agenda Items as presented. A vote was taken and motion passed 7-0.

REGULAR AGENDA

- 1. Tabled from 06-08-2021**
Remove from table and consider

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Duke, to remove Item 1 from the table and consider. A vote was taken and the motion passed 7-0.

Hold a Public Hearing, consider, and act upon, a request for a change of zoning from Agricultural (AG/30) to Planned Development - Single Family (PD-SF), to allow for a single-family development on 4.6 acres, located at 601 & 595 Parker Road. (ZC 2021-14).

Staff Comments

Planning Manager Haskins addressed Council stating the applicant is requesting to rezone 4.6 acres generally located 100 feet west from the intersection of Parker Road and Valley Mills Drive. The property is currently zoned Agricultural (AG/30). The purpose for the requested rezoning to a Planned Development (PD) is to allow for the construction of 20 single family lots and two open space lots. Council tabled this item at the June 8 City Council meeting in order to address concerns such as fencing, drainage, traffic, tree preservation, and general PD innovation.

To address the concerns, the applicant has proposed revisions to the PD Conditions including: reduce the maximum lot coverage from 75% to 50%, save a minimum of 27 of the 32 Live Oak trees along the eastern boundary and several large trees on the front of the existing property, provide an easement for a deceleration lane, increase garage sizes from 400 sq. ft. to the minimum required by the Zoning Ordinance of 500 sq. ft., and require an eight foot fence along the eastern boundary and for the property owner to work with existing homeowners to avoid ‘double fencing.’

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 6:35 p.m. asking anyone present wishing to address Council to come forward.

Doug Hunt addressed Council thanking them for taking the previous voiced concerns into consideration.

Gloria Suarez addressed Council thanking them for taking the concerns into consideration and reiterated concerns with drainage and fencing.

Mayor Porter closed the public hearing at 6:39 p.m.

Council Comments

Mayor Porter asked how the fencing issue would be addressed. Haskins replied, paraphrasing the language in the PD, it states an eight-foot fence will be required on the east property line and to the extent possible, the builder shall coordinate with each property owner to try to avoid double fencing. Councilman Williams asked based on the previous drainage concerns, was anything changed. Haskins replied that nothing was changed as after the Engineering review, the proposed drainage plans should dramatically improve the current drainage issue. Mayor *pro tem* Forrester asked about potential pooling or puddling of water behind the homes on the eastern side. Haskins replied, at this time they believe the proposed drainage plans should prevent that but if it becomes a problem, staff will work with the Developer.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Williams, to approve Item 1 as presented. A vote was taken and the motion passed 6-1 with Councilman Duke voting against.

2. Tabled from 07-13-2021

Remove from table and consider

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to remove Item 2 from the table and consider. A vote was taken and the motion passed 7-0.

Hold a Public Hearing, consider, and act upon, a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through on 1.022 acres, property located at 2817 FM 544. (ZC 2021-18)

Staff Comments

Planning Manager Haskins addressed Council stating the applicant is requesting a Special Use Permit (SUP) on 1.022 acres generally located on the northeast corner of Springwell Parkway and FM 544 to allow for a restaurant with drive-through service. The proposed use is for a Dutch Bros Coffee restaurant. Council tabled this item at the July 13 City Council meeting in order to address concerns such as the continuation of the proposed use should the specific use cease and the general aesthetic of the main structure. To address those concerns, the applicant has: amended the SUP to include only the Dutch Bros Coffee shop under this SUP, amended the SUP to stipulate Dutch Bros has one year to complete development, or forfeit the SUP, and amended the SUP and zoning exhibit elevations, and proposed a building materials Development Agreement, which was on the Consent Agenda, to address aesthetic

concerns. The structure is proposed to have an exterior that consists of stucco, split face CMU, Nichihacement board, and metal awnings.

Council Comments

Mayor *pro tem* Forrester commended the applicant for taking the concerns from Council into consideration.

Public Hearing

Mayor Porter opened the public hearing on Item 2 at 6:48 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Porter closed the public hearing at 6:48 p.m.

Council Action

A motion was made by Councilman Williams, seconded by Mayor *pro tem* Forrester, to approve Item 2 as presented. A vote was taken and the motion passed 7-0.

3. Hold a Public Hearing, consider, and act upon, a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-thru on 1.37 acres, property located at 499 S State Highway 78. (ZC2021-16)

Mayor Porter announced he completed a conflict of interest questionnaire and left his seat at the dias at 6:49 p.m.

Staff Comments

Planning Manager Haskins addressed Council stating the applicant is requesting a Special Use Permit (SUP) on 1.37 acres generally located at the northeast intersection of State Highway 78 and Kirby Street to allow for a restaurant with drive-through service. The proposed development is a remodel of an existing structure with modifications that add a drive-through window. The original site was developed as a bank and was later converted to a nail salon for personal service use. The remodeled structure is planned to contain two tenants, one being a Chipotle restaurant and the other being a Texas Health Urgent Care medical office. The applicant is adding eight parking spaces for a total of 45 parking spaces, exceeding the minimum required 32. The applicant is requesting eight of the parking spaces to be 9 feet by 18 feet, which will preserve more of the landscape buffer along Kirby Street. The structure is proposed to have an exterior that consists of existing materials of stone, stone banding, and EIFS. Canopies are also provided at the drive-through window and at the main entrances. Haskins reported 16 notifications were mailed with no responses received in opposition or in favor of the request, and the Planning and Zoning Commission voted 7-0 to recommend approval.

Public Hearing

Mayor *pro tem* Forrester opened the public hearing on Item 3 at 6:52 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor *pro tem* Forrester closed the public hearing at 6:52 p.m.

Council Action

A motion was made by Councilman Williams, seconded by Councilman Wallis, to approve Item 3 as presented. A vote was taken and the motion passed 6-0 with Mayor Porter abstaining (conflict of interest on file with City Secretary).

Mayor Porter returned to his seat at the dais at 6:54 p.m.

4. Hold a Public Hearing, consider, and act upon, a request for a change of zoning from Agricultural (AG/30) to Planned Development (PD), to allow for a mixed-use community on 47.29 acres generally located at 2301 FM 1378. (ZC2021-15)

Staff Comments

Planning Manager Haskins addressed Council stating the applicant is requesting to rezone 47.29 acres located at 2301 FM 1378. The requested rezoning to a Planned Development (PD) is to allow for a mixed-use community, consisting of three subdistricts containing a mix of commercial, residential, and open space uses. The commercial subdistrict measures 4.2 acres with frontage along Country Club Road. This district is planned for commercial structures with permitted uses to generally comply with the Community Retail (CR) with the addition of the following uses allowed by-right: financial institution with drive-thru, restaurant with drive-thru, and dry cleaners. Haskins stated the multifamily subdistrict contains about 187 townhome units and 61 single family rental units on 25.2 acres with a density of 11 dwelling units per gross acre. The open space subdistrict includes an open space dedication to the City of 17.8 acres for a City park. This area includes a four-acre pond that will be dedicated to the City after water impoundment concerns are resolved. The developer has proposed splitting the legal costs of resolving impoundment with the City, estimating the City's costs to be capped at approximately \$120,000. Should zoning be approved, a separate agreement regarding these legal costs will be presented to City Council for consideration prior to preliminary plat approval. Haskins reported the conclusion of the Traffic Impact Analysis (TIA) found that the proposed development does not have a disproportionate effect on the existing vehicle traffic operations. While the TIA did not find a southbound deceleration lane necessary, a City Engineering review believes that the inclusion of the deceleration lane is in the interest of the City. The student impact analysis conducted by the applicant concluded that approximately 55 students would be added to the school district upon completion of the project. The ISD has not provided input on the effect of this increase. Haskins reported sixteen notifications were mailed to property owners with no responses received for or against from within City limits; however, three responses were received from the ETJ, two responses were received from outside of the ETJ, and three responses were received without a given address. After some discussion, including comments from citizens and neighboring property owners regarding traffic, drainage, density, screening, and the effect on the school district, the Commissioners voted 5-2 to recommend approval with the conditions that a fence be built along the north side of the park, a maximum of 33 percent of the townhomes allowed to be three story, and the car wash and financial institution, alternative be removed as by-right uses. Haskins stated those changes have been made by the applicant in the presented PD.

Applicant Comments

John Allums, representing Capstar; Mike Arbour, representing JHP Architecture; Sarah Scott, representing Kimley-Horn and Associates; and Terry Haines, representing The Haines Company, addressed Council giving a brief presentation on Monroe Lake including: a location map, a zoning map, future land use plan, conceptual site plan, concept elevation, public trail exhibit, and addressed comments and questions received from Planning and Zoning Commission meeting which included sanitary capacity, drainage, traffic, and school impact.

Public Hearing

Mayor Porter opened the public hearing on Item 4 at 7:15 p.m. asking anyone present wishing to address Council to come forward.

Todd Pickens, Sam Struthers, Aleksandra Rolfson, Emily Smith, Becca Pickens, Christine Monroe, Michael Kavanaugh, Melisa Turner, and Dorothy Parkos addressed Council in opposition of the proposed development with concerns including: traffic, drainage, and utility overload, impact on the schools, flooding, high density rental properties, privacy concerns with location of proposed walking trail, and not in the best interest of Wylie. Pickens proposed utilizing the property as a City park.

Mayor Porter closed the public hearing at 7:38 p.m.

Council Comments

Councilman Williams asked if the park acreage is factored in in the 11 dwelling units per gross acre. Haskins replied the acreage given to the City for the park is not factored in. Councilman Strang stated he believes there are better

options for the use of this land and asked what the water impoundment process would look like. Holsted replied the City would have to work with the City of Dallas on that process. Strang expressed traffic concerns. Councilman Wallis stated he had concerns with drainage and flooding, impact on the schools, and other additional concerns.

Council Action

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to deny Item 4 with prejudice. A vote was taken and the motion passed 6-1 with Councilman Mize voting against.

Mayor Porter convened the Council into a break at 7:46 p.m.

Mayor Porter reconvened the Council at 7:57 p.m.

5. Consider, and act upon, Ordinance No. 2021-35 establishing a Comprehensive Plan Advisory Committee (CPAC), providing for the scope and authority of the Committee, time of service, and appointing Committee members.

Staff Comments

Planning Manager Haskins addressed Council stating at the direction of the City council, staff drafted an Ordinance for the creation of the Comprehensive Plan Advisory Committee (CPAC) for an update to the 2012 Comprehensive Master Plan for the City of Wylie. At the direction of Council, CPAC will consist of 14 members appointed as per the Ordinance. Once created, the CPAC will work directly with staff and the consultant team to develop a draft plan. To accomplish this CPAC members are charged to: work with staff and the consultant at designated meetings to discuss and consider the update to the Comprehensive Plan, attend the public work sessions, open houses, and other events as advocates of the plan process and the plan itself, and ensure that the plan reflects the desire and vision of all the citizens of Wylie. Haskins stated Council does need to appoint a member from the ETJ.

Council Comments

Mayor Porter nominated Jared Larew as the ETJ resident. Councilman Mize asked if the appointment of an ETJ resident could be set aside until the next meeting to allow Council members additional time to consider members for this appointment. Porter stated he would like to get this project moving as there is a timeline and consultant in place, but was open to Council feedback. The consensus of Council was to move forward with appointing an ETJ resident.

Mr. Larew came forward for questions from the Council. Councilman Williams asked Mr. Larew why he would like to serve and what he is able to contribute. Larew responded he has been a Wylie resident for 15 years and moved to the ETJ two years ago. Larew stated he loves and cares for Wylie and would love to play a part in making sure the land left is being utilized for the best possible use, and stated he has experience with planning and land development.

Separately, Councilman Wallis stated he put forth Mr. Eugene Hauptmann as his appointed Committee member as it was not included in the packet.

Council Action

A motion was made by Councilman Williams, seconded by Mayor *pro tem* Forrester, to approve Ordinance No. 2021-35 establishing a Comprehensive Plan Advisory Committee (CPAC), providing for the scope and authority of the Committee, time of service, and appointing Eugene Hauptmann and Jared Larew in addition to the list included in the agenda packet to the committee. A vote was taken and the motion passed 6-1 with Councilman Mize voting against.

6. Consider, and act upon, Ordinance No. 2021-36 amending Wylie's Code of Ordinances, Ordinance No. 2021-17 as amended, Appendix C (Wylie Comprehensive Fee Schedule), Section I (Water and Sewer Fees), Subsection B (Water Rates), and Subsection C (Sewage Collection and Treatment Rates).

Staff Comments

Finance Director Beard addressed Council stating on July 28, 2020, Council approved the final version of the Water and Sewer Rate Study that was prepared by NewGen Strategies & Solutions. The Study incorporated the Water and Sewer Capital Improvements Plan (CIP) for five years, and established the rates that would be required to raise revenue to support that study. The FY 2022 proposed budget includes a water rate increase of 7.25 percent and a wastewater rate increase of 2.75 percent.

Council Comments

Mayor Porter added this increase is related to multiple variables including capital projects, the increased water rate the City is receiving from North Texas Municipal Water District, and a new agreement that changed pricing on water. Councilman Williams asked if this cost includes the cost for the new elevated storage tank on Ballard. Holsted replied it is included.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Duke, to approve Item 6 as presented. A vote was taken and the motion passed 7-0.

- 7. Consider, and act upon, the acceptance of the resignation of the Zoning Board of Adjustment board member Robert Blair, appointment of alternate Zewge Kagnev to fill the unexpired term of July 2021 to June 2022, and the appointment of a new alternate to fill the unexpired term of July 2021 to June 2023.**

Council Comments

Mayor Porter requested a recommendation for the Alternate position from Board and Commission Interview Panel Chair Forrester. Mayor *pro tem* Forrester recommended John Perdomo. Councilman Mize stated he recommended Aaron Jameson.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Williams, to approve the acceptance of the resignation of the Zoning Board of Adjustment board member Robert Blair, appointment of alternate Zewge Kagnev to fill the unexpired term of July 2021 to June 2022, and the appointment of John Perdomo to fill the unexpired term of July 2021 to June 2023. A vote was taken and the motion passed 6-1 with Councilman Mize voting against.

- 8. Consider, and act upon, the acceptance of the resignation of the Zoning Board of Adjustment alternate board member Lance Kiser, and the appointment of a new alternate to fill the unexpired term of July 2021 to June 2022.**

Council Comments

Mayor Porter requested a recommendation for the Alternate position from Board and Commission Interview Panel Chair Forrester. Mayor *pro tem* Forrester recommended and made a motion to appoint Richard Miller. Councilman Strang seconded the motion. Councilman Mize stated he would like to make a recommendation. Porter asked for parliamentary procedure assistance. Holsted replied a motion and second has been received; therefore, Council can take action, or the motion and second could be withdrawn.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to appoint Richard Miller as the new alternate. A vote was taken and the motion passed 6-1 with Councilman Mize voting against.

Mayor Porter convened the Council into Work Session at 8:16 p.m. and stated Council was going to conduct Work Session 3 first.

WORK SESSIONS

WS3. Discuss FY 2022 Budget.

City Manager Holsted addressed Council giving a brief FY 2021-2022 Budget Work Session presentation including: the General Fund summary, healthcare and market adjustments, General Fund estimated fund balance, Utility Fund summary, 4B Sales Tax Fund summary, WEDC Fund summary, and carry forward items from FY 2020-2021.

Mayor Porter announced he completed a conflict of interest questionnaire for the discussion about healthcare and left his seat at the dais at 8:18 p.m.

Holsted stated the City has received information from a new health provider that would have a 0% increase to the City, and would essentially have the same deductibles and plan that we have with our current provider. Holsted stated staff also surveyed peer cities regarding health insurance.

Holsted answered questions from the Council. The consensus of Council was for staff to explore and bring back information on adding a spousal surcharge if the employee's spouse is offered insurance at their employer but chooses to be on the City's insurance.

Mayor Porter returned to his seat at the dais at 8:28 p.m.

Russell Campbell, representing Management Advisory Group, Inc. (MAG), addressed Council giving the Classification Compensation Study presentation which included: MAG company background, purpose of compensation, study goals and objectives, methodology, job factors, designated peer cities, and market survey results.

Holsted stated the proposed budget includes a minimum five percent increase for General Government employees in the General Fund, 4B Sales Tax Fund, and Utility Fund, and there are some positions out of market that will be brought to market. Holsted stated staff is proposing to move dispatch to a step-plan instead of part of the General Government in order to be competitive with surrounding cities. Holsted stated for sworn Public Safety employees, staff is recommending bringing the positions with deficiencies to market and then implementing the proposed Public Safety step plan which is generally the same as it currently is with ten steps and 2.5 percent between each step, and added the positions of patrol officer and firefighter are over ten percent out of market. Holsted added this would be effective January 1 for employees.

Holsted and Campbell answered questions from the Council.

The consensus of Council was to move forward with the proposed recommendations as a result of the Market Study. Council commended staff for their hard work. Mayor Porter encouraged staff to make a plan to review salaries every five years, and on an as needed basis in between, as the consultant recommended.

Mayor *pro tem* Forrester left the meeting at 9:07 p.m.

Holsted requested direction from Council regarding the \$1.5 million increase for the Ballard and Sachse Road Project. The consensus of Council was to add the \$1.5 million to the Bond Proposition A.

Holsted stated the budget will be ready for the public on August 5, 2021.

WS1. Discuss potential Bond Election projects and proposition verbiage.

City Manager Holsted addressed Council stating per discussion at the last Council meeting, the Bond Attorney has drafted three Bond Propositions for Council consideration. Holsted stated staff's recommendation would be to increase Proposition A to \$35,100,000 to include the increased amount projected for Ballard/Sachse Road project.

Holsted stated he confirmed with Bond Counsel that if a project stated in Proposition A goes over budget, funds from Proposition B could be utilized towards it. Holsted stated he proposed adding the verbiage “developing, engineering, constructing, reconstructing, improving, repairing, extending, expanding and enhancing streets, thoroughfares, alleys and sidewalks, including necessary and related storm drainage facilities and improvements, utility relocations and the acquisition of any needed land and rights-of-way therefor” to Proposition C.

Direction from Council was to increase Proposition A to \$35,100,000, had no suggested changes to Proposition B verbiage, and agreed with adding the following language to Proposition C: “developing, engineering, constructing, reconstructing, improving, repairing, extending, expanding and enhancing streets, thoroughfares, alleys and sidewalks, including necessary and related storm drainage facilities and improvements, utility relocations and the acquisition of any needed land and rights-of-way therefor.”

WS2. Discuss Wylie Wastewater Treatment Plant Demolition Options.

Public Works Director Tim Porter addressed Council stating he was coming before Council this evening to discuss three options for demolition of the Wylie Wastewater Treatment Plant, including costs associated with each. Public Works Director Porter stated option 1 would be the demolition of the areas that hold water only, option 2 would be demolition of all structures on the site, and option 3 would be demolition of all the structures on the site as well as replacing all of the old pipes with one single access pipe.

Public Works Director Porter answered questions from Council.

Direction from Council included to confirm the need for movement and placement of a new bioxide feed system with North Texas Municipal Water District, and bring back pricing information on an option 4 for removing all of the concrete from the site to allow the possibility of selling and repurposing the land.

Mayor Porter convened the Council into a break at 10:02 p.m.

Mayor Porter reconvened the Council at 10:09 p.m.

WS4. Discuss the boundaries of the Downtown Historic District.

Assistant City Manager Ollie addressed Council stating, at the request of Council, staff is proposing to expand the borders of the Downtown Historic District in two specific areas which include: the southwest corner of SH 78 and Brown Street and the northside of Brown Street along Keefer. The northside of Brown Street is currently zoned Downtown Historic District for residential only and staff is proposing to allow commercial uses in existing structures similar to other areas of the Downtown Historic District. The southwest corner of SH 78 and Brown Street is currently zoned Corridor Commercial; therefore, if the Downtown Historic District was expanded to include this area, it would require all new development in this area to conform to the Downtown Historic District development standards. Ollie stated staff's thoughts would be any future development in this area would be a Planned Development which would allow for other uses not typical to the heart of the Downtown District but does make sense for the transition development which could have a more modern look that transitions to downtown Wylie and contains walkability.

WEDC Executive Director Greiner addressed Council stating his only concern would be if it was too overly restrictive.

Blake Herpeche addressed Council, speaking in favor of removing the residential overlay and allowing commercial uses on the northside of Brown Street along Keefer.

Direction from Council was to allow the properties north of Brown Street along Keefer to allow both residential and commercial uses, and the property at SH 78 and Brown Street integrated in the Downtown Historic District but not overly burdensome for future development.

WS5. Discuss a potential change of zoning to amend Planned Development 2012-03 (PD 2012-03) to allow for Senior Affordable Housing, generally located southwest of 2300 W FM 544 (Wylie Medical Plaza).

Planning Manager Haskins addressed Council stating property owners and developers are seeking Council input on a potential Planned Development (PD) amendment on approximately 15.5 acres on the south side of FM 544 adjacent to the Medical Center. The current proposal includes an age restricted, income adjusted apartment facility with various amenities including a walking trail, swimming pool, and various gathering areas.

Shane LaFave and Logan Schmidt, representing ROERS Companies, addressed Council giving a brief presentation on Roers Senior Housing including: Roers company history, affordable housing information, who qualifies for 60 percent area median income (AMI) units, affordable independent living benefits to Wylie, preliminary site plan, senior project examples, community amenities, proposed amenities, and unit finishes.

LaFave and Schmidt answered questions from the Council.

Susan Workman addressed Council asking for clarification on the units and spoke in favor of the proposed development, but did express concerns with the ages allowed at the development.

The consensus of Council was in favor of the proposed project.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session and then into Executive Session at 10:58 a.m.

EXECUTIVE SESSION

Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.

This chapter does not require a governmental body to conduct an open meeting:

- (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

ES1. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2021-4d and 2021-6a.

Mayor Porter stepped out of Executive Session and completed a conflict of interest questionnaire at 11:02 p.m.

Mayor Porter returned to executive session at 11:06 p.m.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 11:10 p.m.

Mayor Porter announced he completed a conflict of interest questionnaire and left his seat at the dais at 11:10 p.m.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Duke, to authorize the Wylie EDC to enter into a Performance Agreement with Project 2021-4d in an amount to not exceed \$15,000. A vote was taken and the motion passed 5-0 with Mayor Porter abstaining (conflict of interest on file with City Secretary) and Mayor *pro tem* Forrester absent.

Mayor Porter returned to his seat at the dais at 11:11 p.m.

READING OF ORDINANCES

Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.

City Secretary Storm read the captions to Ordinance Nos. 2021-35 and 2021-36 into the official record.

ADJOURNMENT

A motion was made by Councilman Duke, seconded by Councilman Strang, to adjourn the meeting at 11:13 p.m. A vote was taken and motion passed 6-0 with Mayor *pro tem* Forrester absent.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary