

Wylie City Council Regular Meeting Minutes

January 09, 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 6:03 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 Sid Hoover, 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; Police Lieutenant Trey Cotten; Community Services Director Jasen Haskins; Public Information Officer Craig Kelly; City Secretary Stephanie Storm; Parks and Recreation Director Carmen Powlen; Purchasing Manager Chris Rodriguez; Finance Director Melissa Brown; City Engineer Tim Porter; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Councilman Strang led the invocation, and Councilman Duke led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

PR1. Wylie Way Students (K-12).

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

Mayor Porter recognized National Law Enforcement Appreciation Day and thanked the Police Department for all that they do.

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.

Dr. Fazla Rabbi Hossain, representing BTP, requested that the Council add an item to a future agenda for a cease-fire resolution.

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 December 12, 2023 Regular City Council Meeting minutes.

- B. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for November 30, 2023.**
- C. Consider, and place on file, the City of Wylie Monthly Investment Report for November 30, 2023.**
- D. Consider, and act upon, Ordinance No. 2024-01 amending Ordinance No. 2023-39, which established the budget for fiscal year 2023-2024; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.**
- E. Consider, and act upon, a request regarding the demolition of a residential structure in accordance with Ordinance No. 2022-34. Property located at 300 N. Second St. within the Downtown Historic District.**
- F. Consider, and act upon, the recommendation to reject all bids for W2024-11-A for Janitorial Services.**

Council Action

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

REGULAR AGENDA

- 1. Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Multi-Family (MF) to Commercial Corridor - Special Use Permit (CC-SUP) on 0.198 acres to allow for an office use within a residential structure. Property located at 100 S 3rd Street (ZC 2023-14).**

Staff Comments

Community Services Director Haskins addressed the Council stating the applicant is requesting to rezone the property located at 100 S. Third Street, consisting of just under 0.2 acres, from multifamily to commercial corridor with a special use permit (SUP) to allow the property to be used as a commercial use, but with the existing residential structure. The conditions also allow for a reduced front setback of 13 feet eight inches instead of the typical 25; however, staff does not see an issue as it will be rear entry and parking. The SUP will be rescinded if the structure is destroyed, or if the applicant does not either own or manage the property or the use. Haskins reported notices were sent to 16 property owners within 200 feet as required by law and two responses were received in favor and one in protest. Additionally, three responses in favor were received but were located outside of the notification area. The Planning and Zoning (P&Z) Commission did ask the applicant what kind of business they were going to use the structure for and the applicant responded they would have a home healthcare dispatch office. The P&Z Commission did vote 7-0 to recommend approval. Haskins added the applicant did request that the zoning exhibit act as the site plan; therefore, the approval of the SUP is also approval of the site plan for them to move forward with the construction.

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 6:45 p.m. asking anyone present wishing to address Council to come forward.

Bob Heath addressed the Council stating this is a historical structure that they wish to turn into office space for a hospice care business. Their company has turned several historical structures into office space, has restored more than 50 percent of the historical buildings downtown and many others around it, and cares greatly about the preservation of historical structures.

Mayor *pro tem* Forrester commended Mr. Heath on all that he has done renovating buildings downtown and asked if he sees an issue where this building would have to be destroyed. Heath replied no, most updates will be inside the structure and the outside will look the same, just better. Councilman Duke asked if anyone would be living in the structure. Heath replied no it will be office space only. Councilman Mulliqi stated currently when it rains there

is ponding water near the side of the structure and asked if anything will be done to improve that. Robert Heath Jr. replied a retention pond is planned for the property. Mulliqi confirmed there will be two entries created but it will be one way. Heath confirmed that is correct. Mayor Porter asked about the future ownership of the property. Heath replied once renovations are done to the property it will be sold to an individual to be utilized for the commercial structure. Councilman Williams asked if the City has future plans to change the E. Oak and Highway 78 connection. Haskins responded no. Williams asked about the variances requested for the setback. Haskins replied it currently has a 13.8 setback so staff is keeping it as is since it is a historic building and the City owns all of the property outside of the property line. Forrester asked who owns the driveway. Haskins replied the City does. Forrester asked if the City is doing an easement with the property owner and if so, could this create an issue if the site plan is approved before an easement is approved by Engineering. Haskins replied Engineering has looked at the zoning exhibit and is okay with the general idea of it and added there is verbiage in the agenda report that reverts to engineering approval. Forrester asked if the City would be in charge of the maintenance of the driveway. Haskins replied no, it is a driveway maintained by the property owner. Mulliqi asked if Oak Street was to be widened, do we have to get the property owners' permission. Haskins replied no as there will be an easement and the City owns it. Porter asked if there would be any screening added along Third Street, and expressed concern with detention and a parking lot added by residential without added screening. Haskins replied not currently but the applicant is willing to do a board-on-board fence, and added staff will ensure the verbiage will be added for screening. Mulliqi confirmed that no individual will be living there when it becomes a commercial property but, in the future, the property owner may reside there, and asked if that is allowed. Haskins replied that based on the verbiage in the SUP, the specified owner can change the use from commercial to residential at any time.

Mayor Porter closed the public hearing at 7:07 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 1 as presented and to include a screen between the residents to the south and the business for Zoning Case 2023-14. A vote was taken and the motion passed 7-0.

- 2. Consider, and act upon, Resolution No. 2024-01(R) of the City of Wylie, Dallas County, Texas, casting its vote for the runoff election for the fourth member of the Board of Directors of the Dallas Central Appraisal District.**

Council Comments

Mayor Porter stated this is for a runoff after as Council had previously voted for Mr. Franks. The two individuals that remain are Mr. Franks, who was nominated by the city of Sachse, and Mr. Hurtt, nominated by the cities of Seagoville and Carrollton.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Mulliqi, to approve Resolution No. 2024-01(R) of the City of Wylie, Dallas County, Texas, casting its vote for the runoff election for Brett Franks as the fourth member of the Board of Directors of the Dallas Central Appraisal District. 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. 2024-01 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Duke, to adjourn the meeting at 7:11 p.m. A vote was taken and the motion passed 6-1 with Mayor *pro tem* Forrester voting against.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary