

Wylie City Council Regular Meeting Minutes

November 08, 2022 – 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 6:05 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, and Councilman Garrett Mize. Councilman Timothy T. Wallis was absent.

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; Public Information Officer Craig Kelly; Public Works Director Tommy Weir; City Engineer Tim Porter; City Secretary Stephanie Storm; Parks and Recreation Director Carmen Powlen; Community Services Director Jasen Haskins; Wylie Economic Development Executive Director Jason Greiner; Engineering Project Manager Jenneen Elkhaid; 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. The Coventry Reserve 20th Anniversary.

Mayor Porter proclaimed November 8, 2022, as The Coventry Reserve Day in Wylie, Texas for their 20th anniversary. Members of The Coventry Reserve were present to accept the proclamation.

PR2. Veteran's Day.

Mayor Porter proclaimed November 11, 2022, as Veteran's Day in Wylie, Texas. Veterans including Mayor *pro tem* Jeff Forrester, Community Services Director Jasen Haskins, Police Officer Charles Smith, and American Legion Post 315 members Chuck Davis and Charles Flesch were present to accept the proclamation.

PR3. Small Business Saturday.

Mayor Porter proclaimed November 26, 2022, as Small Business Saturday in Wylie, Texas. Members of the Downtown Merchants Association, Wylie Chamber of Commerce, and Wylie Economic Development Corporation were present to accept the proclamation.

PR4. National Apprenticeship Week.

Mayor Porter proclaimed November 14-20, 2022, as National Apprenticeship Week in Wylie, Texas. Members of the Wylie Economic Development Corporation, North Texas Municipal Water District board member Marvin Fuller, and Todd Pickens with Raytheon Technologies were present to accept the proclamation.

PR5. National Entrepreneurs Day.

Mayor Porter proclaimed November 15, 2022, as National Entrepreneurs Day in Wylie, Texas. Members of the Wylie Economic Development Corporation, Wylie Chamber of Commerce, DJ Shirley with Speak Loud Media, Lon Ricker with Ricker Dynamics, Jeremy Meir with the Downtown Merchants Association, and Scott Williams with Fire & Water Restoration Plus, LLC were present to accept the proclamation.

PR6. Community Waste Disposal (CWD) Presentation of the STAR (State of Texas Alliance for recycling) Award for Environmental Leadership.

Robert Medigovich, representing Community Waste Disposal, presented the City of Wylie with the STAR (State of Texas Alliance for recycling) Award for Environmental Leadership. Utility Manager Orie Cross was present to accept the award.

PR7. Lung Cancer Awareness Month.

Mayor Porter recognized the month of November 2022 as Lung Cancer Awareness Month in Wylie, Texas.

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.

Laura Privett, representing Rock the Socks, addressed the Council inviting the public to join them the first Saturday of the month from 8:30 a.m. to 10:00 a.m. at Napoli's to help make hope bags. Privett encouraged attendees to bring packages of men's white crew socks, small snacks, and travel-size hygiene items. Privett also spoke about an upcoming event, Rockout Homelessness 5K Fun Run on Saturday, November 12th at New Hope Church.

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 October 25, 2022, Regular City Council Meeting minutes.**
- B. Consider, and act upon, Ordinance No. 2022-68 amending Ordinance No. 2022-56, which established the budget for fiscal year 2022-2023; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.**
- C. Consider, and act upon, a Final Plat of Whitley Road Estates, being a replat for Lot 4 establishing three lots on seven acres in the City of Wylie Extra Territorial Jurisdiction, located at 3387 Whitley Road.**
- D. Consider, and act upon, Resolution No. 2022-31(R) authorizing the City Manager to execute an Interlocal Agreement between the City of Wylie and Dallas County for county road and bridge improvements that are located within City limits in accordance with the "Master Interlocal Agreement between Dallas County and the City of Wylie pertaining to road and bridge transportation-related improvements and/or maintenance on or about certain designated roadways situated within the territorial limits of the City of Wylie."**
- E. Consider, and place on file, the Animal Shelter Advisory Board report to City Council.**
- F. Consider, and act upon, approval of the Park Event Application from the Wylie Community Christian Care Center, a non-profit organization, for their annual bake sale fundraiser at the Olde City Park Pavilion on November 23, 2022.**
- G. Consider, and act upon, approval of the Park Event Application from Wally W. Watkins PTA, a non-profit organization, for their annual Jingle Bell Jog 5K and Fun Run/Walk at Founders Park on December 3, 2022.**

Mayor Porter requested Item B be pulled from 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, except for Item B, as presented. A vote was taken and the motion passed 6-0 with Councilman Wallis absent.

- B. Consider, and act upon, Ordinance No. 2022-68 amending Ordinance No. 2022-56, which established the budget for fiscal year 2022-2023; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.**

Staff Comments

Finance Director Beard reported there was a change in the proposed dollar amount for the budget amendment. The police department is requesting to use state-seized funds for \$179,879 to purchase drones, a utility vehicle and trailer, Knox Box equipment for all police vehicles, and a digital forensics workstation replacement. All items will be used for law enforcement purposes per Chapter 59 of the Texas Code of Criminal Procedures. This will increase the General Fund budget by \$179,879. The Unassigned Fund Balance will not be affected, but this same amount will reduce the Assigned Fund Balance for Law Enforcement.

Council Action

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to approve Item B with the amendment presented. A vote was taken and the motion passed 6-0 with Councilman Wallis absent.

WORK SESSION

Mayor Porter convened the Council into Work Session at 6:58 p.m.

Mayor Porter convened the Council into a break at 6:58 p.m.

Mayor Porter reconvened the Council into Work Session at 7:03 p.m.

WS1. Presentation of the Community Waste Disposal (CWD) Annual Report.

Robert Medigovich, representing Community Waste Disposal, addressed Council giving a 2021 annual review including residential trash service, residential single stream recycling service, residential rear load collection on Saturdays, multifamily recycling, residential bulk and loose brush on-call service, residential bulk and loose brush extra service, commercial new service vehicle, commercial recycling program, Wylie ISD recycling program, residential recycled materials tons per year, residential driver incident, customer service inquiries, CNG truck parking expansion, transfer station expansion, equipment purchases and maintenance shop, CWD mobile app and address search tool, X-treme Green events, paint reuse program, sponsorship participation, awards given, and saved resources statistics.

WS2. Discuss WWTP Demolition.

Clayton Barnard representing Freese and Nichols, addressed Council giving a presentation on the Wastewater Treatment Plant Demolition options including the current status of the plant, demolition options including no demo and remaining as is; wastewater interceptor improvements with no demo with an associated cost of \$775,000; basin removal with option one (with a top removal) having a cost of \$1,952,000 or option two (with a full removal) having a cost of \$4,630,000; and basin and structure demolition including proposed easements with option one having a cost of \$3,000,000 and option two having a cost of \$4,900,000.

Council questions included how much property would be left and recoverable if everything is removed, whether are there any concerns with people accessing the site, what is the maintenance cost now, what was Wylie paying NTMWD for the permit fee to maintain the site, what is the City's risk for leaving it the way it is, could holes be created in the basins to allow stormwater to drain instead of holding water.

Council comments and discussion included expressing concerns with the cost for the number of acres and added it would be difficult to attract a developer to the site to recoup the funds, would like more information on the project

and what the restrictions would be with the top removal, needs to stay the way it is now and may make improvements later, look at a five to ten-year plan that the City could budget for over an extended period, it creates an opportunity for a public park and would like to see it on the tax rolls.

Council's direction was to leave it as is and gather additional information for a plan for the site.

WS3. Discuss proposed amendments to the City Ordinance and Zoning Ordinance regarding Code Enforcement policies and Zoning Uses.

Community Services Director Jasen Haskins addressed Council stating staff is presenting proposed amendments to both the City Ordinance and Zoning Ordinance to strengthen and clarify staff's ability to enforce public nuisance violations. The amendments to the City's Code of Ordinances are to align with state law changes, to allow for the city to immediately abate violations at the property owners' expense for repeat offenders and to simplify the lien filing process.

Council questions included what would the process be for the signing of liens, providing additional information on the newly added section a-4, and is there a list of charges for the services.

Council's direction was to proceed with bringing back an ordinance with the proposed changes.

Councilman Mize stated he requested a discussion item be placed on the agenda regarding donation boxes located throughout the City that can become a nuisance to the public if not maintained. Mize stated he wanted to give property owners a tool so that they may have control of donation boxes on their property and a tool for staff to help keep our City beautiful; have reasonable regulations on the donation boxes to ensure they are utilized in the best way.

Council questions and comments included would it be possible to require donation boxes to have a person present, could the restriction be amended to regulate the number of donation boxes based on the size of the property instead of limiting it to only one box per lot, and what is the abatement process. Haskins requested additional input on the temporary use box locations. Forrester replied he thought it should be the same allowed locations for both permanent and temporary use.

Council direction was to proceed with bringing back an ordinance with the proposed changes and adding donation boxes, both permanent and temporary use, allowed at the same locations, and changing 11.b.2 to regulate the number of boxes based on the size of the lot.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 8:04 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive session at 8:05 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 performance of the City Manager.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 9:02 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. 2022-68 into the official record.

ADJOURNMENT

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to adjourn the meeting at 9:04 p.m. A vote was taken and the motion passed 6-0 with Councilman Wallis absent.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary