



Wylie City Council

Minutes

City Council Meeting

Tuesday, May 23, 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 pro tem Keith Stephens 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 Jeff Forrester, Councilman David Dahl, Councilwoman Candy Arrington, Councilwoman Diane Culver, and Councilman Timothy T. Wallis. Mayor Eric Hogue was absent.

Staff present were: City Manager, Mindy Manson; Assistant City Manager, Chris Holsted; Fire Chief, Brent Parker; City Engineer, Tim Porter; City Secretary, Carole Ehrlich; Public Information Officer, Craig Kelly, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Councilman Dahl gave the invocation and Councilman Wallis led the Pledge of Allegiance.

PRESENTATIONS

- **Wylie Way Students** (*K. Stephens, Mayor Pro Tem*)

Mayor pro tem Stephens and Councilman Forrester 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.

Several Wylie citizens spoke to Council regarding concerns with the current tax rate and requesting the reduction of the tax rate for Fiscal Year 2017/2018. Mayor pro tem Stephens announced the dates for FY 2017/18 budget discussions and public hearings on both the budget and proposed tax rate and invited those present and any citizen to attend those meetings.

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 May 9, 2017 Regular Meeting and the May 16, 2017 Special Called Meeting of the Wylie City Council. (C. Ehrlich, City Secretary)**
- B. Consider, and place on file, the City of Wylie Monthly Investment Report for April 30, 2017. (L. Bantz, Finance Director)**
- C. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2017. (L. Bantz, Finance Director)**
- D. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of April 30, 2017. (S. Satterwhite, WEDC Director)**
- E. Consider, and act upon, a vendor application for the Wylie ISD Council of PTA's "Back to the Future Back to School" event at Olde City Park on August 26, 2017. (R. Diaz, Parks and Recreation Superintendent)**
- F. Consider, and act upon, a request to alter the exterior of an existing building by removing a wall and installing a covered porch. Residential structure located within the Keller's 1st Addition, Block 3, Lot 17 (101 S Birmingham St). (R. Ollie, Development Services Director)**
- G. Consider, and act upon, a request to alter the exterior of an existing building by removing a window and replacing it with a single door. Residential structure located within the Keller's 1st Addition, Block 3, Lots 5 & 6A (108 S Jackson). (R. Ollie, Development Services Director)**

Council Action

A motion was made by Councilman Forrester, seconded by Councilwoman Culver to approve the Consent Agenda as presented. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

REGULAR AGENDA

- 1. Hold a Public Hearing and consider, and act upon, an amendment to PD 2003-01 and repealing Ordinance No. 2006-46 to enhance and define the land use, architectural, and development standards in the Townhouse District. ZC 2017-03 (R. Ollie, Development Services Director)**

Staff Comments

Senior Planner Jasen Haskins addressed Council stating that the applicant is requesting to amend PD 2003-01. The purpose of the amendment is to refine development standards for townhome development on approximately 52 acres of land. The property is generally located on the southwest corner of Woodbridge Parkway/Hooper and Hensley. In addition, this amendment proposes to repeal 2006-46 which allowed a sports complex on this same property.

PD 2003-01 envisioned Woodbridge North as combinations of retail, retirement living, single family homes, townhomes, and a large sports complex. The retail components and multi-family developed as planned as the Kroger shopping center and Broadstone Woodbridge apartments, respectively. However, the single family tract became Draper Intermediate and Cooper Junior High Schools and the sports complex portion of the development never materialized.

The proposed revisions would remove the sports complex as an allowed use and refine the townhome uses based on the rules and regulations currently in effect. The PD does not add Townhomes as a use as the use was approved in the original PD.

Haskins reported the Commissioners voted 6-1 to recommend approval with the following stipulations to Tract A-4: a five feet sidewalk shall abut the back of curb and the developer will provide one (1) off-street parking space per every ten (10) lots.

Two of the builders, Grenadier Homes and CB Jeni Homes and developer Don Herzog made short presentations in regards to the amenities and layout of the PD.

Public Hearing

Mayor pro tem Stephens opened the public hearing on Item #1 at 7:43 p.m. asking anyone present wishing to address Council to come forward.

Jerry Smith spoke to Council about concerns with the high density of the PD.

Mayor pro tem Stephens closed the public hearing at 7:48 p.m.

Council Action

A motion was made by Councilwoman Arrington, seconded by Councilman Dahl to approve an amendment to PD 2003-01 and repealing Ordinance No. 2006-46 to enhance and define the land use, architectural, and development standards in the Townhouse District ZC 2017-03. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

2. **Consider, and act upon, amending Ordinance No. 2014-44 Section 22-442 Definitions, and Section 22-447 Attached Sign Regulations.** *(R. Ollie, Development Services Director)*

Staff Comments

Senior Planner Haskins addressed Council stating that staff is proposing changes to Ordinance 2014-44 Section 22-442 Definitions, and Section 22-447 to provide clarification and amendments that reflect a better built environment.

Haskins explained that the current Ordinance regulates the size of wall signs by limiting the height of a sign based on the structures distance from the facing public street. Square footage of the sign is also limited based on how high the sign is mounted on the structure. Staff is proposing to remove the limitations, which would allow for various shapes of signs. In the case of an irregular shape that cannot be measured by standards, would then be measured by the entire area within a continuous perimeter.

Over the past 18 months the Planning staff has processed and the Zoning Board of Adjustments has approved 14 separate cases allowing a variance to this aspect of the Ordinance. Based on the applicant requests, ZBoA approvals, staff research, and other input, staff is recommending an amendment to the Ordinance.

The proposed formula would allow two square feet of signage for every one linear foot of façade of a structure. In addition, no one sign can be more than 75% of the total allowed square footage. Thus a building 50' wide would be allowed 100 square feet of signage with no one sign being more than 75 square feet.

Haskins noted that in all cases, the applicants choose by creative design or mandated company logo to install a sign that is smaller than would be allowed under the proposed rules (but was deemed too large under the current rules)

The proposed formula does ignore two potential issues, but for good reason. The first is only relying on the linear size of the building to determine allowed sign size and the second is ignoring the distance of a sign to a public street.

Second, the amendment ignores the distance the building or attached sign is to the street. Staff feels that the current design standards, developer's current penchant for structure placement away from the street, and the ordinance controlling for light spillage, allows the proposed amendment to still meet its stated purpose.

This change would not affect existing businesses until they choose to replace the signage.

Haskins explained that if the proposed amendments are approved by Council, an ordinance reflecting these changes will be presented to Council for consideration at the next regular Council meeting.

Council Action

A motion was made by Councilman Forrester, seconded by Councilwoman Culver to direct staff to prepare an Ordinance amending Ordinance No. 2014-44 Section 22-442 Definitions and Section 22-447 in accordance with the amendments presented in Item #2. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

3. **Consider, and act upon, Ordinance No. 2017-16 of the City Council of the City of Wylie, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2017 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring**

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reconciliation and rate adjustments if federal income tax rates change; terminating the RRM Process for 2018 pending renegotiation of RRM terms and conditions; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this Ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Ordinance to the company and the ACSC's legal counsel. (M. Manson, City Manager)

Staff Comments

City Manager Manson addressed Council stating that the City, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). The RRM Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), the statutory provision that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. The RRM Tariff has been modified several times, most recently in 2013.

Manson explained the proposed rates by the Atmos cities Steering Committee would reduce rates by 9.4 million and would increase residential rates by \$2.00 or 4% on an average home. Commercial rates would increase less by approximately 2.3%. She stated this is much less than the rate might be using the "GRIP" process which excludes citizen advocacy and leaves the determination of rates to the Railroad Commission. The proposed ordinance will also require Atmos to reimburse ACSC for reasonable ratemaking expenses.

Council Action

A motion was made by Councilman Forrester, seconded by Councilman Dahl to approve Ordinance No. 2017-16 of the City Council of the City of Wylie, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2017 rate review mechanism filings, as provided for in Agenda Item #3. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

READING OF ORDINANCE

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

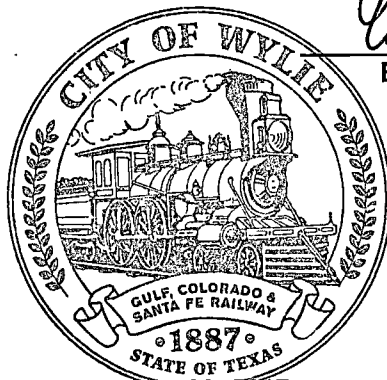
City Secretary Ehrlich read the caption to Ordinance No. 2017-16 into the official record.

ADJOURNMENT

A motion was made by Councilwoman Culver, seconded Councilman Dahl to adjourn the meeting at 8:04 p.m. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

ATTEST:


Carole Ehrlich, City Secretary




Eric Hogue, Mayor