

# Wylie City Council Regular Meeting Minutes

June 14, 2022 – 6:00 PM

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



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## CALL TO ORDER

Mayor Matthew Porter called the regular meeting to order at 6:03 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang (6:33 p.m.), Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, Councilman Timothy T. Wallis, and Councilman Garrett Mize.

Staff present included: 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; Digital Media Specialist Kristina Kelly; Planning Manager Jasen Haskins; Purchasing Manager Glenna Hayes; Project Engineer Jenneen Elkahlid; Public Works Director Tommy Weir; Parks and Recreation Director Carmen Powlen; City Engineer Tim Porter; EDC Executive Director Jason Greiner; City Secretary Stephanie Storm; and various support staff.

## INVOCATION & PLEDGE OF ALLEGIANCE

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

## PRESENTATIONS & RECOGNITIONS

### PR1. Wylie Way Students 4th Term/1st - 12th Grade.

Mayor Porter, WISD Superintendent Dr. David Vinson, and WISD School Board President Stacie Smith presented medallions to students demonstrating “Shining the Wylie Way.” Every nine weeks one student from each WISD campus is chosen as the “Wylie Way Student.”

Councilman Strang took his seat at the dais at 6:33 p.m.

## 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.*

Cheryl and John Harmon addressed Council regarding issues with stormwater runoff in the Birmingham Bluffs neighborhood and requested Council’s assistance with getting the builder and developer to correct the issues. The Harmon’s stated they will email a video of the stormwater issues to the City Secretary to share with the City Council and staff.

## 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 31, 2022 Regular City Council Meeting minutes.**

**Council Action**

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

**REGULAR AGENDA**

**1. Interview applicants for Board of Review vacancies for a term to begin July 1, 2022 and ending June 30, 2024.**

Mr. Craig was not present for the interview. No action was taken.

**2. Consider, and act upon, the recommendations of the 2022 Boards and Commission Council Interview Panel for appointments to the Animal Shelter Advisory Board, Cemetery 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, 2022 and ending June 30, 2024/25.**

**Council Comments**

Mayor Porter asked the Board and Commission Interview Panel Chair Forrester for recommendations. The following recommendations were acted upon and approved.

Mayor Porter announced that he filed a Conflict of Interest before the meeting for the Animal Shelter Advisory Board appointments and was stepping out during the discussion and action. Mayor Porter left his seat at the dais at 6:46 p.m.

**Council Action**

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams to appoint the following members to the Animal Shelter Advisory Board: reappoint Brad Abraham and Amber Porter and appoint Susan Cranford to replace Jeff Stillinger. A vote was taken and the motion passed 6-0 with Mayor Porter abstaining (conflict of interest on file).

Mayor Porter returned to his seat at the dais at 6:47 p.m.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams to appoint the following members to the Cemetery Advisory Board: reappoint Gloria Suarez and Allison Stowe, appoint Derek Trent to replace Juan Azcarate, move Erin Williams from Alternate 2 to Alternate 1, and appoint Laurie Sargent as Alternate 2 to replace Erin Williams (one-year term). 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 Construction Code Board: appoint Todd Cranford to replace Paul Kunze, John Straube Jr. to replace Eugene Hauptmann, Sarah Kewak to replace Jason Pyka, Michael Sutura to replace Kathleen Kender as Alternate 1, and Amanda Cooper to replace Benjamin Spotswood 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 Williams to appoint the following members to the Historic Review Commission: re-appoint Allison Stowe, appoint Laurie Sargent to replace Frank Besadesky, Anita Jones to replace Melissa Kenfield, and appoint Frank Besadesky as Replacement 1. 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 Library Board: re-appoint Toshia Kimball, and appoint Justin Strauch to replace Irene Chavira. 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 Craig Allen and Kim Mullis, appoint Gerald Dyson to replace Joni Robinson, Nicholas Puente to replace Kevin Stewart, and appoint Ashleigh Rodriguez as Replacement 1. 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 4B Board: re-appoint Toby Wallis and Matthew Porter. 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 Planning and Zoning Commission: re-appoint James Byrne, appoint Jennifer Grieser to replace Dan Norris, Keith Scruggs to replace Taylor Newsom, Harold Gouge to replace Cory Plunk, and appoint Randall Zabochnik as Replacement 1 and Byron Betler 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 Christina Null and Steven Shank, appoint Joseph Murdock to replace Michael Schwerin, Anita Jones to replace Lily Courtney, and appoint Karen Newman as Replacement 1. 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 member to the Wylie Economic Development Corporation Board: re-appoint Melisa Whitehead and Gino Mulliqi. 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 Zoning Board of Adjustment: re-appoint Richard Covington and Byron Betler, appoint Sharon Osisanya to replace Drew Wight, Harold Smith to replace Zewge Kagnev, and Jennifer Grieser to replace Richard Miller as Alternate 1. A vote was taken and the motion passed 7-0.

Mayor Porter thanked members of the 2022 Boards and Commissions Interview Panel (Mayor *pro tem* Forrester, Councilman David R. Duke, and Councilman Williams).

**3. Consider, and act upon, appointments to fill the Board of Review vacancies for a term to begin July 1, 2022 and ending June 30, 2024.**

**Council Comments**

Mayor Porter confirmed there are three positions available on the Board of Review. Councilman Mize stated Council may want to consider appointing the two candidates that Council had the opportunity to interview at the previous meeting, and may want to leave the one position open to consider at the next meeting after reaching out to Mr. Craig to see if he can attend for an interview.

**Council Action**

A motion was made by Councilman Mize, seconded by Mayor *pro tem* Forrester, to appoint Taniki Small and Thomas Volmer for the Board of Review vacancies for a term to begin July 1, 2022 and ending June 30, 2024. A vote was taken and the motion passed 7-0.

**4. Consider, and act upon, Ordinance No. 2022-47 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.**

### **Staff Comments**

Finance Director Beard addressed Council stating fuel costs continue to increase and the FY 22 budget fuel cost was based on the price of gas and diesel a year ago. General Fund expenditures will increase \$100,000 and the Fund Balance will decrease the same amount, 4B Sales Tax Fund expenditures will increase \$3,300 and the Fund Balance will decrease the same amount, and Utility Fund expenditures will increase \$17,000 and the Fund Balance will decrease the same amount.

### **Council Action**

A motion was made by Councilman Mize, seconded by Councilman Duke, to approve Item 4 as presented. A vote was taken and motion passed 7-0.

- 5. Consider, and act upon, the award of a professional services project order (PSPO) #W2022-85-E for the Wylie Historic Area Drainage Master Plan to Huitt-Zollars, Inc. in the amount of \$197,000.00 and authorizing the City Manager to execute any necessary documents.**

### **Staff Comments**

City Engineer Porter addressed Council stating this item is for a contract with a design engineer to develop a comprehensive plan to address critical drainage problems, as well as to provide an effective tool to manage future development in specified areas of town. The goal of this project is to provide an evaluation of existing drainage conditions throughout the area identified by developing an accurate and current understanding of the City's drainage infrastructure and potential solutions to both existing and future issues. The project includes an inventory of existing systems, identifying problem areas, and generating a list of future Capital Improvement Projects (including costs outlined to address system deficiencies).

### **Council Comments**

Mayor Porter asked where the funding for this item was coming from. City Engineer Porter clarified that the funding was coming from the Drainage excess fund balance and not from the 2021 Bond passed for the Historic District.

### **Council Action**

A motion was made by Councilman Strang, seconded by Councilman Williams, to approve Item 5 as presented. A vote was taken and motion passed 7-0.

Mayor Porter convened the Council into a break at 7:13 p.m.

Mayor Porter reconvened the Council at 7:25 p.m.

## **WORK SESSION**

Mayor Porter reconvened the Council into Work Session at 7:25 p.m.

### **WS1. Discuss the completed draft Comprehensive Master Plan.**

Mayor Porter stated the Planning and Zoning Commission and Comprehensive Plan Advisory Committee (CPAC) members may be present for the joint work session. Comprehensive Plan Advisory Committee members present included: Sandra Stone, Todd Pickens, Ken Kocon, Eugene Hauptmann, James Byrne, Jared Larew, Jeremy Meier, Jason Greiner, Joe Chandler, Jacques Loraine III, and Matt Atkins. Planning and Zoning Commission members present included: James Byrne, Joshua Butler, and Jacques Loraine III.

Planning Manager Haskins addressed Council stating about a year ago the City started working on revising the Comprehensive Master Plan. Haskins stated staff and Freese and Nichols would like to present the proposed draft Plan to solicit feedback.

Daniel Harrison, representing Freese and Nichols, and Planning Manager Haskins addressed Council giving a presentation on a community engagement summary, the Draft Plan, snapshot summary of City demographics, plan

outline and scope, future land use map and information, plan framework, housing goals, land use goals, transportation goals, implementation strategy, notable changes since 2012, and next steps.

### **Council Comments**

Council questions and feedback included: would like to keep the front of the property north of Rita Smith Elementary commercial and not all low-density residential, questioned the property located between The District and the mobile home park off of Alanis currently assigned industrial in which there is current business interest in and proposing to change it to regional commercial on the new plan, asked what the vision CPAC had for the property located along FM 544 that is being proposed as Mixed-Use and Special Planning Areas, asked what the vision CPAC had for property near Avalon Park being proposed as Mixed-Use and Special Planning Areas, expressed concerns with the property located near Avalon Park being designated as low-density residential and mentioned the area being designated as Park and Open Space, questioned if input sought from North Texas Municipal Water District on their property that is designated as Parks and Open Space, designated Mixed-Use and Special Planning Areas near Avalon Park is appropriate, this Plan could serve as an aspiration to the future of the City, thanked CPAC members for the time they have put into this, questioned the definition of medium-density, expressed concerns with the medium-density designations and stated areas that surround current single-family homes should be designated as low-density residential, asked what CPAC's vision of the property located across the street from Dodd Park, the proposed Plan looks nice, property at intersection near Dodd Park keep as medium density as it is broadly defined as the will of the community is some commercial in that location, expressed concerns with the residential future land use categories, the proposed land use plan is defining sizes in which the low-density does not meet the current medium density zoning standard of the City, recommends that lot sizes not be stated in the Plan, possibly include a separate designation for townhomes, expressed concerns with the affordable housing goal as the City has no control on the prices of homes, stated the city has no way to enforce it, and questioned why it is rated as the top third goal, questioned the sample size for the survey from residents, asked why there is a number beside the goals if they are not ranked by importance, expressed concerns with putting the City in a litigious situation if items are placed in the Plan but cannot be enforced, it is important to look at the map from the previous Plan and compare it with the proposed Plan, the current Plan has broader colors and sections and the new proposed Plan limits medium-density housing and areas of town where townhomes can be built, expressed concerns if the City dramatically changes medium-density it will limit the type of housing stock that would allow someone to become a homeowner, disagree that there is nothing the City can do regarding affordable housing, stated having affordable housing as a goal does not open the City up to litigation as this document is not binding and is supposed to be instructive based on comments given by the community and the CPAC, the map is reasonable as proposed, stated that townhomes are not being sold as affordable in Wylie, and size does not equal affordability, and there are two ways to get affordable housing one being through a PD and the other by designating an area that allows for federal HUD money to be used to subsidize housing.

### **Committee Comments**

Committee comments and feedback included: was not aware of the low and medium density definitions in the Plan and do not support the proposed definitions, but do support the current definitions in place, the new Plan should be clear that the designations are the intent for future new development, did not place the goals in order based on importance and they were ranked based on the number of times that it was placed on a sticky note during meetings, the City does not have control of affordable housing, and propose that CPAC go line by line and may need to extend the timeline for completion.

Haskins and Harrison answered questions and provided feedback to Council. Haskins stated that CPAC will take the comments and feedback from Council and will have another meeting to make changes to the proposed plan.

The Council consensus was to send the Plan back to CPAC to evaluate the comments made by Council.

Councilman Wallis left the meeting during WS1 at 8:23 p.m.

Mayor Porter convened the Council into a break at 9:00 p.m.

Mayor Porter reconvened the Council at 9:08 p.m.

## **WS2. Discuss McMillen Drive Progress Update.**

City Engineer Porter addressed Council stating he is coming forth with a progress report on McMillen Drive presenting: a project update, the state agency role, the Soil and Water Conservation District (SWCD) flood storage approval, a change in criteria, design options and construction costs, construction schedule, and construction options with ways to reduce construction time and ways to reduce costs.

Questions and comments from Council included: when will guaranteed construction costs be locked in, look at closing McMillen during construction, concerns with an increase in cost on a standard that was updated in 2015 but was taken to the voters in 2021 not taking the update into account, do not want to go back to the citizens for additional funding, and appreciate staff being transparent and upfront.

Porter and Parker answered questions from the Council.

## **RECONVENE INTO REGULAR SESSION**

Mayor Porter reconvened the Council into Regular Session at 9:40 p.m.

## **EXECUTIVE SESSION**

Mayor Porter reconvened the Council into Executive Session at 9:40 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. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 1378/Parker, FM 544/Cooper, FM 544/Sanden, State Hwy 78/Alanis, State Hwy 78/Ballard, State Hwy 78/Birmingham, and State Hwy 78/Brown.**

### **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).

**ES2. 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, 2021-2d, 2021-4a, 2021-4b, 2021-5a, 2021-6a, 2021-6c, 2021-7a, 2021-8a, 2021-9e, 2021-9f, 2021-9g, 2021-11a, 2021-12a, 2021-12b, 2022-6a, 2022-6b, and 2022-6c.**

## **RECONVENE INTO OPEN SESSION**

*Take any action as a result from Executive Session.*

Mayor Porter reconvened the Council into Open Session at 10:21 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 caption to Ordinance No. 2022-47 into the official record.

**ADJOURNMENT**

A motion was made by Councilman Strang, seconded by Councilman Williams, to adjourn the meeting at 10:23 p.m. A vote was taken and motion passed 6-0 with Councilman Wallis absent.

**ATTEST:**

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**Matthew Porter, Mayor**

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**Stephanie Storm, City Secretary**