

Wylie City Council Regular Meeting Minutes

April 23, 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 6:00 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; Digital Media Specialist Kristina Kelly; City Secretary Stephanie Storm; Finance Director Melissa Brown; Community Services Director Jasen Haskins; Parks and Recreation Director Carmen Powlen; Human Resources Director Jennifer Beck; 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

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

PRESENTATIONS & RECOGNITIONS

PR1. Junior Mayor for the Day - Delta Dorris.

Mayor Porter presented a proclamation proclaiming Delta Dorris as Junior Mayor for the Day in Wylie, Texas. Delta Dorris and her family were present to accept the Proclamation.

PR2. Small Business Week.

Mayor Porter presented a proclamation proclaiming April 28-May 4, 2024 as Small Business Week in Wylie, Texas. Many small businesses and WEDC staff and board members were present to accept the Proclamation.

PR3. National Volunteer Week.

Mayor Porter presented a proclamation proclaiming April 21-27, 2024 as National Volunteer Week in Wylie, Texas. Many volunteers from various organizations were present to accept the Proclamation.

PR4. Child Abuse Prevention Month.

Mayor Porter presented a proclamation proclaiming April 2024 as Child Abuse Prevention Month in Wylie, Texas. Dixie Jeffers, Child Protective Services Board and Foster Friends Board member, and Tricia Clifton, CEO and President of CASA of Collin County, were present to accept the Proclamation.

PR5. National Animal Control Officer Appreciation Week.

Mayor Porter recognized April 14-20, 2024 as National Animal Control Officer Appreciation Week.

PR6. National Military Brats Month.

Mayor Porter recognized the month of April as National Military Brats Month.

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.

Bob Heath addressed the Council commending Deputy City Manager Ollie and Public Works staff for resolving a sewer issue on his property.

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 9, 2024 Regular City Council Meeting minutes.**
- B. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of March 31, 2024.**
- C. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for March 31, 2024.**
- D. Consider, and place on file, the City of Wylie Monthly Investment Report for March 31, 2024.**

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. Consider, and act upon, the appointment of a board member to the North Texas Municipal Water District (NTMWD) Board to fill an expired term of June 1, 2024 to May 31, 2026.**

Council Comments

Mayor Porter stated Council appoints two members to the North Texas Municipal Water District Board (NTMWD). Marvin Fuller has served on this board and is seeking reappointment.

Marvin Fuller, current board member, addressed the Council stating it has been an honor to serve and represent the City of Wylie on the NTMWD Board for the past 28 years. Fuller stated that NTMWD celebrated the opening of Bois D'Arc Lake this past week, which is the first lake that has opened in 30 years in Texas, and with the growth in this area another lake is needed about every 10 years. Fuller stated he currently serves as the Legislative Committee chairman and Keith Stephens serves as the Wastewater Committee chairman.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to appoint Marvin Fuller to the North Texas Municipal Water District (NTMWD) Board of Directors for a term to begin June 1, 2024 and end May 31, 2026. A vote was taken and the motion passed 7-0.

2. Tabled from 03-12-2024

Remove from table and consider

Council Action

A motion was made by Councilman Mulliqi, seconded by Councilman Duke, to remove Item 2 from the table to consider. A vote was taken and the motion passed 7-0.

Continue a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Planned Development 2020-27 (PD 2020-27) to Planned Development (PD) on 20.433 acres. Property located from 2535-2701 S. State Highway 78 (ZC 2023-20).

Staff Comments

Community Services Director Haskins addressed the Council stating the applicant is requesting that the Council re-table this Item for three additional meetings as the applicant is still working on addressing the Council's feedback from the previous meeting.

Public Hearing

Mayor Porter continued the public hearing on Item 2 at 6:53 p.m. asking anyone present wishing to address Council to come forward.

Eugene Hauptmann addressed the Council stating he would like the Council to consider the use of this property as this is one of the last largest pieces of land left in Wylie that might be suitable for good commercial property.

Mayor Porter closed the public hearing at 6:55 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to table Item 2 for three meetings at the request of the applicant. A vote was taken and the motion passed 7-0.

3. Tabled from 04-09-2024

Remove from table and consider

Council Action

A motion was made by Councilman Duke, seconded by Councilman Strang, to remove Item 3 from the table to consider. A vote was taken and the motion passed 7-0.

Consider, and act upon, Ordinance No. 2024-10 for a change in zoning from Agricultural (AG/30) to a Planned Development with single-family attached, single-family detached, commercial development and open space on 25.037 acres. Property located near 605 Country Club Road (ZC 2023-18).

Staff Comments

Community Services Director Haskins addressed the Council stating on March 26th the Council approved staff to write the Ordinance for this particular Zoning Case and on April 9th Council had a few concerns including a trip generation table that showed a few inaccuracies, the chosen homebuilder, speaking with the WISD, and privacy concerns along the north side of the property. The trip generation table has been updated, the school district has confirmed with the City that they have taken this particular Zoning Case into their future forecast, but are not in support or against the Zoning Case, and the applicant has addressed privacy concerns by including language in the PD that either requires a one-story home or if there is a two-story home, it cannot have windows or patios past the first story level which is 10 feet.

Council Comments

Mayor Porter gave a recap of the changes that have been made which include there would be no mingling of traffic between this neighborhood and Presidential Estates to the north except for a secondary entrance that will be available to emergency vehicles only, a masonry wall will be installed between the two neighborhoods, the

applicant has addressed the privacy concerns on the north side of the property as well as flipped the commercial building at the front of the property and has made additional changes along the way to the project. Councilman Mulliqi thanked the applicant for addressing the privacy concerns on the north side of the property and asked if they had any potential commercial tenants for the two commercial buildings. Doug Herron, representing Gustin Architecture, addressed the Council stating not at the moment as they are still in the planning stages. Mulliqi asked if they are looking at one company to develop all the property, or are they looking at multiple companies in smaller spaces. Herron replied multiple companies in smaller spaces is what they are leaning to at the moment on both properties. Councilman Strang stated the applicant and architect have done a lot of work to be amendable and address Council and citizen concerns, and added some may still have concerns about traffic but the master plan shows a development similar to this. Councilman Williams confirmed the Zoning is all that is being considered for approval this evening and asked if the elevations will come back before Council prior to getting replatted. Haskins replied only the commercial property elevations, not the residential, would come back; however, the residential plat would come back. Williams confirmed the applicant is meeting the City's standard and Haskins confirmed that was correct. Williams confirmed the facade of the residential homes. Herron replied there would be no siding, it would be masonry. Williams stated there is not a public park in the proposed project and asked how impact fees are handled. Haskins replied each house is assessed a fee and they have to pay that fee when they put in their building plans.

Council Action

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

4. **Hold a Public Hearing, consider, and act upon, Ordinance No. 2024-11 amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 114 (Utilities), Article IV (Water), Division 3 (Water Conservation Plan) repealing and adopting a New Water Conservation Plan to promote the responsible use of Water, requiring the filing of this ordinance and plan with the Texas Commission on Environmental Quality; providing for penalties for the violation of this ordinance; providing repealing, savings and severability clauses, an effective date and for the publication of the caption hereof.**

Staff Comments

Public Works Utilities Manager Albert Garza addressed the Council stating this is a Water Conservation Plan which is required by the Texas Commission on Environmental Quality (TCEQ). The City is required to submit an updated plan to TCEQ every five years, and the last plan the City submitted was in 2019.

Adam Conner, representing Freese and Nichols, addressed Council giving a brief presentation on the Water Conservation Plan Update including water conservation requirements, water usage, draft water conservation plan, and key takeaways.

Public Hearing

Mayor Porter opened the public hearing on Item 4 at 7:13 p.m. asking anyone present wishing to address Council to come forward.

Jacqueline Walters addressed the Council confirming with Mr. Conner that the City's usage in comparison to other cities is based on population.

Mayor Porter closed the public hearing at 7:14 p.m.

Council Comments

Councilman Williams asked about the recommendations for ordinances in the Water Conservation Plan, 8.03 Section D, are these suggestions that are not already ordinances or is this standard language that are in all reports. Conner replied NTMWD created a model plan which included these sections and the City is interested in implementing some of these measures or programs so they included them as part of the Water Conservation Plan.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 4 as presented. A vote was taken and the motion passed 7-0.

5. **Hold a Public Hearing, consider, and act upon, Ordinance No. 2024-12 amending Wylie’s Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 114 (Utilities), Article IV (Water), Division 2 (Water Resource and Emergency Management Plan) repealing and adopting a new Water Resource and Emergency Management Plan to promote the responsible use of water, requiring the filing of this ordinance and plan with the Texas Commission on Environmental Quality; providing for penalties for the violation of this ordinance; providing repealing, savings and severability clauses, an effective date and for the publication of the caption hereof.**

Staff Comments

Public Works Utilities Manager Albert Garza addressed the Council stating this is a Water Resource and Emergency Management Plan which is required by the Texas Commission on Environmental Quality (TCEQ). The City is required to submit an updated plan to TCEQ every five years, and the last plan the City submitted was in 2019.

Adam Conner, representing Freese and Nichols, addressed Council giving a brief presentation on the Water Resource and Emergency Management Plan Update including the drought contingency plan requirements, drought conditions from 2000-2024, current drought conditions, Q3 2023 through Q1 2024 drought conditions, draft DCP - NTMWD and Wylie triggers, draft DCP - enforcement (section 2.06), and key takeaways.

Public Hearing

Mayor Porter opened the public hearing on Item 5 at 7:25 p.m. asking anyone present wishing to address Council to come forward.

No one was present wishing to address the Council.

Mayor Porter closed the public hearing at 7:26 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Duke, to approve Item 5 as presented. A vote was taken and the motion passed 7-0.

Mayor Porter recessed the Council into a break at 7:27 p.m.

Mayor Porter reconvened the Council into Regular Session at 7:38 p.m.

6. **Consider, and act upon, Ordinance No. 2024-13 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.**

Staff Comments

City Manager Parker addressed Council stating a list of mid-year budget amendments was included in the agenda packet for consideration. The majority of the budget amendments is the salary increases that have been discussed over the last couple of months. That number did increase a little bit as they finalized the numbers and positions. Also included is the Animal Shelter remodel for \$800,000. Staff is currently in the process of getting bids for the project and the price will not exceed the \$800,000 but currently do not have a final number until the first part of May.

Council Comments

Councilman Mulliqi stated with adjusting the employee’s salaries at mid-year, Council will work through those changes next budget year but it will not change or affect what Council is considering for the employees this evening. Mayor *pro tem* Forrester thanked Finance for bringing this information back so quickly for Council

consideration, and stated we have to take care of the people. Councilman Strang applauded staff for everything they have done. Councilman Williams thanked staff for the work they have done, and asked where the salary savings is addressed and offset. Parker replied it is absorbed in the mid-year budget, there is no salary savings. Williams asked where the salary savings from open positions that were budgeted go or will be credited to. Finance Director Brown replied the salary savings stayed in their specific fund, and offset any new expenses in that specific fund. Parker thanked the Council for considering and supporting staff. Williams stated he wanted to ensure an adequate amount of money has been applied to the hard to fill positions where we currently have shortages. Parker stated what is being proposed this evening does take a step in the right direction, and provides tools and latitude to help fill those positions. Porter thanked the staff for all that they do.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 6 as presented. A vote was taken and the motion passed 7-0.

7. Consider, and act upon, casting a recommendation for a candidate for the Executive Board of the North Central Texas Council of Governments (NCTCOG).

Council Comments

Porter stated he received an email from NCTCOG for nominations, which are done on an annual basis and are linked to specific criteria. This board oversees a lot of funding and decisions that are made on behalf of the North Texas Region. There is a lower number of representation from Collin County, and from this side of the metroplex. Porter stated he would be interested in serving if Council would be willing to consider nominating him for a position to serve as a representative, which would be put forward for a vote, or if anyone else on Council would be interested in serving.

Council Action

A motion was made by Councilman Strang, seconded by Councilman Williams, to approve casting a recommendation for Matthew Porter as a candidate for the Board of Directors of the North Central Texas Council of Governments (NCTCOG) Executive Board. A vote was taken and the motion passed 7-0.

WORK SESSION

Mayor Porter convened the Council into a Work Session at 7:52 p.m.

WS1. Discuss the Parks and Recreation Department and Five-Year Recommendations.

Parks and Recreation Director Carmen Powlen addressed the Council giving a presentation on the Parks and Recreation Department including how they connect with the visitors each year; the economic impact; staff certifications, licenses, training, and employees; recognitions received; the entities that Parks and Recreation work with; amenities offered; service classification; marketing; regular promotions; revenue sources; expenses for FY 2022-2023; renovation, new development, and acquisition for FY 2022-2023; project updates; rec center annual report highlights; department report card amenities-meet or exceed; department report card amenities-under minimum; engagement report; master plan report card complete/in progress; master plan report card top 10 remaining; threats; five-year recommendations-staffing 4B; five-year recommendations-equipment 4B; and five-year recommendations-projects 4B.

Council comments and questions included how does a league rent a sports field, is acquisition referring to the City purchasing land or land acquisition from developers; clarified whether all senior programs will return to the Community Park Center; is the plan for Park Boulevard Trail available online; confirmed the restrooms at Community Park would be rebuilt as part of the project; commended staff for the all-inclusive aspects such as the pour in play surfacing that have been incorporated; is there any new lighting coming in the near future and is solar lighting incorporated; how much debt would the current 4B bond equate to; confirmed a 4B fund bond does not impact property tax; and would like to see lighting moved up in priority.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 8:31 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 8:31 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: 2013-9a, 2022-1c, 2022-10c, 2023-1a, 2023-2d, 2023-5b, 2023-9b, 2023-11b, 2024-1a, 2024-1c, 2024-3a, 2024-3b, 2024-4a, 2024-4b, and 2024-4c.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 9:26 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. 2024-10, 2024-11, 2024-12, and 2024-13 into the official record.

ADJOURNMENT

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to adjourn the meeting at 9:28 p.m. A vote was taken and the motion passed 7-0.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary