

Wylie City Council Regular Meeting Minutes

August 23, 2022 – 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 (6:04), and Councilman Garrett Mize.

City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Police Chief Anthony Henderson; Finance Director Melissa Beard; Fire Chief Brandon Blythe; Planning Director Jasen Haskins; Public Information Officer Craig Kelly; Public Works Director Tommy Weir; Parks and Recreation Director Carmen Powlen; City Engineer Tim Porter; Project Engineer Jenneen Elkhaid; Purchasing Manager Glenna Hayes; Assistant to the City Secretary Erin Day; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Kurt Ulmer with the Faith Lutheran Church led the invocation and Mayor Porter led the Pledge of Allegiance.

Councilman Wallis took his seat at the dais at 6:04 p.m.

PRESENTATIONS & RECOGNITIONS

PR1. Presentation by American Legion Hale-Combest Post 315 for 2021 and 2022 American Legion Firefighter and EMT/Paramedic of the Year.

American Legion Hale-Combest Post 315 presented certificates to Brian Ritter, Casey Nash, and Tyler New.

PR2. Presentation by North Texas Military Order of the World Wars.

Jacques Loraine, representing the North Texas Military Order of the World Wars, gave a presentation on The Military Order of the World Wars (MOWW) including who they are and what they do.

PR3. Proclaiming Delta Kappa Gamma Society International Day.

Mayor Porter presented a proclamation proclaiming August 23, 2022 as Delta Kappa Gamma Society International Day in Wylie, Texas. Members of Delta Kappa Gamma Society were present to accept the Proclamation.

COMMENTS ON NON-AGENDA ITEMS

No citizens were present wishing to address Council on non-agenda items.

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 August 9, 2022 Regular City Council Meeting minutes.**
- B. **Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for July 31, 2022.**
- C. **Consider, and place on file, the City of Wylie Monthly Investment Report for July 31, 2022.**
- D. **Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of July 31, 2022.**
- E. **Consider, and act upon, Ordinance No. 2022-53 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.**
- F. **Consider, and act upon, Ordinance No. 2022-54 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.**
- G. **Consider, and act upon, Ordinance No. 2022-55 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.**

Mayor Porter stated staff had requested Item A be pulled from Consent Agenda and considered individually.

Council Action

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

REGULAR AGENDA

- A. **Consider, and act upon, approval of August 9, 2022 Regular City Council Meeting minutes.**

Mayor Porter stated the name of a Parks and Recreation Board member that was in attendance at the August 9, 2022 meeting was inadvertently not included in Work Session 2 and has since been added.

Council Action

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

- 1. **Hold a Public Hearing, consider, and act upon, Ordinance No. 2022-56 adopting a budget for all City funds, including the Wylie Economic Development Corporation (4A) and the Wylie Parks and Recreation Facilities Development Corporation (4B) and appropriating resources for Fiscal Year 2022-23 beginning October 1, 2022 and ending September 30, 2023.**

Staff Comments

Finance Director Beard addressed Council stating the tax rate proposed for the FY 2022-2023 budget is \$0.562333 per \$100 assessed valuation which is the No New Revenue Rate. The Fund Summary included in the packet shows appropriable funds of \$148,025,390 which represents all operating funds, debt service funds, and capital funds. This total also includes the budgets for the Wylie Economic Development Corporation (4A) and the Wylie Parks and Recreation Facilities Development Corporation (4B). The City has met the requirements of Local Government Code

Chapter 102 which requires the City to hold a public hearing after providing notice. The Proposed Budget Summary and Notice of Public Hearing was published in the Wylie News on August 17.

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 6:32 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 6:32 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 1 as presented. A vote was taken and the motion passed 7-0 with Mayor Porter, Councilman Duke, Councilman Strang, Mayor *pro tem* Forrester, Councilman Williams, Councilman Wallis, and Councilman Mize voting for.

2. Consider, and act upon, approving the property tax revenue increase reflected in the budget.

Staff Comments

Finance Director Beard addressed Council stating the tax rate needed to support the newly adopted FY 2022-2023 Budget is \$0.562333 per \$100 assessed valuation. This tax rate is the No New Revenue Tax Rate and represents a decrease of \$.081418 from the current tax rate. This agenda item is required by state law because there will be an increase in the total tax revenue the City receives due to new property that was added to the tax roll and an increase in the total property assessed valuation.

Council Action

A motion was made by Councilman Strang, 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 on the proposed tax rate of \$0.562333 per \$100 assessed valuation for fiscal year 2022-2023 and provide all interested persons an opportunity to be heard, either for or against the tax rate.

Staff Comments

Finance Director Beard addressed Council stating on August 9, 2022, the City Council voted to accept the calculation of the No New Revenue Tax Rate, the Voter Approval Tax Rate, and the proposed tax rate for the 2022-2023 budget. Because the proposed tax rate is the No New Revenue Tax Rate and lower than the Voter Approval Tax Rate, the City is not required to hold a public hearing, but in the interest of transparency, a public hearing was scheduled for tonight so that citizens may be heard. All of the required tax information was published in the City's official newspaper, The Wylie News, on August 17 in the "Notice of Meeting to Vote on Tax Rate."

Public Hearing

Mayor Porter opened the public hearing on Item 3 at 6:36 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 6:36 p.m.

Council Action

No action was taken on this Item.

4. Consider, and act upon, Ordinance No. 2022-57 fixing the M&O tax rate/levy for the Tax Year 2022 and Budget Year 2022-2023 at \$0.427919 per \$100 assessed valuation.

Staff Comments

Finance Director Beard addressed the Council stating the tax rate needed to fund the FY 2022-2023 budget is \$0.562333 per \$100 of assessed valuation. The tax rate has two components: \$0.427919 per \$100 valuation is allocated for operations and maintenance and \$0.134414 per \$100 valuation is allocated to fund the General Debt Service Fund. The proposed M&O rate of \$0.427919 will generate a General Fund Levy of \$28,856,551.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to move to approve an ad valorem tax rate of \$0.427919 on each \$100 of assessed valuation of taxable property for general City purposes and to pay the current maintenance and operations expenses of the City of Wylie, for the fiscal year ending September 30, 2023, and to adopt Ordinance No. 2022-57, fixing and levying the same for a total tax of \$0.562333 on each \$100 of assessed valuation. A vote was taken and the motion passed 7-0.

5. Consider, and act upon, Ordinance No. 2022-58 fixing the I&S tax rate/levy for the Tax Year 2022 and Budget Year 2022-2023 at \$0.134414 per \$100 assessed valuation.

Staff Comments

Finance Director Beard addressed the Council stating the proposed I&S rate of \$0.134414 will generate a Debt Service Levy of \$9,057,658 that will be used to pay the debt obligations.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to move to approve an ad valorem tax rate of \$0.134414 on each \$100 of assessed valuation of taxable property for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid bonded indebtedness, and related fees of the City of Wylie, now outstanding, for the fiscal year ending September 30, 2023, and to adopt Ordinance No. 2022-58, fixing and levying the same for a total tax of \$0.562333 on each \$100 of assessed valuation. A vote was taken and the motion passed 7-0.

6. Tabled from 07-26-2022

Remove from table and consider

Council Action

A motion was made by Councilman Williams, seconded by Councilman Strang, to remove Item 6 from the table and consider. A vote was taken and the motion passed 7-0.

Hold a Public Hearing, consider, and act upon, Ordinance No. 2022-59, amending the City of Wylie Municipal Comprehensive Plan.

Staff Comments

Planning Manager Haskins addressed the Council that on July 26, 2022, Council held a public hearing regarding the CPAC recommended plan and requested a few other minor edits. Council tabled the item awaiting the P&Z Commissioners' formal recommendation on the plan. At the Planning and Zoning Commission's August 2, 2022 meeting, the Commission voted 6-0 to recommend the plan as presented.

Public Hearing

Mayor Porter opened the public hearing on Item 6 at 6:42 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 6:43 p.m.

Haskins commended Council, Planning and Zoning Commission, and CPAC for the work they put into this Plan. Mayor Porter called for questions or a motion.

Council Action

A motion was made by Councilman Strang to approve Item 3 as presented. Councilman Mize stated he wanted to speak on the Item. Mayor Porter stated there was currently a motion on the floor, and he called for a second. Mayor *pro tem* Forrester seconded. A vote was taken and the motion passed 6-1 with Councilman Mize voting against.

- 7. Consider, and act upon, the award of a professional services project order (PSPO) #W2022-107-E for Park Boulevard Improvements from Country Club Road to Parker Road (FM 2514) to Teague Nall & Perkins, Inc. in the amount of \$1,096,740.00; and authorizing the City Manager to execute any necessary documents.**

Staff Comments

Purchasing Manager Hayes addressed Council stating this PSPO is issued under Master Agreement for Professional and Engineering Services (MAPES). Staff completed a project qualification request with five engineering firms awarded a MAPES. Staff reached out to the five firms requesting the firms to submit a short submittal of why they are qualified. Based on their submissions, staff ranked Teague Nall & Perkins, Inc. (TNP) as the most qualified firm.

City Engineer Porter stated that completing a flood study and working with the Soil and Water Conservation District will also be included in this project. This proposed project is to design two lanes of Park Boulevard from Country Club to Parker Road for eastbound traffic and will include a new bridge. This will ultimately make Park Boulevard a four-lane corridor that connects McMillen Drive to the proposed Collin County extension of Park Boulevard east of Parker Road. In support of this project, the Wylie City Council approved a 2021 Bond Program that outlined funding for improvements to Park Boulevard from Country Club Road (FM 1378) to Parker Road (FM 2514). Since a portion of this project lies within the responsibility of Collin County, staff is working with the County on developing an Interlocal Agreement (ILA) for the County's portion of Park Boulevard from Westgate Way to Parker Road.

Council Comments

Mayor *pro tem* Forrester asked if staff could provide a proposed timeline for completion of this project, or at least this portion of the project. City Engineer Porter replied the construction of the project should start towards the end of 2023. Councilman Williams asked if there is any unforeseens' that could cause this cost to change substantially. Porter replied that the design cost should not change substantially, and staff has included potential items that they may come across during this part of the project. Mayor Porter stated he would like to see the planning near the schools be a part of the scope of the document, and asked if sidewalks are a part of this design work. Porter replied that taking a closer look at pedestrian and vehicular traffic will be included in this project, and assessing traffic near the schools is part of the warrant study. There are plans for a trail along this corridor in the Parks plan which is also included in this design.

Council Action

A motion was made by Councilman Williams, seconded by Councilman Strang, to approve Item 7 as presented. A vote was taken and the motion passed 7-0.

- 8. Consider, and act upon, Resolution No. 2022-25(R) authorizing the City Manager of the City of Wylie, Texas, to execute an Interlocal Agreement between Collin County and the City of Wylie, Texas concerning the design and construction of Park Boulevard from Country Club Road to Parker Road.**

Staff Comments

City Engineer Porter addressed Council stating this is a follow-up to Item 7 to accomplish the combined project. The City's project will include the design and construction for the County's portion of Park Boulevard, from Westgate Way to Parker Road. Staff has been working with the County on the attached Interlocal Agreement (ILA). Within the document, the County agrees to reimburse \$197,008 of the total \$1,096,740 proposed design fees as well as \$1,181,546 of the estimated \$7,976,000 total construction costs, for their portion of the project.

Council Comments

Mayor *pro tem* Forrester confirmed this is a fixed number from the County. City Engineer Porter confirmed that was correct. Councilman Williams asked if it was possible for Council to only approve the design tonight and come back at a later date to consider the construction. Porter stated that is possible; however, the Council would not be receiving a commitment from the County upfront and there is a twenty-five percent contingency on the construction cost that is included in the total amount listed in the ILA.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Wallis, to approve Item 8 as presented. A vote was taken and the motion passed 7-0.

- 9. Consider, and act upon, the acceptance of the resignation of Lowell Davis and the appointment of Michael Innella as a new board member to the City of Wylie Construction Code Board to fill the term of August 2022 to June 30, 2023.**

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to accept the resignation of Lowell Davis and the appointment of Michael Innella as a new board member to the City of Wylie Construction Code Board to fill the term of August 2022 to June 30, 2023. A vote was taken and the motion passed 7-0.

RECESS CITY COUNCIL

Mayor Porter recessed the City Council so that the Parks and Recreation Facilities Development Corporation could meet at 7:02 p.m.

CALL TO ORDER THE WYLIE PARKS & RECREATION FACILITIES DEVELOPMENT CORPORATION (4B)

Chair Porter called the Parks & Recreation Facilities Development Corporation (4B) to order at 7:16 p.m. The following members were present: Matthew Porter, Timothy T. Wallis, David R. Duke, Scott Williams, Scott Hevel, and Brian Willeford. Emmett Jones was absent.

COMMENTS ON NON-AGENDA ITEMS

No citizens were present wishing to address the Board on non-agenda items.

REGULAR AGENDA

- 1. Consider, and act upon, approval of August 24, 2021 Regular Wylie Parks and Recreation Facilities Development Corporation (4B) meeting minutes.**

Board Action

A motion was made by board member Williams, seconded by board member Duke, to approve Item 1 as presented. A vote was taken and the motion passed 6-0 with board member Jones absent.

- 2. Consider, and act upon, the appointment and/or reappointment of the Wylie Parks and Recreation Facilities Development Corporation (4B) Officers and appoint a Chair and Vice Chairman from its board members for a term beginning January 1, 2023 and ending December 31, 2024.**

Board Action

A motion was made by board member Wallis, seconded by board member Duke, to appoint Matthew Porter as Chairman and Scott Williams as Vice Chairman; and Brent Parker as President; Renae Ollie as Vice-President;

Melissa Beard as Treasurer, and Stephanie Storm as Secretary of the Wylie Parks and Recreation Facilities Development Corporation (4B) for a term beginning January 1, 2023 and ending December 31, 2024. (2-year term). A vote was taken and the motion passed 6-0 with board member Jones absent.

3. Consider, and act upon, approval of the FY 2022-2023 4B Budget and authorize expenditures for the FY 2022-2023 Community Services Facilities Capital Improvement Plan.

Staff Comments

Finance Director Beard addressed the board stating the activities of the 4B Corporation are accounted for in two fund types: 4B Sales Tax Revenue Fund and the 4B Debt Service Fund. The 4B Sales Tax Revenue Fund includes departments for the Brown House, Senior Activities, Recreation Center, Stonehaven House, and a portion of Parks and Combined Services. The proposed revenues for the FY 2022-2023 budget year are \$5,091,346 which includes an 8.8 percent increase in sales tax revenue from FY 21-22. The proposed expenditures of \$4,361,637 include one irrigation technician, Pour and Play surfacing for Olde City Park, replacement of Birmingham Farms playground, drainage flume areas for Founders Park, Parks building HVAC replacement, holiday yard decorations at Olde City Park, a zero-turn mower, and two sets of soccer goals for Dodd Park. A very healthy fund balance of \$5,748,334 is projected and the fund balance policy requirement is 25 percent of budgeted sales tax revenue which is equal to \$1,031,037. The 4B Debt Service Fund will make bond payments of principal and interest for FY 2022-2023 totaling \$388,050 which is supported by a transfer from the 4B Sales Tax Revenue Fund. The current outstanding debt for the 4B fund is \$1,115,000 which will be completely paid off in FY 2025.

Board Action

A motion was made by board member Williams, seconded by board member Duke, to approve Item 3 as presented. A vote was taken and the motion passed 6-0 with board member Jones absent.

ADJOURN 4B BOARD

A motion was made by board member Duke, seconded by board member Williams, to adjourn the 4B Board meeting at 7:23 p.m. A vote was taken and the motion passed 6-0 with board member Jones absent.

RECONVENE INTO REGULAR SESSION

Mayor Porter convened the Council into Regular Session at 7:26 p.m.

EXECUTIVE SESSION

Mayor Porter stated the Council was not going into Executive session this evening.

Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

ES1. Discuss property regarding Project 2022-01 located in the general area of Country Club Rd. and Parker Rd.

READING OF ORDINANCES

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

Assistant to the City Secretary Day read the captions to Ordinance Nos. 2022-53, 2022-54, 2022-55, 2022-56, 2022-57, 2022-58, and 2022-59 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Wallis, to adjourn the meeting at 7:30 p.m.
A vote was taken and the motion passed 7-0.

Matthew Porter, Mayor**ATTEST:**

Stephanie Storm, City Secretary