



Wylie City Council

Minutes

City Council Meeting

Tuesday, June 14, 2016 – 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 Hogue called the meeting to order at 6:05 p.m. City Secretary Ehrlich took roll call with the following City Council members present: Mayor pro tem Keith Stephens, Councilman David Dahl, Councilwoman Candy Arrington, Councilwoman Diane Culver, and Councilman William Whitney III. Councilman Jeff Forrester was absent. Also present was Junior Mayor Diego Munoz.

Staff present were: City Manager, Mindy Manson; Fire Chief, Brent Parker; Police Chief, Anthony Henderson; Assistant City Manager, Jeff Butters; City Engineer, Chris Holsted; Development Services Director, Renae Ollie; Community Services Director, Mike Sferra; WEDC Executive Director, Sam Satterwhite; City Secretary, Carole Ehrlich; Public Information Officer, Craig Kelly; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Former Mayor William Martin gave the invocation and Former Councilmember Steve Wright led the Pledge of Allegiance.

PRESENTATIONS

- **Presentation of Junior Mayor Diego Munoz.** *(E. Hogue, Mayor)*

Mayor Hogue introduced Junior Mayor Diego Munoz. He explained that Groves Elementary auctioned the "Mayor for a Day" and Diego, who will be a 4th grader, was the winner. All proceeds from the auction fund the Groves Elementary PTA. Mayor Hogue administered the Oath to Junior Mayor Munoz, and he assisted in conducting the remainder of the meeting.

- **Presentation of Wylie Way Students – 4th Quarter.** *(E. Hogue, Mayor)*

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.

Bobby Heath, representing the Wylie Downtown Merchants Association, urged everyone to attend the Bluegrass on Ballard event scheduled for July 2, 2016. The event will be held in Olde City Park in Historic Downtown Wylie. Features of the event will be arts and crafts booths, food vendors, antique car show, and bluegrass entertainers. New this year will be fireworks sponsored by Bloomfield Homes.

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 24, 2016 Regular Meeting of the Wylie City Council.** *(C. Ehrlich, City Secretary)*
- B. **Consider, and act upon, authorizing the City Manager to execute a cooperative agreement with the Collin County Community Supervision and Corrections Department for the purpose of providing probationers placed on community supervision by the courts an opportunity to perform volunteer public service work with the City of Wylie to fulfill sentencing conditions.** *(S. Rodgers, Parks Manager)*
- C. **Consider, and place on file, the Animal Shelter Advisory Board report to City Council regarding the meeting held on May 11, 2016.**
- D. **Consider, and act upon, authorizing the City Manager to execute a Rental/Use of Building Facilities Agreement with Waterbrook Bible Fellowship for the purpose of conducting Senior Recreation Center activities.** *(M. Sferra, Community Services Director)*
- E. **Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of April 30, 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 6-0 with Councilman Forrester absent.

REGULAR AGENDA

1. Consider, and act upon, the recommendations of the 2016 Boards and Commission Council Interview Panel for appointments to the Animal Shelter Advisory Board, Construction Code Board, Library Board, Parks and Recreation Board, Parks and Recreation Facilities Development Corporation Board (4B), Planning and Zoning Commission, Public Arts Advisory Board, Historic Review Commission, Wylie Economic Development Corporation, and the Zoning Board of Adjustments to fill board vacancies for a term to begin July 1, 2016 and end June 30, 2018/19. (C. Ehrlich, City Secretary)

Council Discussion

Mayor Hogue thanked members of the 2016 Boards and Commissions Interview Panel (Mayor pro tem Stephens, Councilwoman Arrington, and Councilman Dahl) for their service and asked Chair Stephens for recommendations. The following recommendations were acted upon and approved.

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Arrington to appoint the following members to the **Animal Advisory Board (2 year terms)**: Brad Abraham, DVM (Veterinarian) to replace Dr. Chuck Kerin; Beatrice Cordova (citizen position) to replace Amy Nutz; Brad Boozer (citizen position) to replace David Lewis, and re-appoint Councilman David Dahl (public official). A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl to appoint the following members to the **Construction Code Board (2 year terms)**: Brett Swendig, alternate, to replace Thomas Byers, and Roberts Reynolds, alternate, to replace Charles Barton. Appoint active member David Burkhart to replace Karyn McGinnis, and to re-appoint Dale Davenport and Sunil Verma. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Arrington to appoint the following members to the **Library Board (2 year terms)**: re-appointment of Kenneth Cash, and the appointment of Jesse Meason to replace Geraldine Washington. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl to appoint the following members to the **Parks and Recreation Board (2 year terms)**: the re-appointment of David White, Emmett Jones, and Matt Rose, and the appointment of Joni Robinson to replace Lisa Ulmer. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Arrington to appoint the following members to the **Parks and Recreation 4B Board (2 year terms)**: the re-appointment of Mayor Eric Hogue and Councilman David Dahl. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl to appoint the following members to the **Planning and Zoning Commission (2 year terms)**: the re-appointment of Sonia Ahmed, Ronald Smith, and Randy Owens, and the appointment of Robert

Myers to replace David Williams. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Arrington to appoint the following members to the **Public Arts Advisory Board (2 year terms)**: the re-appointment of Brooke Lopez, Lynn Grimes, and Lisa Green, and the appointment of Michael Schwerin to replace Margaret Boyd. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Arrington to appoint the following members to the **Zoning Board of Adjustment (2 year terms)**: the re-appointment of Jason Potts, Andres Gonzalez, Kevin Finnell, and Robert Holcomb, and to appoint Robert Reynolds to replace Karyn McGinnis and appoint Beatrice Cordova as alternates to the board. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl to re-appoint the following members to the **Wylie Economic Development Corporation Board (3 year terms)**: the re-appointment of Mitch Herzog and Marvin Fuller. The Council Committee also suggested the WEDC Bylaws be changed to include one of the following: an "active replacement" or "ExOfficio" to allow training of a replacement should an opening occur on the board. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl to appoint the following members to the **Historic Review Commission (2 year terms)**: the re-appointment of Bob Heath, appoint Mandi Wilson to replace Annilee Waterman, and Sandra Stone to replace Jennifer Wakefield. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

Interview of Ethics Board Applicants

Council members interviewed the following applicants:

Brian Atwood, David Brown, Quincy Johnson, William Martin, Bradley Perry, Steven Wright, Eric Yanou, and Michael Pace.

2. **Consider, and act upon, the appointments to the City of Wylie Ethics Board for a term to begin July 1, 2016 and end June 30, 2017/18. (C. Ehrlich, City Secretary)**

Council Discussion

Mayor Hogue introduced the item stating that the Board of Ethics (Board) is created by Wylie Ordinance No. 2014-19 and serves at the will of the City Council. The board shall consist of five (5) regular members and two (2) alternates who will serve no more than one (1) term of two (2) years, with the exception of the inception to achieve staggered terms. The members will be resident citizens of the City and may not serve on any other Council appointed Board or Commission during their term. City of Wylie employees may not serve on the Board. The Board members are required to complete Open Meetings Act training and received Certificate of Completion by the first ninety (90) days of first year appointment.

Mayor Hogue asked for recommendations from the 2016 Boards and Commissions Interview Panel. Chair, Mayor pro tem Stephens made the following recommendations: for 2 year terms: William Martin,

Steven Wright, and Brian Atwood. One year terms: Quincy Johnson and Bradley Perry. Alternate positions: Eric Yanou and David Brown.

Councilwoman Culver stated she believed the board would be served by having an attorney on the board and recommended Michael Pace for a position. Chair Stephens stated that these recommendations were based partly on the applications and the desire shown to serve on this particular board, which all recommended applicants had shown as one of their preferences.

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Culver to appoint the following applicants to the Ethics Board for staggered terms: William Martin, Steven Wright, and Brain Atwood to serve two year terms from July 1, 2016 to June 30, 2018; Quincy Johnson and Bradley Perry to serve one year terms beginning July 1, 2016 and ending June 30, 2017, and to appoint Eric Yanou and David Brown to serve as alternates for two year terms beginning July 1, 2016 and ending June 30, 2018. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

- 3. Consider, and act upon, an appeal to the City Council of the Historic Review Commission's decision to deny renovations to relocate a window and door for a commercial structure located at 100 N. Ballard Avenue. (R. Ollie, Development Services Director)**

Staff/Council Comments

Development Services Director Ollie addressed Council stating that the applicant had submitted an appeal to the Historic Review Commission's decision to deny a request to relocate a window and door of an existing commercial structure within the Historic Downtown District (DTH).

The applicant states that moving the door south one panel (approx. 3 feet) does not affect the historical value of the property. This is especially true since many of the doors in the downtown area are off-center. The applicant states that it is their belief that the decision was prejudicial and without merit.

Ollie explained staff has provided a google map of the downtown area showing 5 entrances that are currently off-set.

Ollie explained the Commission discussed at great length the off-set of the door. Discussions focused on the relocation of the door and window in that it was not in tune with historic commercial buildings and that the change was too significant. Other options discussed included relocating the main entry to the south side of the building on Oak. The applicant stated that would not be favorable. The Commission also asked if the applicant had discussed with TCBY any alternate floor plan layouts that would allow the door to remain as is. The applicant stated that their preference of course was to have only interior modifications. However, to have a more sufficient interior flow was to relocate the door. Ollie reported the commission voted 3-3, which failed due to lack of a majority vote.

Councilwoman Culver stated that she was a little upset that a business wishing to provide service in the downtown area was having to jump through hoops in order to establish the business. She noted there were other off-set doors in the downtown area and was not sure why this particular request was denied. She asked if there were any other extenuating circumstance that required this denial. Development Services Director Ollie stated there was not, other than what was stated.

Councilman Dahl asked if the original building had been changed since the original construction. Ollie replied it had. Councilman Dahl stated his understanding of the HRC was not to impose restrictions on the owners in the downtown area, but rather to maintain the character of downtown. Councilman Whitney

concluded with Councilwoman Culver. He asked if the existing doors and windows were the original materials constructed with the building. Ollie replied they were not.

Citizen Comments

Annilee Waterman, a member of the HRC and speaking for herself, addressed council stating why she had based her decision to deny the request. She stated that because the HRC Ordinance did not address these issues she referenced the National Standards & Guidelines for Rehabilitation set by the Secretary of Interior National Parks Department used for "historic" renovation across the country.

Applicant Gary Taylor addressed Council stating that the brick on the building was not "historic brick" and was replaced sometime in the 1960's or early 70's. The same brick would not be hard to replace. He stated that his company had been building in Dallas for many years and always improved the character of a building once renovations were completed. He assured Council the building would retain its historic character.

Council Action

A motion was made by Councilman Whitney, seconded by Councilwoman Arrington to **approve** renovations to relocate a window and door for a commercial structure located at 100 N. Ballard Avenue. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

4. **Consider, and act upon, a residential sewer service connection for the property located at 2205 East Stone Road which is located in the ETJ of the City of Wylie.** *(C. Holsted, City Engineer)*

Staff/Council Comments

City Engineer Holsted addressed Council stating that the Kreymer Park development is located on the east side of Wylie along East Stone Road. To provide sewer service to the development, a sewer line extension or the construction of a sewer lift station is required. Staff prefers a sewer line extension due to the reduced maintenance and utility cost over the life of the facility.

Holsted explained, the developer acquired offsite easements to connect to a City of Wylie sewer line located on the south side of E. Stone Road. The alignment crosses two properties which are located in the ETJ. The previous property owner, Robert Kreymer, acquired the necessary offsite easements and an easement agreement was executed by Mr. Kreymer and the property owner at 2205 E. Stone Road. Holsted noted, the City was not aware of this agreement and not a party to the agreement – it is between the property owner and the developer. The agreement states that two sewer taps would be constructed "plus a hook up at the house to the sewer line would be completed if requested." The property owner executed the easement document and it has been filed with the County.

Ordinance No. 2008-24 states "It shall be the policy of the City to not extend sewer lines or construct sewer mains to provide new sewer services to properties within the City's ETJ". Geoff and Julie Kilgore stated they would not have granted the easement unless they could connect to the sewer line.

Mayor Hogue voiced his disappointment in the agreement that was offered by the property owner and developer to the Kilgore's, without the City's knowledge.

Property owners Geoff M. and Julie C. Kilgore addressed Council stating that the developer offered to provide connection to City sewer, backfill, and offered monetary compensation for working on their property. Julie Kilgore stated that as time went on they started asking questions about how they would receive a bill since they were not on City water. The developer replied they had been in contact with the City and it would not be a problem to connect them to the sewer system. Mayor Hogue asked City

Engineer Holsted how many times he had been contacted by the developer regarding the tie in. Mr. Holsted replied he was never contacted by the developer regarding the ETJ tie in for the Kilgore's. Mrs. Kilgore explained that they became suspicious after the developer stated he would hook the applicant up after the City had inspected and left the property.

Mayor Hogue stated, in summary, what the developer told the applicant was he would take care of the sewer hookup for sewer service, if the applicant agreed to let them run the sewer line across their property and the applicant would never have to pay for sewer service. Mayor pro tem Stephens stated that this was fraud. Mayor Hogue stated this brought into questions everything this developer might provide for this development.

Mayor Hogue asked City Manager Manson what would happen if the item before Council was denied. City Manager Manson stated that an easement agreement between the requestor and the developer had been filed with the County and therefore if the item was denied, the easement needed to be abandoned so the developer could not be on the Kilgore property without permission. In addition, a stop work order should be applied to the construction of the sub-division until the developer files alternate plans that are extensively reviewed and approved by the City.

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Culver to **deny** a request for residential sewer service connection for the property located at 2205 East Stone Road which is located in the ETJ of the City of Wylie. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

5. **Consider, and act upon, authorizing the City Manager to execute an Interlocal Agreement between the City of Wylie and the Dallas Area Rapid Transit Bus Service for the provision of transit services for Wylie citizens who are 65 years of age or older or who have a disability through September 30, 2017. (M. Manson, City Manager)**

Staff Comments

City Manager Manson addressed Council stating that the City of Wylie has allocated \$2,500 per month since the FY 14-15 Budget for transit services for residents who are 65 years of age or older or who have disabilities. Initially the service was provided by the Texoma Area Paratransit Services (TAPS) agency to some cities in Collin County including Wylie, Allen, Fairview and McKinney. TAPS encountered financial issues and officially discontinued services in Collin County in December 2015. She explained that in an effort to continue to provide the service, the North Central Texas Council of Governments (COG) asked DART to step in to temporarily continue the service for 90 days to allow time for each entity to evaluate how, or if, to continue the transit services. Services were provided to Wylie, Allen, and Fairview, with McKinney pursuing other avenues. Subsequent to that, DART received a grant from Toyota for \$1 million dollars for the specific purpose of continuing the paratransit services in Collin County. The Regional Transportation Council (RTC) which is the policy and funding approval arm of the COG's regional transportation planning function approved an additional \$650,000 in federal funding to match the Toyota grant.

DART representative Todd Plesko addressed Council stating that the DART Board and LGC approved a plan to continue service for seniors and disabled in Collin County potentially through September 2017. Trips within the three cities and also to McKinney and Frisco are limited to seniors and the disabled. Transportation will be provided weekdays only from 5:00 a.m. to 6:00 p.m. Trips can be scheduled 8:00 a.m. to 5:00 p.m. Ten wheelchair accessible vehicles will be provided and stored in the City of Allen.

Ridership currently ranges from 15 to 30 passengers per week; over 1,000 riders were transported in all three cities through May 2016. Mr. Plesko presented the recommended Taxi Voucher Program to be

implemented for seniors 65+ and disabled. Users purchase taxi vouchers for 25% of voucher value in dollar increments with a maximum one time purchase of \$200. Financial support for the remainder would be funded from Toyota and Federal grants. Medical appointments would take schedule priority.

DART will continue to manage the current program through September 2016 and then provide the Taxi Voucher Program for FY 2017. Costs to service the Taxi Voucher program, based on current use, is estimated to be less than current costs to the City with opportunity to increase the ridership when needed.

Council Action

A motion was made by Councilwoman Arrington, seconded by Councilwoman Culver to authorize the City Manager to execute an Interlocal Agreement between the City of Wylie and the Dallas Area Rapid Transit Bus Service for the provision of transit services for Wylie citizens who are 65 years of age or older or who have a disability through September 30, 2017. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

6. **Review, consider and act upon, Resolution No. 2016-01(R) passed January 12, 2016, establishing a public newspaper of general circulation to be the "Official Newspaper" for the City of Wylie.** *(C. Ehrlich, City Secretary)*

Executive Summary

City Secretary Ehrlich addressed Council stating that Resolution No. 2016-01(R) was passed by the Wylie City Council on January 12, 2016. At the time of passage Council requested the resolution be reviewed in six months. Staff is bringing the item back for further review. Council may continue the current resolution for the remainder of 2016 or repeal the resolution and adopt a new resolution naming another newspaper of general circulation for the remainder of the year.

Mayor Hogue asked City Manager Manson to give an update on the meetings between herself and the Wylie News and how the relationship was between the two parties. City Manager Manson replied since the January meeting at which the resolution was approved, she had met with publisher Chad Engbrock to speak about both the newspaper and the magazine on two different occasions regarding the content of each. She stated that the relationship at this point was good.

Council Action

A motion was made by Councilman Dahl, seconded by Mayor pro tem Stephens to continue Resolution No. 2016-01(R) establishing the Wylie News as the Official Newspaper for the City of Wylie for 2016. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

WORK SESSION

- **FY 2016-2017 Budget Discussion and Overview.** *(M. Manson, City Manager and L. Bantz, Finance Director)*

City Manager Mindy Manson addressed Council presenting an overview of the proposed FY 2016/2017 Budget. She noted this was very preliminary. Manson reviewed some assumptions which included a 10.5% increase in estimated property value and a 5% increase in sales tax for FY 2016/2017 on the revenue side. Expenditures assumed a 10% increase in employee health insurance, and a Public Safety step increase. This assumption also includes base revenue and expenditures for each department.

Factoring in these assumptions, the estimated excess balance for FY 2016/2017 is approximately \$2,909,098.

Not included in the assumptions was Market Survey adjustments (effective Oct' 16) estimated cost to the General Fund of \$1,014,000, merit increases projected at an average 3% for non-sworn personnel (effective Jan' 17) estimated cost to the General Fund of \$206,000. Twenty seven requests for new or upgraded personnel positions totaling to \$1,120,726 with equipment costs associated with new personnel estimated at \$18,413. Non-personnel requests from all departments totaled \$2,935,155.

Manson reviewed the General Fund Balance for 2016/2017, based on assumptions, to be 32%. She reported this percentage was above the reserve fund goal of 25%. Manson noted Department presentations will take place July 14, 2016 and July 19, 2016 to continue the budget discussions.

Manson gave an update to the April 11, 2016 hail storm and subsequent damage to public buildings. She reported the insurance carrier Texas Municipal League would likely have no final numbers regarding damage reimbursement at this time. Estimated costs are being reviewed to cover the remodeling of the Public Safety Building and would be presented at a later date. Councilwoman Culver asked for an updated spreadsheet showing reimbursement for individual buildings once the insurance company had completed their review.

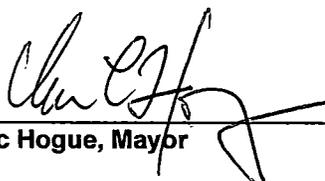
Councilwoman Arrington asked if there were specific departments requiring increases in the Market Survey. Manson replied the Fire Department had the most substantial need for market adjustments. City Manager Manson stated she would like to see the Market Adjustments remain in this year's budget in order not to get behind on employee compensation.

RECONVENE INTO REGULAR SESSION

Mayor Hogue reconvened into Regular Session at 9:33 p.m.

ADJOURNMENT

A motion was made by Mayor pro tem Stephens, seconded by Councilman Dahl, to adjourn the meeting at 9:35 p.m. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.


Eric Hogue, Mayor

ATTEST:


Carole Ehrlich, City Secretary

