

Wylie City Council Regular Meeting Minutes

September 10, 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 Sid Hoover, Councilman Scott Williams, 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; Marketing and Communications Director Craig Kelly; City Secretary Stephanie Storm; Community Services Director Jasen Haskins; Engineering Project Manager Jenneen Elkhaid; Police Lieutenant Matt Miller; Parks and Recreation Director Carmen Powlen; Library Director Ofilia Barrera; Finance Director Melissa Brown; WEDC Executive Director Jason Greiner; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

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

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.

No persons were present wishing to address the 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 August 27, 2024 Regular City Council Meeting minutes.**
- B. Consider, and act upon, an Amended Plat of Lot 1, Block A of Hartman Elementary School, amending one lot on 7.963 acres. Property located at 510 S. Birmingham Street.**
- C. Consider, and act upon, a request to renovate an existing residential structure, located at 301 N. Ballard within the Downtown Historic District.**
- D. Consider, and act upon, Ordinance No. 2024-27 amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Appendix A (Comprehensive Fee Schedule), Section III (Construction Permits and Fees), Subsection B (Miscellaneous Fees) to amend weeds, high grass, and trash abatement administrative fee per lot or tract of land.**

- E. **Consider, and act upon, Ordinance No. 2024-28 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.**

Council Action

A motion was made by Councilman Mulliqi, seconded by Mayor *pro tem* Forrester, 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 Downtown Historic District (DTH) to Downtown Historic District - Special Use Permit (DTH-SUP) on 0.083 acres to allow for a Smoking Establishment. Property located at 100 N. Ballard Avenue (ZC 2024-06).**

Staff Comments

Community Services Director Haskins addressed the Council stating that approving this item will require a supermajority vote of the Council due to the 20 percent rule being met in accordance with Texas Local Government Code Section 211.006(d)(2).

Applicant Comments

Jose Hernandez and Robert Alvarez, the applicants, addressed the Council giving a brief presentation.

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 6:18 p.m. asking anyone present wishing to address Council to come forward.

Rodney Lewis addressed the Council stating he believes there might be a better location for this business and is in opposition of this business being located on Ballard Street.

Pamela Wells addressed the Council with concerns stating she is in opposition of this business being located on Ballard Street.

Jacki Tobar addressed the Council stating she believes this business might be okay downtown as long as it does not have a shared wall with another business.

Jeremy Meier addressed the Council with concerns stating he believes there may be another location that would better fit this business off of Ballard Street.

Raquel Jarjoura addressed the Council with concerns stating he believes there may be another location that would better fit this business off of Ballard Street.

Mari Gutirez addressed the Council with concerns stating she believes there might be a better location for this business and is in opposition of this business being located on Ballard Street.

Mayor Porter closed the public hearing at 6:39 p.m.

Council Action

A motion was made by Councilman Williams, seconded by Mayor *pro tem* Forrester, to deny Item 1 as presented. A vote was taken and the motion passed 7-0 with Councilman Mulliq abstaining and in accordance with the City Charter, Article III, Section 11 should any member of the city council choose to abstain from voting on any question before the city council, where no declared conflict of interest exists, his vote shall be recorded as an affirmative vote in the official minutes of the City of Wylie.

- 2. Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) on 18.754 acres to allow for drone delivery service for Walmart. Property located at 2050 N. State Highway 78 (ZC 2024-05).**

Applicant Comments

Mark Bergmann, representing Walmart, Bernice Espinoza representing Kimley Horn, and Catherine Lovett representing Wing addressed the Council giving a brief presentation.

Public Hearing

Mayor Porter opened the public hearing on Item 2 at 7:38 p.m. asking anyone present wishing to address Council to come forward.

Pamela Wells addressed the Council asking if this item is approved, would this give them automatic permission to deliver prescription drugs if that service is allowed in the future.

Tommy Todd addressed the Council expressing concerns and stating this is not good for Wylie.

Jacki Tobar addressed the Council speaking in favor of drone delivery, and asked for additional information on accident avoidance.

Mayor Porter closed the public hearing at 7:45 p.m.

Council Action

A motion was made by Councilman Mulliqi, seconded by Councilman Duke, to approve Item 2 with the changes regarding the look and permanency of the structure. A vote was taken and the motion passed 7-0.

- 3. Consider, and act upon, the payment request for the previously budgeted Stream and Wetland Mitigation Fees for McMillen Road from McCreary Road to Country Club Road, in the amount of \$1,062,996 and authorizing the City Manager to execute any necessary documents.**

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 3 as presented. A vote was taken and the motion passed 7-0.

Mayor Porter convened the Council into a break at 7:58 p.m.

Mayor Porter reconvened the Council into Regular Session at 8:07 p.m.

WORK SESSION

Mayor Porter convened the Council into Work Sessions at 8:08 p.m.

WS1. Discuss the currently proposed Downtown Project lane, parking, and sidewalk configuration.

Engineering Project Manager Jenneen Elkhaid addressed the Council giving a brief presentation.

Council feedback included: the majority of the Council preferred a single-lane design to align with the downtown stakeholders' feedback, and there was various feedback on whether to remove parallel parking in its entirety or to have parallel parking rather than having no parking at all.

Jacki Tobar addressed the Council asking they consider wider sidewalks to allow more room for families to walk and is in favor of a one-lane design.

Jeremy Meier addressed the Council stating improving the downtown outdoor space has been a goal for nearly 20 years.

WS2. Discuss the proposed Silverlake multi-family and commercial retail development generally located at the southeast corner of State Highway 78 and Alanis Drive.

James Delaune, representing Crestline Investors, and Levi Wild, representing Wild Land Development Consulting, LLC addressed the Council giving a brief presentation.

Council feedback included this is the same concept plan that was discussed last time and would like to see a more out-of-the-box plan, such as mixed-use or larger commercial uses, not just apartments, to ensure it meets the goals of the current Comprehensive Master Plan.

WS3. Discuss additional lighting at the Dog Park within the Municipal Complex.

Parks and Recreation Assistant Director Brent Stowers addressed the Council giving a brief presentation.

Council feedback included moving forward with purchasing 12 solar lighting features out of the 4B Fund balance at the Municipal Complex Dog Park.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 9:10 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 9:10 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 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).

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: 2022-1c, 2022-10c, 2023-1c, 2023-2d, 2023-11b, 2024-2d, 2024-4e, 2024-5a, 2024-7a, 2024-7b, 2024-8b, and 2024-8d.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 10:02 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 captions of Ordinance Nos. 2024-27 and 2024-28 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to adjourn the meeting at 10:03 p.m. A vote was taken and the motion passed 7-0.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary