

Wylie City Council Regular Meeting Minutes

June 11, 2024 – 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 6:01 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Sid Hoover, Councilman Scott Williams, and Councilman Gino Mulliqi.

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Fire Chief Brandon Blythe; Marketing and Communications Director Craig Kelly; City Secretary Stephanie Storm; Public Works Director Tommy Weir; Assistant Police Chief Tommy Walters; Assistant Parks and Recreation Director Brent Stowers; City Engineer Tim Porter; Community Services Director Jasen Haskins; Library Director Ofilia Barrera; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Forrester led the invocation and Councilman Williams led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

PR1. Wylie Way Student - Oliver Hernandez.

Mayor Porter and Mayor *pro tem* Forrester presented a medallion to Oliver Hernandez demonstrating “Shining the Wylie Way.” Every nine weeks one student from each WISD campus is chosen as the “Wylie Way Student.”

PR2. Recognizing June 19, 2024 as Juneteenth 2024.

Mayor Porter proclaimed June 19, 2024 as Juneteenth 2024 in Wylie, Texas. Members from the Juneteenth Organization of Wylie were present and invited the community to attend Wylie's 5th Annual Juneteenth Freedom Celebration which will be held on Saturday, June 15th from 10:00 a.m. to 3:00 p.m. in Olde City Park.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Council regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Council requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

No persons were present wishing to address the Council.

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 May 28, 2024 Regular City Council Meeting minutes.

- B. Consider, and act upon, a Final Plat of Lot 1, Block A, of Texas Collision Addition establishing one commercial lot on 1.985 acres, located at 401 S. Westgate Way.**
- C. Consider, and act upon, the award of a professional services project order (PSPO) #W2024-55-E for the Lead Copper Rule Revision Project (LCRR) to Freese and Nichols Inc (FNI) in the amount of \$72,820.00 and authorizing the City Manager to execute any necessary documents.**

Council Action

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

REGULAR AGENDA

- 1. Interview applicants for Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.**

Council Comments

No applicants were present to be interviewed by the City Council.

Council Action

There was no action taken on this Item.

- 2. Consider, and act upon, the recommendations of the 2024 Boards and Commission Council Interview Panel for appointments to the Animal Shelter Advisory Board, Construction Code Board, Historic Review Commission, Library Board, Parks and Recreation Board, Parks and Recreation Facilities Development Corporation Board (4B), Planning and Zoning Commission, Public Arts Advisory Board, Wylie Economic Development Corporation, and the Zoning Board of Adjustments to fill board vacancies for a term to begin July 1, 2024 and end June 30, 2025/26/27.**

Council Comments

Mayor Porter asked the Board and Commission Interview Panel Chair Forrester for recommendations.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to appoint the following members to the Animal Shelter Advisory Board: appoint Priscilla Muhoho to replace Brad Abraham, re-appoint Susan Cranford, and appoint David Brown as Replacement 1 and David Brignac as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to appoint the following members to the Construction Code Board: re-appoint Todd Cranford; appoint Jon Ennis to replace John Straube Jr., Ronald Frantom to replace Sarah Kewak, Franklin McMurrian to replace Michael Sutura as Alternate 1, and Akbar Shaik to replace Amanda Cooper as Alternate 3. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Duke, to appoint the following members to the Historic Review Commission: re-appoint Allison Stowe; appoint Tommy Todd to replace Laurie Sargent, Edwin Caffrey to replace Anita Jones, James Byrne as Replacement 1, and Jami Lindquist as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Hoover, to appoint the following members to the Library Board: re-appoint Brian Ortiz, Toshia Kimball, and Justin Strauch; and appoint Jami Lindquist as Replacement 1 and Allison Stowe as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to appoint the following members to the Parks and Recreation Board: re-appoint Gerald Dyson and Nicholas Puente; appoint C'Ne Turner to replace Craig Allen, Tarah Harrison to replace Kim Mullis (one-year term), Farhan Khan as Replacement 1, and Ramona Kopchenko as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to appoint the following members to the Parks and Recreation 4B Board: re-appoint Sid Hoover, Matthew Porter, Auston Foster, and Whitney McDougall; and appoint Cindy Nguyen as Replacement 1 and Nadeem Parvez as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to appoint the following members to the Planning and Zoning Commission: re-appoint Keith Scruggs and Harold Gouge; appoint Franklin McMurrian to replace James Byrne, Zewge Kagneu to replace Jennifer Grieser, Ronald Frantom as Replacement 1, and Ramona Kopchenko as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to appoint the following members to the Public Arts Advisory Board: re-appoint Gloria Suarez and Steven Shank; appoint Manoj Padhi to replace Joseph Murdock, Chantelle McMurrian to replace Anita Jones, Afshan Khan to replace John Treadwell (one-year term), Randi Jackson as Replacement 1, and Danish Aftab as Replacement 2. A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to appoint the following members to the Wylie Economic Development Corporation Board: re-appoint Demond Dawkins and Blake Brininstool, and appoint Harold Smith to replace Aaron Jameson (two-year term). A vote was taken and the motion passed 7-0.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang to appoint the following members to the Zoning Board of Adjustment: re-appoint Richard Covington, and appoint I-isha Hudson to replace Jennifer Grieser (one-year term), Gordon Hikel to replace Byron Betler, Hamza Fraz to replace Harold Smith, and Luca Pareti to replace Hamza Fraz as Alternate 1. A vote was taken and the motion passed 7-0.

Mayor Porter thanked members of the 2024 Boards and Commissions Interview Panel (Mayor *pro tem* Forrester, Councilman Duke, and Councilman Strang).

3. Consider, and act upon, appointments to fill the Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.

Council Comments

Mayor Porter confirmed there are three positions available on the Board of Review and asked if any of the outgoing members are seeking reappointment. City Secretary Storm stated Mr. Jack Craig was seeking reappointment.

Council Action

A motion was made by Mayor Porter, seconded by Mayor *pro tem* Forrester, to appoint Jack Craig, Fernando Martinez, and Krishna Upadaya for the Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026. A vote was taken and the motion passed 7-0.

4. Tabled from 04-23-2024

Remove from table and consider

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to remove Item 4 from the table to consider. A vote was taken and the motion passed 6-1 with Councilman Duke voting against.

Continue a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Planned Development 2020-27 (PD 2020-27) to Planned Development (PD) on 20.433 acres. Property located from 2535-2701 S State Highway 78 (ZC 2023-20).

Staff Comments

Community Services Director Haskins addressed Council stating staff has been in touch with the applicant and recommended they consider withdrawing this item to have the opportunity to take as much time as needed to address Council concerns and get the project where they wanted it; however, they are requesting Council table this item again to finalize their project.

Council Comments

Mayor *pro tem* Forrester stated that the number of changes being made to the original multi-use development is taking the project in a completely different light. Haskins confirmed that was correct and staff recommended withdrawal as they felt that enough of this project would change where Council would ask for the Planning and Zoning Commission (P&Z) to review it and make another recommendation to the Council. Forrester asked if the Council denies this Item would the project have to go back to P&Z. Haskins replied it would go back to P&Z. Councilman Williams stated he agreed with Forrester, and asked, if the Council denies the Item would it still fall under the original approved Planned Development (PD). Haskins stated the original PD would not be affected; they could produce the approved project if they wanted but if they want to develop something different they would have to come back through P&Z. Councilman Strang expressed concerns with one to two-bedroom three-story garden apartments and the by-right for drive-thrus.

Public Hearing

Mayor Porter opened the public hearing on Item 4 at 6:45 p.m. asking anyone present wishing to address Council to come forward.

No persons were present to address the Council.

Mayor Porter closed the public hearing at 6:45 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to deny Item 4 as presented. A vote was taken and the motion passed 7-0.

- 5. Consider, and act upon, Ordinance No. 2024-19, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, repealing and replacing in its entirety Appendix A (Comprehensive Fee Schedule), Article XI (Fire Department) adopting a new Fire Department fee schedule; providing a savings/repealing clause, severability clause, penalty clause and an effective date; and providing for the publication of the caption hereof.**

Staff Comments

Fire Chief Blythe addressed the Council stating this Item is to update the Fire Department's Comprehensive Fee Schedule in three sections: Appendix A, Article XI, Sections A-I pertain to the prevention division, and several items that were adopted with the previous adoption of the International Fire Code were added, as well as fees for fire watch; Sections J-N establish the new fee schedule for EMS including Emergicon's recommended percentages for write-offs of 25 to 60 after following up and added consumables and oxygen are things that we will be the write-off for quick pay items and the accounts will stay open for 365 days and if there is no activity, then Emergicon recommends the City write that off; and Sections O-S is administrative cleaning up for first responder billing fee, which is something that has been done since 2000 but staff is codifying this in the Fee Schedule so that everything in one location. Blythe stated the billing schedule is set up where the insurance company is billed, not the citizen.

Council Comments

Mayor *pro tem* Forrester confirmed the fees for the fire watch and unprotected buildings are for if one of our staff members has to be inside the facility; however, the owner can use a third party to do the fire watch. Blythe confirmed

that was correct and they encourage the use of a third party. Forrester confirmed if they utilize a third party they have to let the City know. Blythe responded staff is working on formalizing the reporting process with the third party. Forrester asked if the fees were in line with neighboring cities. Blythe replied they were. Forrester stated if the City will carry the accounts out 365 days he wants to ensure those accounts are not included in the projected revenue at the end of the year and asked when the account drops off from projected revenue. Blythe replied he feels the best way to handle that is to determine how much was collected monthly over 12 months and address those at the end of the budget year. Forrester stated he is concerned with having a lot of write-offs at the end of the year that look like positive cash flow, and asked if there was a way to earmark the accounts that are past 120 days to ensure the City does not utilize that money in future projections. Blythe replied there is a live dashboard as well as a monthly report that can be monitored and an update can be provided to Council. Mayor Porter added an accounts receivable aging report could be run to show that as a percentage of total charges which would be helpful to see over the first 18 months and requested they notate specific issues with payor and charge amount on the report. Councilman Williams stated he would like to see the numbers on a cash basis over the year. Forrester asked if the City will have the accounts live for 365 days and at what point we stop sending notes and messages to the citizens for collection as we do not want this to become burdensome on staff or become hard collection agents on citizens who are unable to pay. Blythe replied that they gave Emergicon direction that at this time, the City is not interested in collections but can change that in the future. Forrester stated he would like to revisit the 365-day account staying open if not using collections in the future. Councilman Mulliqi asked if the fee structure is the same for citizens and non-citizens. Blythe replied it was the same as Emergicon did not recommend setting different fees and recommended setting the amount at the highest allowable by insurance so we can maximize that revenue. Mulliqi stated he did not want this to be a free-for-all and put the burden on other citizens in Wylie that is not using the services, and added there has to be a happy medium regarding collecting fees and ensuring everyone is taking responsibility Blythe added they did set up billing zones for the service they provide outside of Wylie and should have more information to provide next year to revisit the topic to make any needed modifications.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 5 as presented. A vote was taken and the motion passed 7-0.

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 caption of Ordinance No. 2024-19 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Porter, to adjourn the meeting at 7:03 p.m. A vote was taken and the motion passed 7-0.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary