



Wylie City Council

Minutes

Regular Meeting

Tuesday, January 23, 2018 – 6:00 p.m.
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Bldg. 100
Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Mayor Eric Hogue called the meeting to order at 6:00 p.m. City Secretary Carole Ehrlich took roll call with the following City Council members present: Mayor pro tem Keith Stephens, Councilman David Dahl, Councilwoman Candy Arrington, Councilman Jeff Forrester, Councilwoman Diane Culver, and Councilman Timothy Wallis.

Staff present included: City Manager, Mindy Manson; Assistant City Manager, Chris Holsted; Finance Director, Linda Bantz; Development Services Director, Renae Ollie; WEDC Executive Director, Sam Satterwhite; City Engineer, Tim Porter; Public Information Officer, Craig Kelly; City Secretary, Carole Ehrlich, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Councilman Dahl gave the invocation and Councilwoman Arrington led the Pledge of Allegiance.

PRESENTATIONS

- **Proclamation Declaring January 23, 2018 as “Carole Ehrlich Day” in the City of Wylie.**

Mayor Hogue presented a proclamation designating January 23, 2018 as “Carole Ehrlich Day” in the City of Wylie. He noted her 15 years of service while serving as City Secretary for the City of Wylie.

- **Wylie Way Students.**

Mayor Hogue and Mayor pro tem Stephens presented medallions to students demonstrating "Shining the Wylie Way." Each nine weeks one student from each WISD campus is chosen as the "Wylie Way Student."

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

Becky Bernardi of Nevada addressed Council requesting to be placed on the February 13, 2018 agenda to speak about the Wylie Resolution regarding the Lavon Corridor Freeway.

Ronni Fetzer of Wylie addressed Council indicating her support for Item #8 regarding the support for Heritage at Wylie, an affordable housing tax credit project for seniors over the age of 55.

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 Minutes of January 9, 2018 Regular Meeting of the Wylie City Council.** *(C. Ehrlich, City Secretary)*
- B. **Consider, and act upon, Ordinance No. 2018-01 to change the zoning from Agricultural-30 (AG/30) District to Neighborhood Services (NS) District for commercial purposes on one acre, generally located approximately 1,160 feet west of Westgate Way within the E.C. Davidson Survey, Abs A0266, Tr 18, and more specifically at 1250 W. Brown Street. ZC2017-08** *(R. Ollie, Development Services Director)*
- C. **Consider, and act upon, Ordinance No. 2018-02 amending Ordinance No. 2017-26 (2017-2018 Budget) for proposed budget amendments for fiscal year 2017-2018; providing for repealing, savings and severability clauses; and providing an effective date of this ordinance.** *(L. Bantz, Finance Director)*
- D. **Consider, and place on file, the City of Wylie Monthly Investment Report for December 31, 2017.** *(L. Bantz, Finance Director)*
- E. **Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for December 31, 2017.** *(L. Bantz, Finance Director)*
- F. **Consider, and act upon, the request from the Lt. Robert Welch Charity for a vendor fair at Olde City Park on April 7, 2018, with rain date of April 14, 2018.** *(R. Diaz, Parks & Recreation Superintendent)*
- G. **Consider, and act upon, the acceptance of the resignation of David White and appointment of Phillip Gilbert as a new Board Member to the City of Wylie Parks and Recreation Board to fill the term of January 2018 to June 30, 2018.** *(C. Ehrlich, City Secretary)*

- H. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of November 30, 2017. *(S. Satterwhite, WEDC Director)*
- I. Consider, and act upon, Resolution No. 2018-03(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall Counties, Texas, ordering the General Election to be administered by the Collin County Elections Administrator and the City of Wylie on May 5, 2018, for the purpose of electing the positions two (2) Council members (Place 2 and Place 4) of the Wylie City Council, to hold office for a period of three (3) years; Designating locations of polling places; Designating filing deadlines; Ordering Notices of Election to be given as prescribed by law in connection with such election. *(C. Ehrlich, City Secretary)*
- J. Consider, and act upon, Resolution No. 2018-04(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall Counties, Texas, Appointing Election Officials for the General Election on May 5, 2018, for the purpose of electing the positions of two (2) Council members (Place 2 and Place 4) of the Wylie City Council. *(C. Ehrlich, City Secretary)*

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Culver to approve the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

REGULAR AGENDA

1. Hold a Public Hearing and consider, and act upon, a change of zoning from Single-Family 10/24 (SF-10/24) District to Planned Development for Patio Homes on approximately 18 acres, generally located at the northwest corner of Brown Street and Westgate Way within the D.W. Williams Survey, Abs A1021, Tr 2. ZC2017-09 *(R. Ollie, Development Services Director)*

Staff Comments

Development Services Director Ollie addressed Council stating that the applicant is requesting zoning for a Planned Development to allow for single family residential uses on 18.393 acres generally located on the northwest corner of Brown and Westgate.

Ollie explained, the current zoning on the property is SF-10/24, meaning a minimum 2,400 sf home on a 10,000 sf lot. In general terms, the applicant is requesting PD conditions that allow for homes starting at 1,800 sf on 5,500 sf lots with a minimum of 40% of those homes close to the 2,400 sf requirement at 2,200 sf.

Conditions of the PD set a maximum lot count not to exceed 60 lots. The proposal includes a 5.3 acre park dedication to the City with the developer completing all park improvements, including continuation of a major hike/bike trail corridor. The Parks Board has recommended approval of the park improvements proposed by the applicant. This parkland dedication represents approximately 30% of the total acreage of the PD.

Other differences from standard zoning include (Exhibit B):

- Lot coverage increases to 65% from 45%
- Lot width is decreased from 75' to 50'
- Lot depth is increased from 100' to 110'
- Set backs are reduced to 5' side and 15' rear from 10' and 25'
- Because of the lot coverage, accessory structures will not be allowed.

- Lots along the park will use wrought iron and masonry fences.

Notification/Responses: Forty-Four (44) notifications were mailed, with two responses returned against the item at the time of posting. The Commissioners voted 7-0 to recommend approval of the request as submitted.

Council Discussion

Mayor pro tem Stephens confirmed with Ollie that about six homes would be located in the flood zone. Councilwoman Culver asked if there were any other 5,500 sq. ft. lots in the City. Ollie reported that there are some in the City and they are located in Kreymer Estates and Woodbridge Phase 21. Mayor Hogue and Councilwoman Culver expressed concerns with this developer due to previous history and experiences with the City. Trey Walette and John Arnold, representing the Skorbourg Company, were present for questions from council. Councilwoman Culver stated that their presentation and PD had conflicting numbers; the presentation stated the size of the homes would range from 1,850-3,500 sq. ft. while the PD states 1,800-2,400 sq. ft. Walette responded that at least 40% or more of this neighborhood had to be over 2,200 sq. ft.; only 25% can be between 1,800-2,000 sq. ft. Walette stated that this neighborhood was being completed in two phases so that they can file a LOMR with FEMA to build up the lots located in the floodplain to a safe level but the entire infrastructure will go in at the same time. Arnold stated they could come back to council after all the infrastructure, park, trail, etc. is completed, and could request the start of phase one. Councilwoman Culver stated she would like the park and amenities complete before any CO's are issued. Ollie reported under special conditions in the PD staff can add number nine and include a provision that all improvements/park amenities must be constructed or installed prior to releasing any CO's for any single family dwellings. Councilman Dahl asked about the smaller home size, requesting lowering the 25% to 20%. He stated he is sensitive to the market need for people to buy a new single story three bedroom home in Wylie. Arnold stated they could lower that percentage to 20%. Councilwoman Arrington expressed she did not have a concern with the smaller size homes for residents that do not want a large home. Mayor Hogue reminded council that the City is not getting more land so they need to be thoughtful of what is done with the land that is left.

Public Hearing

Mayor Hogue opened the public hearing on ZC 2017-09 at 7:16 p.m. asking anyone present wishing to address Council to come forward.

No one was present wishing to address Council.

Mayor Hogue closed the public hearing at 7:17 p.m.

Council Action

A motion was made by Councilwoman Culver, seconded by Councilman Forrester to table item #1 for staff to gather, and clarify, information to be included in the Planned Development relating to lot size, home size, ratios of lot and home size, and include that no CO's be issued until all amenities/park areas are complete. A vote was taken and the motion passed 6-1 with Mayor Hogue, Councilman Forrester, Councilwoman Culver, Councilwoman Arrington, Councilman Wallis, and Councilman Dahl voting to table and Mayor pro tem Stephens voting against.

2. **Hold a Public Hearing and consider, and act upon, an amendment to Article 5, Section 5.2.F.5 Body Art Studio of the Zoning Ordinance to create a new category for Permanent Cosmetics. ZC 2017-10 (R. Ollie, Development Services Director)**

Staff Comments

Development Services Director Ollie addressed Council stating the recommendation is to create a new use category for Cosmetic Tattoo by defining permanent cosmetics and excluding it from Body Art or Tattooing. This use would also include micro-blading as a form of semi-permanent make-up that provides a means to partially or fully camouflage missing eyebrow hair with the appearance of simulated hair using fine deposits of pigments.

Public Hearing

Mayor Hogue opened the public hearing on ZC 2017-10 at 7:25 p.m. asking anyone present wishing to address Council to come forward.

No one was present wishing to address Council.

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

Council Action

A motion was made by Councilwoman Culver, seconded by Councilman Dahl to approve an amendment to Article 5, Section 5.2F.5 Body Art Studio of the Zoning Ordinance to create a new category for Permanent Cosmetics. A vote was taken and the motion passed 7-0.

3. **Hold a Public Hearing and consider, and act upon, an amendment to Article 3, Section 3.3.C Manufactured Home District of the Zoning Ordinance No. 2005-58 establishing development standards. ZC 2017-11 (R. Ollie, Development Services Director)**

Executive Summary

After the December 5th work session and further research, staff is requesting to withdraw from consideration an amendment to modify the lot size for Manufactured Home District. A majority of the Planning & Zoning Commission discussion focused on lot sizes between 6,000 sf and 6,500 sf. With the current ordinance having a minimum lot size of 7,200 sf and only one tract of land currently zoned MH, it may not be in the best interest of the city to undertake an amendment at this time.

Public Hearing

Mayor Hogue opened the public hearing on ZC 2017-11 at 7:29 p.m. asking anyone present wishing to address Council to come forward.

No one was present wishing to address Council.

Mayor Hogue closed the public hearing at 7:30 p.m.

Council Action

A motion was made by Councilman Wallis, seconded by Councilman Dahl to accept the withdrawal to consider an amendment to Article 3, Section 3.3.C Manufactured Home District of the Zoning Ordinance No. 2005-58 establishing development standards. (ZC 2017-11) A vote was taken and the motion passed 7-0.

- 4. Consider, and act upon, acceptance of the Comprehensive Annual Financial Report (CAFR) for FY 2016-2017 after a presentation by the audit firm of Weaver L.L.P. (L. Bantz, Finance Director)**

Staff Comments

Finance Director Bantz addressed Council stating the City Charter in Article VII, Municipal Finance, Section 13: Independent Audit requires that at the end of the fiscal year an independent audit be made of all accounts of the City by a certified public accountant. In compliance with the City Charter, our outside auditor, Weaver has performed an audit as of September 30, 2017. This is the fourth year for the audit to be performed by Weaver after their selection to continue as the City's independent auditors following an RFP process done during 2014. Prior to that Weaver had served as the City's auditors for six years.

Mr. John DeBurro, Partner-Assurance Services, with Weaver provided a brief summary of the 2016/17 CAFR, including the Independent Auditors' Report. He reported that Weaver had found the audit to be an unmodified opinion. He explained that Weaver had issued the Independent Auditor's Report on Internal Control over Financial Reporting and on compliance and other matters based on an audit of financial statements performed in accordance with Government Auditing Standards. An unmodified report is the best reporting a city can receive where no deficiencies were found. Mr. DeBurro reviewed some of the highlights of the FY 2016-2017 report. A complete copy of the FY 2016-2017 CAFR is on file for review and on the City website.

Mayor Hogue thanked the members of the Finance Department for a great job in compiling and reporting the City's financial affairs.

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Arrington to accept the Comprehensive Annual Financial Report (CAFR) for FY 2016-2017 by the audit firm of Weaver L.L.P. A vote was taken and the motion passed 7-0.

- 5. Consider, and place on file, the 2017 Wylie Economic Development Corporation Annual Report. (S. Satterwhite, WEDC Director)**

Staff Presentation

WEDC Executive Director Sam Satterwhite delivered the 2017 Annual Report to the Wylie City Council. This report provided a financial overview and condition of the Corporation as well as an update on 2017 business activity and 2018 Goals & Objectives.

The WEDC began the fiscal year with a fund balance of \$465,686. The report noted sales tax collections increased 5.87% over prior year receipts totaling \$2,627,376. Other revenues included rental income of \$120,857, sale of one pad site on Highway 78 for \$1,350,000, and loan payments of \$14,150 and \$2,300,000 in loans secured for the acquisition of property. Total FY 2016-2017 available operating funds equaled \$6,881,586.

Expenditures for WEDC operations were as follows: Personnel - \$408,335, administrative costs - \$133,782, marketing and promotion activities - \$160,865, debt service - \$1,862,453 (which included a \$1,000,000 principal reduction payment), direct business incentives - \$863,913, and \$272,605 in other expenses including environmental clean-up and site development related expenses such as surveys. Total expenditures for FY 2016-2017 were \$6,778,466.

In 2017, the WEDC executed seven Performance Agreements totaling 100,000 square feet of new construction, facilitated \$18.7 mm in new investment and created/retained 123 jobs. In January 2018,

two Performance Agreements were executed securing 10,000 square feet in new construction, \$1.2 mm in new value, and 10 new jobs.

In 2018, the WEDC will concentrate their efforts toward a final determination for the use of the Peddicord Center, partnering with the City to prepare the 544 Gateway property for redevelopment which includes finalization of the VCP process with the TCEQ, waterline improvements, and development of a Masterplan in cooperation with the City Council. Finally, the WEDC will focus on Business Park Development, particularly opportunities that may exist on Alanis and Steel Road.

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Arrington to accept and place on file, the 2017 Wylie Economic Development Corporation Annual Report. A vote was taken and the motion passed 7-0.

6. **Consider, and act upon, approval of Resolution No. 2018-05(R) authorizing the City Manager to execute a Funding Agreement with Dallas County to establish a preliminary proposed budget for the Pleasant Valley Road Project from Merritt Road to the Dallas County Line.** *(T. Porter, City Engineer)*

Staff Comments

City Engineer Porter addressed Council stating that in September 2012, staff submitted an application to Dallas County for funding of improvements to Pleasant Valley Road from Merritt Road to the Dallas County Line. In 2013, Dallas County Commissioners Court approved selections for the 6th call for projects for capital improvements, and on November 5, 2013, the City and County entered into a Master Agreement Governing Major Capital Improvement Program (Master Agreement) by Commissioners Court Order 2013-1923, for the purpose of transportation improvements on roads inside Dallas County. Funds for the project will come from Impact fees.

Council Action

A motion was made by Councilwoman Arrington, seconded by Councilman Dahl to approve Resolution No. 2018-05(R) authorizing the City Manager to execute a Funding Agreement with Dallas County to establish a preliminary proposed budget for the Pleasant Valley Road Project from Merritt Road to the Dallas County Line. A vote was taken and the motion passed 7-0.

7. **Consider, and act upon, approval of Resolution 2018-06(R) authorizing the City Manager to execute a Funding Agreement with Dallas County to establish a preliminary proposed budget for the Muddy Creek Bridge project from Country Club Drive to the Dallas County Line.** *(T. Porter, City Engineer)*

Staff Comments

City Engineer Porter addressed Council stating that in September 2012, staff submitted an application to Dallas County for funding of improvements to Sachse Road at the Muddy Creek Bridge from Country Club Drive to the existing 4-lane extension of Ballard Avenue. In 2013, Dallas County Commissioners Court approved selections for the 6th call for projects for capital improvements, and on November 5, 2013, the City and County entered into a Master Agreement Governing Major Capital Improvement Program (Master Agreement) by Commissioners Court Order 2013-1923, for the purpose of transportation improvements on roads inside Dallas County. Funds for the project will come from City Impact Fees.

Council Action

A motion was made by Councilwoman Arrington, seconded by Councilman Wallis to approve Resolution 2018-06(R) authorizing the City Manager to execute a Funding Agreement with Dallas County to establish a preliminary proposed budget for the Muddy Creek Bridge project from Country Club Drive to the Dallas County Line. A vote was taken and the motion passed 7-0.

8. **Consider, and act upon, approval of Resolution No. 2018-07(R) for support for a proposed affordable housing tax credit project, Heritage at Wylie, generally located southeast of the intersection of Vinson Road and Neva Lane at the approximate 2300 block of County Line Road.** (R. Ollie, Development Services Director)

Staff Comments

Development Services Director Ollie addressed Council stating that the applicant approached the City with a request to develop a tract of land for multi-family purposes on approximately 13 acres. The site is currently zoned Multi-Family (MF) District. The applicant presented an overview of their proposal at the January 9th Council meeting for an age restricted development not to exceed 136 one and two bedroom units. The apartment homes will be a gated 3 story community. A Conceptual Plan is included in the agenda packet.

Council Action

A motion was made by Councilman Forrester, seconded by Mayor pro tem Stephens to approve Resolution No. 2018-07(R) for support for a proposed affordable housing tax credit project, Heritage at Wylie, generally located southeast of the intersection of Vinson Road and Neva Lane at the approximate 2300 block of County Line Road. 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 Ehrlich read the captions to Ordinance No.'s 2018-01 and 2018-02 into the official record.

Mayor Hogue recessed the Council into Executive Session at 8:34 p.m. reading the caption below.

EXECUTIVE SESSION

Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:

- **City Manager Evaluation**

RECONVENE INTO OPEN SESSION

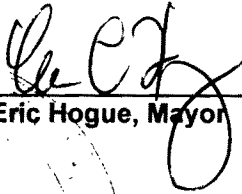
Take any action as a result from Executive Session.

Mayor Hogue reconvened into Open Session at 9:36 p.m.

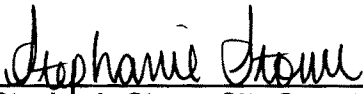
There was no action taken as a result of Executive Session.

ADJOURNMENT

A motion was made by Councilman Forrester, seconded by Councilman Dahl to adjourn the meeting at 9:50 p.m. A vote was taken and the motion passed 7-0.


Eric Hogue, Mayor

ATTEST:


Stephanie Storm, City Secretary

