



Wylie City Council

Minutes

City Council Meeting

Tuesday, January 24, 2017 – 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, Councilman Jeff Forrester, Councilwoman Candy Arrington, Councilman William Whitney III, and Councilwoman Diane Culver.

Staff present were: City Manager, Mindy Manson; Assistant City Manager, Chris Holsted; Development Services Director, Renae Ollie; Public Services Director, Mike Sferra; Fire Chief, Brent Parker; Police Chief, Anthony Henderson; Finance Director, Linda Bantz; City Engineer, Tim Porter; City Secretary, Carole Ehrlich, Public Information Officer, Craig Kelly, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

- Pledge of Allegiance by Boy Scout Troop 441 of Wylie

Tye Jarvis of Boy Scout Troop 441 gave the invocation and Scout Troop 441 presented the colors and led the Pledge of Allegiance.

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.

Eric Mc Murdie addressed Council requesting improvements to Alanis Road.

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 10, 2017 Regular Meeting of the Wylie City Council. *(C. Ehrlich, City Secretary)*
- B. Consider, and act upon, Ordinance No. 2017-05 amending Ordinance No. 2016-20, which established the budget for fiscal year 2016-2017; providing for repealing, savings and severability clauses; and providing an effective date of this ordinance. *(L. Bantz, Finance Director)*
- C. Consider, and place on file, the City of Wylie Monthly Investment Report for December 31, 2016. *(L. Bantz, Finance Director)*
- D. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for December 31, 2016. *(L. Bantz, Finance Director)*
- E. Consider, and act upon, Resolution No. 2017-02(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 6, 2017, for the purpose of electing the positions of Mayor and two (2) Council members (Place 5 and Place 6) 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)*
- F. Consider, and act upon, Resolution No. 2017-03(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 6, 2017, for the purpose of electing the positions of Mayor and two (2) Council members (Place 5 and Place 6) of the Wylie City Council. *(C. Ehrlich, City Secretary)*
- G. Consider, and act upon, approval of a donation of equipment, one rapid-flashing beacon system, from ELTEC Electrotechnics Corporation. *(M. Sferra, Public Services Director)*
- H. Consider, and act upon, approval of a Final Plat creating 138 single family residential lots and 5 open space lots on 38.113 acres for the Stone Ranch Subdivision, generally located at the northeast corner of W. Alanis Drive and South Ballard Avenue. *(R. Ollie, Development Services Director)*
- I. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of December 31, 2016. *(S. Satterwhite, WEDC Director)*

Council Action

A motion was made by Councilwoman Culver, seconded by Councilwoman Arrington 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 in zoning from Multifamily District (MF) to a Planned Development (PD 2017-XX-TH) to allow for a Town House development of 4 units on 0.281 acres located on 202 N Fifth Street, southeast of the intersection of State Highway 78 and N 5th Street (ZC 2016-15) (R. Ollie, Development Services Director)**

Staff Comments

Development Services Director Ollie addressed Council stating that the property totals 0.281 acres and will create 4 townhome residential lots. The applicant has requested that the item be withdrawn from consideration.

Public Hearing

Mayor Hogue opened the Public Hearing on ZC 2016-15 at 6:16 p.m. asking anyone present wishing to address Council to come forward.

No one was present to address Council.

Mayor Hogue closed the Public Hearing at 6:17 p.m.

Council Action

A motion was made by Councilman Dahl, seconded by Councilwoman Culver to **accept the withdrawal of ZC 2016-15**, requested by the applicant for a change in zoning from Multifamily District (MF) to Planned Development to allow for a Town House development of 4 units on 0.281 acres located on 202 N. Fifth Street, southeast of the intersection of State Highway 78 and N. Fifth Street (ZC 2016-15). A vote was taken and the motion passed 7-0.

2. **Hold the 2nd Public Hearing for the annexation of approximately 3,100 linear feet of Sachse Road from Muddy Creek to the Dallas/Collin County line. 2017-01A (R. Ollie, Development Services Director)**

Staff Comments

Development Services Director Ollie addressed Council stating that this annexation is at the request of Dallas County and defined as Orphan Roads. Orphan Roads are all or part of a street or road right-of-way, which is outside the incorporated limits of a municipality (or municipalities) and the incorporated area of the municipality (or municipalities) abuts or extends into the right-of-way.

Councilwoman Culver asked if the road improvements would be eligible for the MCIP. Hamid Baha, representing Dallas County Public Works, addressed Council stating that in order for a road to be eligible for MCIP funds through Dallas County, it must be classified as type "B". At present the County Road between Muddy Creek and County line is classified as type "A". Several years ago Dallas County recognized that this road was not type "B" but was in need of repair. At that time the County completed the design for improvements to the road. Baha explained that in order for this road to qualify for further funding, it must be classified as type "B" which first requires a City to annex the road and maintain it. Then funding could be considered on a 50/50 basis between the City and County.

Public Hearing

Mayor Hogue opened the Public Hearing on ZC 2017-01A at 6:23 p.m. asking anyone present wishing to address Council to come forward.

No one was present to address Council.

Mayor Hogue closed the Public Hearing at 6:24 p.m.

No action required on this item. An Ordinance for the above annexation will be considered at the Regular Council Meeting of February 14, 2017.

- 3. Consider, and act upon, Resolution No. 2017-04(R) establishing a public newspaper of general circulation to be the "Official Newspaper" for the City of Wylie. (C. Ehrlich, City Secretary)**

Staff Comments

City Secretary Ehrlich addressed Council stating that the Texas Local Government Code, §52.004 states that at the beginning of each fiscal year, municipalities must designate an official newspaper. This must be done as soon as practicable. The municipality shall contract with the newspaper designated by ordinance or resolution. The Neighbors Go DMN was discontinued last year therefore the Dallas Morning News and the Wylie News were included as qualified for the "Official Newspaper". Costs for each newspaper were included in the agenda packet.

Councilman Dahl asked if certain publications that required publication in all three counties would require the City to use the Dallas Morning News. Ehrlich replied that in those cases, it was the City Attorney's opinion that the publication be published in both the Wylie News and DMN.

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilman Forrester to approve Resolution No. 2017-04(R) and designate the Wylie News as the "Official Newspaper" for 2017. 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 2015-2016 after a presentation by the audit firm of Weaver L.L.P. (L. Bantz, Finance Director)**

Executive Summary

Finance Director Bantz addressed Council stating that 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, 2016. This is the third 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, Senior Audit Manager with Weaver, provided a brief presentation of the 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 FY 2015-2016. A complete copy of the FY 2015-2016 CAFR is on file for review.

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 Culver to accept the Comprehensive Annual Financial Report (CAFR) for FY 2015-2016 by the audit firm of Weaver L.L.P.

Presentation of the Wylie Economic Development Corporation Annual Report.

WEDC Executive Director Sam Satterwhite delivered the 2016 Annual Report to the Wylie City Council. This report provided a financial overview and condition of the Corporation as well as an update on 2016 business activity and 2017 Goals & Objectives. The report noted sales tax collections increased over prior year by 13.23%. Over 2015 receipts totaled \$2,481,757.

The WEDC reported the following breakdown of expenditures: \$2,441,580 on grants and engineering services directly attributed to incentive packages, \$953,616 on the purchase of real property, \$333,007 on personnel services, \$105,176 on marketing and promotion, and debt service of \$670,278. The WEDC also had \$106,100 in income from the lease of WEDC facilities, and \$11,958 in income from a loan receivable. Finally, the WEDC ended the FY 2015-16 with a fund balance of \$465,686.

In 2016 the WEDC borrowed \$4,165,000 for the purchase of multiple properties. A 1.2-acre tract located at 398 S. Highway 78 was purchased which completed the assemblage of seven properties (5 acres) which has subsequently been cleared and is being marketed for restaurant development. A 4.79-acre tract was purchased in November 2016 from Dallas Whirlpools which can be combined with the City of Wylie property on 544 (EPA site) and additional properties owned by the WEDC on Commerce Street to create a 12-acre contiguous site. Finally, a 0.29-acre tract located at 201 Industrial Court was purchased to be combined with two other adjoining properties and marketed for redevelopment.

In February 2016 the WEDC conveyed its interest in 2.11 acres of land to Mann Made, Inc. as part of a simultaneous purchase agreement for 398 S. Highway 78. Also, in 2016, the WEDC sold 1.433 acres of land on FM 544 to McClure Partners, LLC to further office and retail development. McClure has since contracted with Freddy's Frozen Custard & Steak Burgers, Bush's Chicken, and Soulman's Barbecue, all of which will be operational in 2017.

In FY2016-2017, the WEDC is contractually obligated to fund \$862,947 in direct incentive programs including sales tax rebate programs for infrastructure improvements executed with Direct Development, Clark Street, and B&B. These ongoing, multi-year commitments represent fourteen projects which the WEDC has previously approved or is in the process of negotiating currently.

Satterwhite reported that in 2017, the WEDC will concentrate their efforts toward facilitating the development of the KCS commercial property along Highway 78, selling restaurant pad sites along Highway 78 and FM 544, and identifying investors willing to implement a mixed-use

development on Jackson Street that complements Wylie's Historic Downtown. In addition, the WEDC is dedicated to investing in a more formalized Business Retention & Expansion Program designed to foster relationship building and facilitate timely notice of expansion plans, business challenges, and any action needed to ensure the health of key employers in Wylie.

5. Consider, and place on file, the 2016 Wylie Economic Development Corporation Annual Report. (S. Satterwhite, WEDC Director)

Council Action

A motion was made by Councilman Forrester, seconded by Mayor pro tem Stephens to accept and place on file, the 2016 Wylie Economic Development Corporation Annual Report. A vote was taken and the motion passed 7-0.

READING OF ORDINANCE

Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.

City Secretary Ehrlich read the caption to Ordinance No. 2017-05 into the official records.

Mayor convened into Executive Session at 7:13 p.m. citing the caption below.

EXECUTIVE SESSION

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

§§Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.

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.

- **City Manager Evaluation** (M. Manson, City Manager)

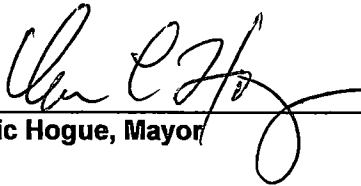
RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Hogue reconvened into Open Session at 8:10 p.m.

ADJOURNMENT

A motion was made by Mayor pro tem Stephens, seconded by Councilman Whitney to adjourn the meeting at 8:15 p.m. A vote was taken and the motion passed 7-0.


Eric Hogue, Mayor

ATTEST:


Carole Ehrlich, City Secretary

