

Wylie City Council Regular Meeting Minutes

May 14, 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 6:02 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 (6:08 p.m.).

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; Finance Director Melissa Brown; Community Services Director Jasen Haskins; Assistant Parks and Recreation Director Brent Stowers; City Engineer Tim Porter; Public Works Director Tommy Weir; Police Chief Anthony Henderson; Library Director Ofilia Barrera; Wylie Economic Development Executive Director Jason Greiner; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Kurt Ulmer, Reverend at Faith Lutheran Church, led the invocation, and Councilman Hoover led the Pledge of Allegiance.

REGULAR AGENDA

1. **Consider, and act upon, Ordinance No. 2024-14 of the City Council of the City of Wylie, Texas, canvassing the election returns of the May 4, 2024 General Election; declaring the election results for City Council Place 2 and Place 4; and providing a savings/repealing clause, severability clause and an effective date.**

Staff Comments

City Secretary Storm addressed the Council stating the City did receive the final returns from all three counties, which was shared with the Council earlier in the day.

Councilman Mulliqi took his seat at the dais at 6:08 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 1 as amended. A vote was taken and the motion passed 7-0.

ISSUANCE OF CERTIFICATE OF ELECTIONS & ADMINISTRATION OF OATH OF OFFICE

Mayor Porter presented Certificates of Election and Municipal Court Judge Art Maldonado administered the Oath of Office to Councilmembers-elect Dave Strang, Place 2, and Scott Williams, Place 4.

Mayor Porter recessed the Council into a break at 6:13 p.m.

Mayor Porter reconvened the Council into Regular Session at 6:16 p.m.

PRESENTATIONS & RECOGNITIONS

PR1. National Police Week.

Mayor Porter presented a proclamation proclaiming May 12-18, 2024 as National Police Week in Wylie, Texas. Police Department staff were present to accept the Proclamation.

PR2. Texas Police Chiefs Association recognizing the Wylie Police Department for obtaining their Texas Police Chiefs Best Practices Accreditation.

Chief Mike Sullivan, Assistant Police Chief in Fairview and representing the Police Chiefs Association, presented the Wylie Police Department with a certificate of accreditation for obtaining their Texas Police Chiefs Best Practices. Police Department staff were present to accept the certificate.

PR3. Eagle Scout Award - Jared Vanderburg.

Mayor Porter presented a proclamation recognizing Jared Vanderburg for their achievement of the Eagle Scout Award. Vanderburg was present to accept the proclamation and gave a brief description of his Eagle Scout project.

PR4. Asian Americans and Pacific Islanders Month.

Mayor Porter recognized the month of May as Asian Americans and Pacific Islanders Month.

PR5. Economic Development Week.

Mayor Porter recognized the week of May 6-10, 2024 as Economic Development Week.

PR6. National Correctional Officers Week.

Mayor Porter presented a proclamation proclaiming the week of May 5-11, 2024 as National Correctional Officers Week. Wylie Police Detention Officers were present to accept the proclamation.

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.

Lon Ricker, representing In-Sync Exotics, addressed the Council inviting Council and the public to the “Whisker Wishes Making Miracles Happen” Gala on June 8, 2024, at Boyd Farm.

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 April 23, 2024 Regular City Council Meeting minutes.**
- B. Consider, and act upon, authorizing the Mayor to enter into a Cooperative Agreement for additional Law Enforcement Services, between the City of Wylie, Lavon Lake, Texas initiates Agreement No. W9126G24P0016 and the U.S. Army Corps of Engineers. This agreement is for the provisions of additional Law enforcement Services from May 17, 2024 through September 14, 2024 for a sum not to exceed \$56,732.05.**

- C. Consider, and act upon, a Preliminary Plat for Dominion of Pleasant Valley Phase 6, creating 168 single-family residential lots and three open space lots on 40.430 acres, generally located at the southwest intersection of Dominion Drive and Pleasant Valley Road.
- D. Consider, and act upon, a Preliminary Plat for Dominion of Pleasant Valley Phase 7, creating 11 single-family residential lots and two open space lots on 6.475 acres, generally located at the northeast corner of Dominion Drive and Pleasant Valley Road.
- E. Consider, and act upon, a Preliminary Plat of Lot 1, Block A of North Wylie Plaza, establishing one commercial lot on 0.912 acres. Property generally located at 2455 FM 1378.
- F. Consider, and act upon, the approval of the purchase of one (1) 2024 Ford Transit T350 Passenger Van in an estimated amount of \$55,150.00 from Randall Reed's Planet Ford 635 for the Parks and Recreation Department through a cooperative purchasing agreement with the Sheriffs' Association of Texas and authorizing the City Manager to execute any and all necessary documents.
- G. Consider, and act upon, the approval of the purchase of two (2) dark ash (silver) 2024 Chevy Tahoes for Police Administration in an estimated amount of \$104,623.62, and eleven (11) black 2024 Chevy Tahoes for Police Patrol in an estimated amount of \$574,371.91 for the Police Department from Reliable Chevrolet through a cooperative purchasing agreement with the Sheriffs' Association of Texas and authorizing the City Manager to execute any and all necessary documents.

Mayor Porter requested Item A be pulled from the Consent Agenda and considered individually.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to approve the 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 April 23, 2024 Regular City Council Meeting minutes.

Council Comments

Mayor Porter stated City Secretary Storm sent out updated minutes as the Junior Mayor's name was inadvertently left out of the roll call and has since been added.

Council Action

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

- 2. Consider, and act upon, the appointment of Mayor *pro tem* for a term beginning May 2024 and ending May 2025.

Council Comments

Councilmen Mulliqi and Williams nominated Councilman Forrester for Mayor *pro tem*.

Council Action

A motion was made by Councilman Mulliqi, seconded by Councilman Williams, to approve the appointment of Councilman Jeff Forrester as Mayor *pro tem* for a term beginning May 2024 and ending May 2025. A vote was taken and the motion passed 7-0.

- 3. Consider, and act upon, the appointment of a 2024 Board and Commissions City Council Interview Panel to conduct the May 2024 board applicant interviews.

Council Comments

Mayor Porter stated historically the Mayor *pro tem* has served as the Chair of the Interview Panel, and asked for any volunteers that would like to serve on the Panel. Councilmen Strang, Duke, and Williams volunteered to serve on the Panel. Councilman Williams stated he had served on the Panel in the past and would remove his name for consideration so that Councilman Duke could serve.

Council Action

A motion was made by Councilman Williams, seconded by Councilman Strang, to appoint Mayor *pro tem* Forrester, Councilman Duke, and Councilman Strang to serve on the 2024 Boards and Commissions City Council Interview Panel. A vote was taken and the motion passed 7-0.

- 4. Consider, and act upon, the appointment of one-committee member to the City of Wylie City Council Subcommittee to represent the City of Wylie in meetings with the Wylie Independent School District City/Schools Partnerships Committee.**

Council Comments

Mayor Porter stated he currently serves on this Committee with Councilman Mulliqi and with Councilman William's term expiring with his re-election, his position must be appointed. Porter asked Councilman Williams if he was still interested in serving on this Committee. Williams stated he was interested.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Mulliqi, to appoint Councilman Williams to the City of Wylie City Council Subcommittee to represent the City of Wylie in meetings with the Wylie Independent School District City/Schools Partnerships Committee. A vote was taken and the motion passed 7-0.

- 5. Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Agricultural District (AG/30) to Planned Development (PD-MF) for an age-restricted condominium residential community on 47.374 acres. Property located on the west side of Country Club Road approximately 2000' south of Parker Road (ZC 2024-02).**

Applicant Comments

John Delin, representing Integrity Group and Ladera Living, gave a presentation including information about the Ladera company, Ladera Wylie, and proposed floor plans and elevations.

Council Comments

Mayor Porter asked if all of their other developments are condominium style. Delin replied they are. Councilman Mulliqi asked if the applicant could explain a condominium community versus an HOA. Delin replied a condo community is stricter and more regulated as a 50-year reserve study, a strategic plan, is completed on the community to ensure that a portion of the homeowner's dues goes to fund the condo reserve account. Porter confirmed the condo community is set up similarly to an HOA and is eventually turned over to the homeowners. Delin replied once 50 percent of sales is reached, a homeowner fills one seat on the board, and at 75 percent sales, the board is 100 percent homeowners, and an outside property management company is utilized to oversee and administer everything. Councilman Williams asked if the applicants had completed a project like this before. Delin replied they have four currently active, and four to five closed out, and added they built their first development in 2012. Williams asked the applicant about side yards and setbacks. Delin responded the homes are separated by a minimum of six feet, have a 20-foot setback from the back of the curb, and have approximately 10 feet of backyard. Mulliqi asked if the applicant had completed the feasibility study. Delin replied the preliminary flood study and traffic impact analysis have been completed and accepted by the City. Porter confirmed they have submitted their CLOMR to FEMA. Delin confirmed that was correct.

Public Hearing

Mayor Porter opened the public hearing on Item 5 at 7:27 p.m. asking anyone present wishing to address Council to come forward.

Kelly Hankey addressed the Council stating she resided near this property and had drainage concerns, and requested Council deny this Item as the Planning and Zoning Commission recommended.

Mayor Porter closed the public hearing at 7:30 p.m.

Council Comments

Porter asked what the drainage and flood study entail. Haskins replied they would have to complete a CLOMR and LOMR to develop within the floodplain, and have a stormwater plan to handle the rainwater runoff. Mayor *pro tem* Forrester confirmed they would have to prove that no water would move to adjoining properties. Haskins replied if the drainage is currently going to another property, it would remain that way as the post-development has to be the same as the predevelopment. Forrester confirmed the water cannot move at a higher volume or faster rate than it currently does across the property. Haskins confirmed that was correct. Mulliqi expressed concerns about balls from the nearby school going onto this property and asked if the applicant would put a masonry wall on the school side of the development for privacy purposes. Delin replied they would like to use a SimTek fence which looks like a stone retaining wall but is more durable. Mulliqi asked if the pond area would be maintained by the condominium association. Delin replied the association would maintain that area as it would be an amenity feature for the neighborhood. Haskins clarified in Section 10a calls out the fencing type, and asked for Council direction on whether staff should remove the wood fencing verbiage. The Council gave direction to remove wood fencing from the verbiage in Section 10a. Williams asked what the square footage minimum would be and why they are proposing 4-12 pitches on the back of the house instead of the City standard of 8-12. Haskins replied the livable minimum square footage is 1,322 square feet and the applicant requested from a building standpoint that 4-12 is livable and could apply safely. Williams confirmed they are proposing four units per acre, and asked if that takes into account the floodplain and lake to be given to the City. Haskins replied yes but the lake will not be given to the City, and the applicant has not gone before the Parks and Recreation Board to recommend that, but it would come back as a dedicated plat if that is the recommendation of that Board. Williams asked for the density without the pond and floodplain. Haskins replied roughly double. Councilman Strang asked what their other communities average for cars per resident. Delin replied with 1.46 cars and added they design their homes with lower pitches so that no one sees anything in the back and to keep costs down for the buyers. Strang asked what are the plans for the entrance. Delin stated he worked with the City Engineer, and they will do a turn lane with a median break as it meets minimum distance requirements, and received permission from the school district to have emergency access.

Council Action

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to approve Item 5 with the amendment for the fencing type allowed. A vote was taken and the motion passed 6-1 with Councilman Williams voting against it.

WORK SESSION

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

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

Mayor Porter reconvened the Council into Work Session at 7:54 p.m.

WS1. North Texas Municipal Water District Update.

Jenna Covington, North Texas Municipal Water District (NTMWD) Executive Director and General Manager; Billy George, Deputy Director-Water and Wastewater; and R.J. Muraski, Assistant Deputy-Capital Improvement Program and Planning addressed Council giving a presentation on NTMWD including who we are: member cities, history, vision, mission, goals, core values, statistics of water, wastewater and solid waste services, and accomplishments and recognition; overview of services: the water system, the wastewater treatment system, and the solid waste system; key projects and water supply planning: key regional projects, Muddy Creek expansion, exponential growth in the service area, service area booming, water is essential for economic growth, water conservation's impact on demand, and water stewardship; and strategic financial plans, wrap-up, and questions:

focus on stewardship, water rates, Muddy Creek WWTP rates, Muddy Creek Interceptor rates, and wastewater pretreatment program unit costs.

Mayor Porter thanked NTMWD for their update.

WS2. Discuss WEDC & The Retail Coach.

Mayor Porter stated this Work Session would be moved to a future meeting as the applicant was unable to attend due to a personal matter.

WS3. Discuss the possible development of the FM 544 frontage in Regency Business Park.

Wylie Economic Development Executive Director Greiner addressed Council stating the EDC has been working to identify solutions to resolve drainage issues at Regency Business Park. Engineering analysis has been performed by Cardinal Strategies and Kimley-Horn to identify potential designs that would provide maximal developable acreage within this region. As an example of the impact of these regional issues, Greiner noted that property near the intersection of Steel and Hooper has had numerous developers come in and put a contract on a property, go before the Planning and Zoning Commission, and then ultimately fail when it comes to getting the project through the civils. Greiner explained that none of the individual property owners could provide a regional detention solution for all of them, so the EDC began the process of reviewing the current stormwater drainage issues and seeking options to mitigate the issue across the region. Greiner showed a potential concept plan for the region and noted that the EDC acquired property a few years ago that could be utilized to house a regional detention pond, which would unlock 15 acres of commercial off of FM 544.

Lisa Henry Weaver, Brenda Byboth, and Red Byboth, property owners, were present to address the Council.

Greiner stated that the property owners are looking for guidance on the uses that the Council would like to see on the properties and to gather input on the proposed plan to solve the drainage issues.

Council members commented and raised questions about several points. They inquired about the cost of improvements and positively noted the proposed design on page 17 of the presentation. It was suggested that the EDC should collaborate with landowners and avoid an excess of drive-throughs on the property. Installing a traffic light at Hooper was considered sensible for connecting streets, and a regional detention pond appeared to solve the flooding problem. Members agreed that using funds for these improvements is beneficial for the City overall and inquired whether the proposed improvements would help prevent downstream flooding. Council stressed the importance of addressing the entire issue upfront and expressed a desire for something unique to be brought to Wylie. The design and the retention pond were well-received.

Brenda and Red Byboth commended staff and the City for all of their help.

WS4. Discuss the International Jet Ski Tournament at Collin Park Marina, located at 2200 St Paul Road, Wylie, Texas.

City Manager Parker addressed the Council giving an update on a previous work session stating that staff recommended the City not participate in sponsoring a large concert due to attendance and parking concerns, and requested Council direction on if the City would like to sponsor smaller concerts with Woody Woodruff.

Woody Woodruff addressed the Council stating the Jet Ski Tournament is occurring; however, they are looking to downsize the concert as the area cannot accommodate a large concert. There will be smaller local regional bands playing that weekend of the event. Woodruff added they would like to add a concert series with six to seven bands similar to what is held at the Harbor in Rockwall with a cost of about \$3,500/night.

Council comments and questions included what kind of sponsorship opportunities for the concert series would there be, are other sponsorship opportunities with other groups being explored, will there be food vendors at these events,

will there be a charge for people to enter the marina and attend the concert, would be happy to help with 30 percent in sponsorship funds for a few concerts, how much does the City have in hotel-motel fund, what would the concert series look like and what would it offer, worth exploring and trying out, and this would provide a resource for the City to go out and enjoy.

Council direction was to give \$17,500 from hotel-motel funds for sponsorship for the summer concert series.

WS5. Discuss FY 2024-25 Budget.

City Manager Parker addressed Council requesting feedback on the five-year plan that was provided to Council.

Council comments and questions included they trust staff to bring recommendations forward after gathering additional information, staff has done a great job on the five-year plan, this provides a roadmap of the future needs, and do not want to take something out of the plan that will cause issues in the future.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 9:12 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 9:12 p.m.

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.

ES1. Discuss the job performance of the City Manager.

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. Discuss Park Boulevard property acquisitions.

ES3. Consider the sale or acquisition of properties located at Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, Jackson/Oak, Regency/Steel, 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).

ES4. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2022-1c, 2022-10c, 2023-1c, 2023-2d, 2023-5c, 2023-9b, 2023-11b, 2024-1c, 2024-2d, 2024-3a, 2024-3b, 2024-4c, 2024-4e, 2024-5a, 2024-5b, 2024-5c, and 2024-5d.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 10:23 p.m.

Council Action

A motion was made by Councilman Mulliqi, seconded by Councilman Strang, to approve the purchase of 7.281 acres from Union Pacific Railroad Company in the amount of one million two hundred twenty-five thousand three hundred forty-two dollars and eighty cents (\$1,225,342.80). 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. 2024-14 into the official record.

ADJOURNMENT

A motion was made by Councilman Williams, seconded by Mayor Porter, to adjourn the meeting at 10:24 p.m. A vote was taken and the motion passed 7-0.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary