

Wylie City Council Regular Meeting Minutes

September 12, 2023 – 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, and Councilman Gino Mulliqi. Councilman Scott Williams was absent.

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Fire Chief Brandon Blythe; Police Chief Anthony Henderson; Fire Marshal Cory Claborn; Finance Director Melissa Brown; Public Information Officer Craig Kelly; Community Services Director Jasen Haskins; City Secretary Stephanie Storm; City Engineer Tim Porter; Public Works Director Tommy Weir; Purchasing Manager Glenna Hayes; Senior Buyer Chris Rodriguez; Parks and Recreation Director Carmen Powlen; Library Director Ofilia Barrera; Project Engineer Jenneen Elkhaid; Wylie Economic Development Corporation Executive Director Jason Greiner; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Forrester led the invocation, and Councilman David R. Duke led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

PR1. Constitution Week.

Mayor Porter presented a proclamation proclaiming September 17-23, 2023 as Constitution Week in Wylie, Texas. Ms. Ferguson, representing the Daughters of the American Revolution, Blackland Prairie Chapter, was present to receive 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.

There were no persons present wishing to address the City 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 the August 22, 2023 Regular City Council Meeting minutes.**
- B. Consider, and act upon, a Preliminary Plat of Lot 1, Block A of Bufflehead Addition, establishing one light industrial lot on 8.96 acres. Property generally located at 1011 E. Brown Street.**

- C. Consider, and act upon, a Final Plat for Lots 1-2, Block A of Upwind Capital Addition establishing two lots on 4.1396 acres, generally located at 1971 N. State Highway 78.
- D. Consider, and act upon, a Final Plat for Lots 1R, 2R, 3R1, and 3R2, Block 14 of the Railroad Addition, being a Replat of Lots 1-3A, Block 14 of Railroad Addition, establishing four residential lots on 0.446 acres, property located at 510 E. Marble.
- E. Consider, and act upon, Resolution No. 2023-18(R) of the City Council of the City of Wylie, recommending to the Collin County Commissioner's Court the renaming of County Road 725 to Parker Road Loop.
- F. Consider, and act upon, Ordinance No. 2023-41 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.
- G. Consider, and act upon, Ordinance No. 2023-42 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.
- H. Consider, and act upon, the award of a professional services project order (PSPO) #W2023-80-E for the Stone Road from W.A. Allen to Bennett Road, Stone Road Improvement Project to Kimley Horn and Associates, Inc. in the amount of \$487,200.00 and authorizing the City Manager to execute any necessary documents.
- I. Consider, and act upon, an Interlocal Cooperation Agreement for Jail Services between the City of Wylie and the City of Royse City, and a First Amendment to Interlocal Cooperation Agreement for Jail Services between the City of Wylie and the cities of Josephine and Lavon, and authorizing the City Manager to execute any necessary documents.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Hoover, to approve the Consent Agenda as presented. A vote was taken and the motion passed 6-0 with Councilman Williams absent.

REGULAR AGENDA

- 1. **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 1.985 acres to allow for Automobile Repair Major use. Property located north of 451 Westgate Way (ZC 2023-12).**

Staff Comments

Community Services Director Haskins addressed the Council stating this is a request for a Special Use Permit (SUP) on approximately two acres on Westgate Way just north of the Caliber Collision and south of the railway. The applicant is asking for a SUP for a use that is similar to Caliber Collision for major automotive repair. A board-on-board fence will be added around the entire property which would normally not be required based on the Zoning Ordinance as it is not visible from the street, but they want to be good neighbors. Notifications were mailed to 31 property owners and staff did not receive any responses in favor or against. If the zoning is approved the site plan and plat would come through for review and consideration. The Planning and Zoning Commission did vote 7-0 to recommend approval on this item.

Council Comments

Councilman Duke asked if any chemicals would be disposed of on-site that would make this an EPA future site. Haskins replied as long as the laws and regulations are followed this site will not be a future EPA site.

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 6:16 p.m. asking anyone present wishing to address Council to come forward.

No persons were present wishing to address the Council.

Mayor Porter closed the public hearing at 6:16 p.m.

Council Action

A motion was made by Councilman Duke, seconded by Councilman Williams, to approve Item 1 as presented. A vote was taken and the motion passed 5-1 with Councilman Mulliqi voting against and Councilman Williams absent.

- 2. Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Agricultural (AG/30) to Commercial Corridor - Special Use Permit (CC-SUP) on 0.821 acres to allow for Drive-Through Restaurant. Property located at 2009 N. State Highway 78 (ZC 2023-13).**

Staff Comments

Community Services Director Haskins addressed the Council stating this request is for a drive-through restaurant use for a proposed Dutch Brothers coffee shop. The property is just under an acre and is located on N. State Highway 78 with pOpshelf to the west, the hotel to the east, and the Public Safety Building to the north across Highway 78. The land is currently zoned agricultural and they are requesting a Special Use Permit (SUP) for the drive-thru, as required by the Zoning Ordinance. In addition, they are asking that the zoning, if approved, would also be a site plan approval so they would not have to go back through the process. Staff has reviewed this plan, and agree that it complies with the Zoning Ordinance. Notifications were mailed to 10 property owners and no responses were received in favor or against. The Planning and Zoning Commission did vote 7-0 to recommend approval of this item.

Council Comments

Mayor *pro tem* Forrester asked if they will be using the same type of materials as the one on FM 544 on the exterior. Haskins replied yes, they would be using the same type of materials. Forrester expressed parking concerns and asked if the proposed parking could handle the walk-up business. Haskins replied according to the Zoning Ordinance they have more parking than what is required. Robert Van, representing Dutch Brothers, replied stating most employees are part-time and are dropped off or use bicycles, but if there are concerns they could potentially make adjustments. Mayor Porter asked if the exterior material type is written in an agreement for this project. Haskins replied it is shown on the elevations but cannot be written into the Ordinance unless they are open to a development agreement. Porter asked the developer if the intent was to use the same exterior facade. Van replied the stone may have changed but it will be very similar to the current building on FM 544. Councilman Mulliqi asked if there would be any fences or bushes between the proposed property and the hotel. Van replied there would be fencing.

Public Hearing

Mayor Porter opened the public hearing on Item 2 at 6:23 p.m. asking anyone present wishing to address Council to come forward.

No persons were present wishing to address the Council.

Mayor Porter closed the public hearing at 6:24 p.m.

Council Action

A motion was made by Councilman Mulliqi, seconded by Mayor *pro tem* Forrester, to approve Item 2 as presented. A vote was taken and the motion passed 6-0 with Councilman Williams absent.

- 3. Consider, and act upon, Ordinance No. 2023-43, designating the public access easement within the FM 544 Gateway Addition as John Yeager Way.**

Staff Comments

Community Services Director Haskins addressed the Council stating the Wylie EDC Board recommended that the public access easement that runs through the 544 Gateway development be named after Mr. Yeager. Mr. Yeager is more than deserving of this honor.

Council Comments

Mayor Porter stated Mr. Yeager served the City for 31 years on the EDC board from its inception, being the longest-serving board member of our EDC and on any EDC board within the state of Texas. He has dedicated a lot of his time and energy to early morning meetings and has also served on multiple other boards within the community. He has also owned and maintained the oldest continuously operated business in the City and has resided in the City for over 50 years. He has done a lot for this City and we appreciate him. He is very deserving of the recognition.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Mulliqi, to approve Item 3 as presented. A vote was taken and the motion passed 6-0 with Councilman Williams absent.

Mr. Yeager thanked the Council and EDC for this honor saying he was very humbled as Wylie is a special place for him. He has lived, had a business, and raised a family here for over 50 years, and his daughters and grandchildren have gone through the Wylie school system.

- 4. Consider, and act upon, the award of Bid #W2023-99-B for E. FM 544 from North Alfred to Vinson/County Line Road to Tiseo Paving Company in the estimated amount of \$14,459,964.54, and authorizing the City Manager to execute any and all necessary documents.**

Staff Comments

Purchasing Manager Hayes addressed the Council stating this is for the East FM 544 project where the City put out a competitive sealed bid process and received eight bids. In going through the bids, Tiseo Paving was the apparent low bidder and they have been reviewed and the numbers have been verified by the City's engineering firm of record. The award itself was \$13,771,394.80 and includes five percent of a pre-award of that 25 percent change order law to keep the project moving.

Council Action

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to approve Item 4 as presented. A vote was taken and the motion passed 6-0 with Councilman Williams absent.

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. 2023-41, 2023-42, and 2023-43 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Mulliqi, to adjourn the meeting at 6:34 p.m. A vote was taken and the motion passed 6-0 with Councilman Williams absent.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary