

Wylie City Council Regular Meeting

December 14, 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 (6:06), and Councilman Garrett Mize.

Staff present included: Acting City Manager Renae Ollie; Police Chief Anthony Henderson; Fire Division Chief Casey Nash; Finance Director Melissa Beard; Parks and Recreation Director Rob Diaz; Public Works Director Tim Porter; Project Engineer Jenneen Elkhaid; Public Information Officer Craig Kelly; Economic Development Executive Director Jason Greiner; Planning Manager Jasen Haskins; Human Resources Director Lety Yanez, City Attorney Richard Abernathy; Assistant to the City Secretary Erin Day, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Forrester led the invocation, and Wylie Boy Scout Troop Pack 5150 led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

Mayor Porter presented a proclamation to In-Sync Exotics for being voted Best in DFW Outdoor Adventure.

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.

There were no citizens wishing to address 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 November 15, 2021 Regular City Council Meeting minutes.**
- B. Consider, and act upon, a Final Plat, being a Replat of Lots 1 and 2, Block 1 of Country Club Addition and 2 acres of tract 22 of the Charles Atterbury Survey, establishing one lot on 13.022 acres, located at 570 Country Club Rd.**
- C. Consider, and act upon, a Final Plat, being a Replat of Lots 1 and 2, Block 11 of Railroad Addition, establishing one lot on 0.2557 acres, located at 501C North Highway 78.**

- D. Consider, and act upon, a Final Plat for Wylie Substation Addition, establishing one lot on 9.722 acres, located at 2655 Stone Road in the City of Wylie's Extraterritorial Jurisdiction.**
- E. Consider, and act upon, a Final Plat, being a Replat of Lots 1 and 2, Block D of Regency Business Park Addition Phase 2, establishing one lot on 2.946 acres, located at 200 Regency Drive.**
- F. Consider, and act upon, a Final Plat of Bariatric Care Center Addition, establishing one commercial lot on 20.01 acres, located at 801 South State Highway 78.**
- G. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for October 31, 2021.**
- H. Consider, and place on file, the City of Wylie Monthly Investment Report for October 31, 2021.**
- I. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of October 31, 2021.**
- J. Consider, and act upon, Ordinance No. 2021-56 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.**
- K. Consider, and act upon, the approval of the purchase of a parking lot lighting system for the Wylie Senior Center and Community Park from Musco Sports Lighting, LLC in the estimated amount of \$124,333.00 through a cooperative purchasing contract with Buy Board Cooperative Purchasing (#592-19), and authorizing the Interim City Manager to execute any necessary documents.**
- L. Consider, and act upon, the approval of the purchase of Pavement Resurfacing Services from Reynolds Asphalt and Construction Company in the estimated annual amount of \$1,100,000.00 through an existing City of Grand Prairie, Texas contract and authorizing the Interim City Manager to execute any necessary documents.**
- M. Consider, and act upon, the approval of the purchase of playground equipment for Valentine Park from WeBuildFun, Inc. in the estimated amount of \$69,671.51 through a cooperative purchasing contract with Buy Board Cooperative Purchasing and authorizing the Interim City Manager to execute any necessary documents.**
- N. Consider, and act upon, the approval of the purchase of Motorola Radio Equipment and Maintenance Services in the estimated annual amount of \$150,000.00 from Motorola Solutions, Inc. through a cooperative purchasing contract with H-GAC Buy and authorizing the Interim City Manager to execute any necessary documents.**
- O. Consider, and act upon, the approval of the purchase of Chevrolet Tahoe SSV vehicles in the estimated amount of \$75,330.00 through a cooperative purchasing contract with the Sheriffs Association of Texas, and authorizing the Interim City Manager to execute any necessary documents.**
- P. Consider, and act upon, the approval of the purchase of Chevrolet Tahoe PPV vehicles for the Police Department in the estimated amount of \$207,000.00 through a BuyBoard cooperative purchasing, and authorizing the Interim City Manager to execute any necessary documents.**
- Q. Consider, and act upon, Resolution No. 2021-45(R) of the City Council of the City of Wylie, Texas to ratify Wylie Contract #W2021-4-A for Human Resources Benefits Consulting from HUB International Texas in the estimated annual amount of \$66,000.00, and authorizing the Interim City Manager to sign any and all necessary documents.**

Mayor Porter requested Items K and M be pulled from the Consent Agenda and considered individually.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Mize, to approve Items A - J, L, and N - Q of the Consent Agenda as presented. A vote was taken and motion passed 7-0.

REGULAR AGENDA

- K. Consider, and act upon, the approval of the purchase of a parking lot lighting system for the Wylie Senior Center and Community Park from Musco Sports Lighting, LLC in the estimated amount of \$124,333.00 through a cooperative purchasing contract with Buy Board Cooperative Purchasing (#592-19), and authorizing the Interim City Manager to execute any necessary documents.**

Council Comments

Mayor Porter advised he wanted to highlight that this was part of the budget that was brought forward and provides the opportunity to put lights at Community Park and the Senior Recreation Center and will enhance safety in the area.

Council Action

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

- M. Consider, and act upon, the approval of the purchase of playground equipment for Valentine Park from WeBuildFun, Inc. in the estimated amount of \$69,671.51 through a cooperative purchasing contract with Buy Board Cooperative Purchasing and authorizing the Interim City Manager to execute any necessary documents.**

Council Comments

Mayor Porter advised the playground equipment at this park is older and limited, and the new equipment will have some inclusive and ADA accessible options. Councilman Williams gave credit to the Parks and Recreation Department for their purchasing abilities and how they were able to save City funds.

Council Action

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

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 6:20 p.m.

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 Right-of-Way Acquisition for McMillen Drive.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 6:51 p.m.

REGULAR AGENDA

1. **Consider, and act upon, adoption of Ordinance No. 2021-57 determining a public use, need and necessity for the acquisition of property and permanent easements to expand a public right of way being a 7.307 acres tract of land situated in the J.W. Mitchell Survey, Abstract No. 589, City of Wylie, Collin County, Texas, as more particularly described and depicted in attached Exhibit "A," "A-1," "A-2," "A-3," and "A-4"; among other things, facilitate the construction, access, repair, maintenance and replacement of public roadway facilities and related public improvements in connection with the expansion of McMillen Road from McCreary Road to Country Club Road in Wylie, Texas (collectively, the "Project") in the City of Wylie, Collin County, Texas; authorizing the Interim City Manager and City Attorney, or their respective designees, to acquire the property including making initial bona fide offers, and authorizing the City Attorney to file proceedings in eminent domain to condemn the needed real property for public use, if necessary; and providing an effective date.**

Council Action

A motion was made by Councilman Strang, seconded by Councilman Wallis, stating I move that the City Council of the City of Wylie, Texas authorize the use of the power of eminent domain to acquire property in fee simple located in the area described and depicted in Exhibit "A," "A-1," "A-2," "A-3," and "A-4" to the ordinance under consideration by the City Council, for the purpose of the construction, access, repair, maintenance and replacement of public roadway facilities and related public improvements in connection with the expansion of McMillen Road from McCreary Road to Country Club Road in Wylie, Texas and all appurtenances related thereto. A vote was taken and motion passed 7-0.

2. **Consider, and act upon, adoption of Ordinance No. 2021-58 determining a public use, need, and necessity for the acquisition of property and temporary construction easements to expand a public right of way being 6.885 acres tract of land situated in the J.W. Mitchell Survey, Abstract No. 589, City of Wylie, Collin County, Texas, as more particularly described and depicted in attached Exhibits "A," "A-1," "A-2," and "A-3"; among other things, facilitate the construction, access, repair, maintenance and replacement of public roadway facilities and related public improvements in connection with the expansion of McMillen Road from McCreary Road to Country Club Road in Wylie, Texas (collectively, the "Project") in the City of Wylie, Collin County, Texas; authorizing the Interim City Manager and City Attorney, or their respective designees, to acquire the property including making initial bona fide offers, and authorizing the City Attorney to file proceedings in eminent domain to condemn the needed real property for public use, if necessary; and providing an effective date.**

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, stating I move that the City Council of the City of Wylie, Texas authorize the use of the power of eminent domain to acquire property in fee simple located in the area described and depicted in Exhibits "A," "A-1," "A-2," and "A-3" to the ordinance under consideration by the City Council, for the purpose of the construction, access, repair, maintenance and replacement of public roadway facilities and related public improvements in connection with the expansion of McMillen Road from McCreary Road to Country Club Road in Wylie, Texas and all appurtenances related thereto. A vote was taken and motion passed 7-0.

WORK SESSION

Mayor Porter convened the Council into Work Session at 6:56 p.m.

WS1. Discuss City Council Code of Conduct Ordinance.

Mayor Porter stated City Attorney Abernathy was present to discuss the two Code of Conduct Ordinances presented by the City Council Subcommittee. The two versions presented are identical with the exceptions of one having a

board of review. Staff is requesting direction on which Ordinance the Council would like to approve. At a future meeting, Abernathy stated Council also will need to appoint a reviewing attorney.

Council direction was to move forward with the Ordinance having a board of review.

WS2. Discussion regarding parking on Cloudcroft ordinance.

Assistant City Manager Ollie addressed Council stating Council discussed an ordinance at the last meeting. Based on the discussion from Council, staff has drafted a new ordinance (Item 4 - Ordinance No. 2021-60) that would restrict parking throughout the subdivision during the specified hours and would require a permit for those parking in front of the homes during the specified time. Ollie explained some challenges with requiring a parking permit for the entire subdivision. Staff requested Council direction on if they would like to move forward with no required parking permit and no parking, stopping, or standing during designated hours on specified streets (Item 3 - Ordinance No. 2021-55), or with a required parking permit in order to park, stop, and stand during the designated hours throughout the subdivision (Ordinance No. 2021-60).

Council direction was to move forward with bringing Ordinance No. 2021-55 back at a future meeting with changes to the proposed distance and cross streets.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Open Session at 7:33 p.m.

REGULAR AGENDA

3. Tabled from 11-15-2021 *Remove from table and consider*

Consider, and act upon, Ordinance No. 2021-55 of the City of Wylie, Texas, amending Section 110-173 (a) (10) (Stopping, Standing, or Parking prohibited in certain places) of Article VI (Stopping, Standing, and Parking) of Chapter 110 (Traffic and Vehicles) of the Wylie Code of Ordinances; prohibiting parking, stopping or standing of a vehicle along the north side of Cloudcroft Dr. from S. Ballard Ave. east to the point of intersection with the private drive of 101 Cloudcroft (approximately 115 feet), and on the south side of Cloudcroft Dr. from S. Ballard Ave. east to the point of intersection with Aspen Ln. (approximately 245 feet); establishing an offense; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance and providing for the publication of the caption hereof.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to remove Item 3 from table and retable until January 11, 2022. A vote was taken and the motion passed 6-1 with Councilman Williams against.

4. Consider, and act upon, Ordinance No. 2021-60 of the City of Wylie, Texas, amending Article VI (Stopping, Standing, and Parking) of Chapter 110 (Traffic and Vehicles) of the Wylie Code of Ordinances, creating Section 110-190 resident only parking permit areas; permitting parking in certain areas by permit only during those times set forth in this ordinance; establishing an offense; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance; and providing for the publication of the caption hereof.

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. **Hold a Public Hearing to consider, and act upon, a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through service on 1.03 acres, property generally located at the northwest corner of State Highway 78 and Birmingham Street. (ZC 2021-23)**

Staff Comments

Planning Manager Haskins addressed Council stating the applicant is requesting a Special Use Permit (SUP) for a drive-thru restaurant on 1.03 acres generally located at the northwest corner of State Highway 78 and Birmingham Street. The Zoning Ordinance requires all restaurants with drive-throughs to obtain a SUP. The proposal includes a new 11,100 square foot structure to include a maximum 1,800 square feet dedicated to the drive-thru restaurant on the southwest end of the structure. The SUP conditions allow for up to 6,000 of the remaining square feet to be a restaurant use (without drive-thru). The remaining square footage is proposed to include unspecified uses that would be allowed by right. Haskins stated the proposed SUP conditions and the zoning exhibit include several exceptions to typical Zoning Ordinance and Design Manual standards which is generally related to the area being under-parked in number and size of parking spaces, and they are utilizing public ROW for parking. Elevations were not provided and are not included in the SUP conditions or Zoning Exhibit, and the property currently consists of multiple lots; therefore, review and approval of a separate site plan, landscape plan, elevations, and plat shall be required should this SUP be approved.

Haskins reported the surrounding properties are zoned Commercial Corridor and there are currently 10 other drive-thru restaurants within ¼ mile, all occupied. The site is located in the General Urban Sector of the land use map and the proposed use is consistent with the existing surrounding development and land use classification of the comprehensive plan.

Haskins stated approval of this SUP shall require an amendment to the City Code of Ordinances, Chapter 110, Article VI, Section 110.173(a)(10)(i) that prohibits parking on the south side of Industrial.

Haskins stated 12 notifications were mailed; with no responses returned in favor or in opposition to the request. After some discussion regarding the limited parking and the request for off-site parking using the public ROW, the Commission voted 5-2 to recommend approval, with the dissenting Commissioners citing the off-site parking, safety concerns backing into the ROW, and general size of the structure relative to the size of the property.

Council Comments

Mayor *pro tem* Forrester asked about the SUP process and its intent. Haskins replied an SUP could just be to allow for a drive thru; however, this applicant was asked to, and did provide, a Zoning Exhibit because of the conditions that were put on the SUP. Mayor Porter asked what variance was being requested for the parking. Haskins replied that the SUP Conditions are asking for 1 to 250 square feet and our current standards are 1 to 125 square feet for drive thru restaurants and 1 to 100 square feet for sit down restaurants. During normal circumstances, the City would require 80 total parking spaces for this proposed development and the applicant is providing 57, in which 19 are located in the City right of way. Council asked questions regarding the size and number of parking spaces as well as the location of the parking spaces, and members of Council expressed concerns with the number of variances requested as well as parking in the right of way.

Applicant Comments

Patrick Filson, applicant, addressed Council stating the proposed drive through is a national coffee user, Dunkin Donuts, and acts as a morning user. If a sit-down restaurant was to come in it would be 4,200 square feet and not 6,000 as the 6,000 square feet is the total square footage including Dunkin Donuts. Filson stated they were open to working with the City on this.

Public Hearing

Mayor Porter opened the public hearing on Item 5 at 8:04 p.m. asking anyone present wishing to address Council to come forward.

Marvin Fuller addressed Council stating he was in favor of development on the property but had concerns with the parking variance, and would like construction materials to be similar to surrounding businesses.

Mayor Porter closed the public hearing at 8:08 p.m.

Council Comments

Mayor Porter asked the applicant if they would be interested in tabling the item to address some of the concerns expressed. Filson stated they can look at possible changes, but thinks the on-street parking is an important part of this project in order to make this project successful for all parties. Council discussion included if the applicant can work on width, number, and location of parking spaces as well as the facade of the building they are open to looking at it.

Staff Comments

Public Works Director Porter stated as an engineer, he sees parking on a curve as a safety issue and would not recommend. From an engineering perspective, there are some other issues with the traffic.

Filson requested Council table this item so that he can work with staff to better utilize the site.

Council Action

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

Mayor Porter recessed the Council into a break at 8:32 p.m.

Mayor Porter reconvened the Council into Regular Session at 8:39 p.m.

- 6. Consider, and act upon, the approval of the modification to contract #W2018-118-A Solid Waste & Recycling Services with Community Waste Disposal L.P., adjusting the billing rates effective January 1, 2022, and authorizing the Interim City Manager to execute any necessary documents.**

Applicant Comments

Jason Roemer, Vice President of CWD, addressed Council giving a presentation that included: the CWD Action Plan which addressed collection delays, truck spills/leaks, adjusting driver workload, service on new streets, cart delivery, citywide bulk sweep and scheduled collections, meetings with City staff and community involvement, and third-eye GPS and service verification system.

Staff Comments

Utility Billing Manager Orie Cross addressed Council giving complaint statistics since November, and added that she believed that CWD is taking steps to provide better service and hope that it continues.

Council Comments

Mayor Porter asked staff what the term on the current contract is. Ollie replied that the last contract was done in 2018 for a five-year term, expiring in 2023. Mayor *pro tem* Forrester asked if anything has been discussed with CWD regarding any recourse action from a City standpoint if service is not met. Cross replied not that she is aware of. Councilman Strang stated based on the presentation, CWD is taking some good steps to improve service. Councilman Williams asked if the contract has an annual change in price. Mayor Porter replied it is tied to CPI, diesel fuel, and disposal cost and comes to council for consideration.

Council Action

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

- 7. Consider, and act upon, Ordinance No. 2021-59, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Article VI (Stopping, Standing, and Parking), Chapter 110 (Traffic and**

Vehicles), Section 110-187 (Overnight Parking), to allow campers, RV (recreational vehicle), or travel trailers to be temporarily parked in front of the owner's residence for loading and unloading purposes only for a period not to exceed twenty-four hours.

Staff Comments

Police Chief Henderson addressed Council stating per Council direction, staff recommends amending the Wylie Code of Ordinances to allow a camper, RV, or travel trailer to be temporarily parked in front of the owner's residence for loading and unloading purposes only for a period of time not to exceed twenty-four hours.

Council Comments

Mayor *pro tem* Forrester asked for the steps law enforcement would take when a complaint is received. Henderson replied they would contact the owner, ensure they are aware of the ordinance and start the twenty-four-hour time period at that time, and follow up after the time period is over. Henderson stated they strive for compliance.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Williams, to approve Item 7 as presented. A vote was taken and the motion passed 5-2 with Councilman Mize and Mayor *pro tem* Forrester opposed.

- 8. Consider, and act upon, authorizing the execution of a Deed without Warranty to convey 0.0337± acres of land situated in the Samuel B. Shelby Survey, Abstract No. 820T, City of Wylie, Collin County, Texas from the City of Wylie to KEP Brown Street Village, LP.**

Staff Comments

Assistant City Manager Ollie addressed Council stating staff was contacted by a potential buyer of the subject property regarding a filed warranty deed of a drainage easement located on 511 W. Brown Street. While researching documents and ordinances, it was determined that the warranty deed gave ownership of the land, in fee simple, to the City. An easement typically does not involve transfer of ownership, but rather allows the use of land for a specified purpose and in this case, a drainage ditch. Staff has worked with the owner and City legal team to draft the attached document that will deed the land back to the owner, without warranty from the City. The deed without warranty is a document that transfers title without any warranties, express or implied. Also, on the current agenda is a document that will dedicate the drainage easement to the City.

Council Action

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

- 9. Consider, and act upon, acceptance of an easement conveying to the City of Wylie easement rights on 0.0337± acres situated in the Samuel B. Shelby Survey, Abstract No. 820T, City of Wylie, Collin County, Texas from KEP Brown Street Village, LP.**

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 9 as presented. A vote was taken and the motion passed 7-0.

- 10. Consider, and act upon, Resolution No. 2021-46(R) opposing the Texas Commission on Environmental Quality (TCEQ) application for a proposed wastewater treatment facility located 0.4 miles northwest of the intersection of North Murphy Road and Rolling Ridge Drive in Collin County, Texas near the cities of Murphy, Parker, and Wylie. TCEQ Permit No. WQ0016003001.**

Staff Comments

Assistant City Manager Ollie addressed Council stating City Council members have been contacted by citizens expressing their concern with the proposed wastewater treatment plant located within Parker's ETJ. The cities of Murphy and Parker, and the North Texas Municipal Water District have adopted resolutions to oppose the plant.

Ollie reported the proposed plant sits approximately 1.06 miles from Wylie's nearest residential subdivision. Staff has obtained a copy of the documents presented to the Murphy City Council.

Council Comments

Mayor Porter stated that Maxwell Creek drains into Muddy Creek and does impact some of the City of Wylie downstream.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Williams, to approve Item 10 as presented. A vote was taken and the motion passed 7-0.

WORK SESSION

Mayor Porter convened the Council into Work Session at 9:16 p.m.

WS3. Planning Department Presentation.

Planning Manager Haskins addressed Council giving a presentation on the Planning Department. The presentation included: The Team, Responsibilities, Development Projects, Boards/Commissions/Council, plans/Ordinances/Regulations, Mapping, Assistance and Requests, and Future Goals. Council thanked Planning staff for all that they do for the City.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Open Session at 9:35 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 9:35 p.m.

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.

ES2. Consider the sale or acquisition of properties located at FM 544/Cooper and State Hwy 78/Brown.

ES3. Discuss property generally located in the area of Parker Rd. and Country Club Rd.

Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.

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

(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or

(2) to hear a complaint or charge against an officer or employee.

(b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

ES4. Discuss staffing options for the City Engineer and Project Engineer.

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).

ES5. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2017-10a, 2020-11b, 2021-4a, 2021-6a, 2021-8a, 2021-9e, 2021-9g, 2021-11a, and 2021-11b.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 11:09 p.m.

READING OF ORDINANCES

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

Administrative Assistant to the City Secretary Day read the captions to Ordinance Nos. 2021-56, 2021-57, 2021-58, and 2021-59 into the official record.

ADJOURNMENT

A motion was made by Councilman Williams, seconded by Councilman Strang, to adjourn the meeting at 11:13 p.m. A vote was taken and motion passed 7-0.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary