



# Wylie City Council

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## Minutes

### City Council Meeting

**Tuesday, October 13, 2015 – 6:00 p.m.**

**Wylie Municipal Complex – Council Chambers**

**300 Country Club Road, Bldg. 100**

**Wylie, TX 75098**

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#### 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 Ehrlich took roll call with the following City Council members present Mayor pro tem Stephens, Councilwoman Candy Arrington, Councilman Todd Wintters, Councilwoman Diane Culver, Councilman William Whitney III, and Councilman David Dahl. Mayor Eric Hogue was unable to attend.

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

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#### INVOCATION & PLEDGE OF ALLEGIANCE

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

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#### PRESENTATIONS

- **Employee Milestone Anniversaries**

Mayor pro tem Stephens and City Manager Mindy Manson presented anniversary appreciation plaques to the following employees:

Joyce Pollard, Accounts Payable specialists – 10 year service

Rachel Orozco, Library Director – 10 year service

Debbie McClendon, Fire Department Clerk – 10 year service

Jeff Callan, Police Officer – 10 year service

Chris Holsted, City Engineer – 15 year service

Mindy Manson, City Manager – 20 year service, Mayor pro tem Stephens thanked City Manager Manson for her years of leadership.

Not present but receiving service awards were Kendall Edge, Water Utility Supervisor – 20 year service, and Allyson Frederick, 911 Communications Manager – 10 year service.

- **TEXAS KTB Award 2015 by CWD**

Community Waste Disposal representative, Robert Medigovich, presented the City with the TEXAS KTB Award 2015 for using measures to reduce solid waste and recycle efforts used by the City and CWD.

- **Recognition of \$2,500 donation to the City by the Pella Corporation**

Tim Gilchrist, plant manager for Pella, presented a donation of \$2,500 to the City. The funding will be used to purchase two new picnic tables and one new park bench for Olde City Park. Pella volunteers are scheduled to paint the pavilion and restroom building on October 31, 2015 as part of their volunteer project. Gilchrist noted Pella is pursuing these community-focused initiatives throughout the country this year in honor of the corporation's 90th anniversary.

#### CITIZENS COMMENTS ON NON-AGENDA ITEMS

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*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.*

Denney Hanson, representing the Eastfork Masonic Lodge, encouraged those present to give blood at the Eastfork Lodge Blood Drive to be held October 17<sup>th</sup> from 10:00 am to 4:00 pm at the Wylie CVS store located at FM 544 and SH 78.

#### CONSENT AGENDA

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*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 September 22, 2015 Regular Meeting of the Wylie City Council.** (C. Ehrlich, City Secretary)
- B. **Consider, and act upon, Ordinance No. 2015-35 setting the time and place for all regular City Council Meetings in the 2016 calendar year.** (C. Ehrlich, City Secretary)
- C. **Consider, and act upon, Ordinance No. 2015-33 amending Wylie's Code of Ordinances, Ordinance No. 2005-07, as amended, Chapter 46 (Fire Prevention and Protection), Article IV (Fireworks), Sections 46-63 (Declared a Public Nuisance) and 46-65 (Territorial Applicability of Article); clarifying jurisdiction to regulate fireworks outside of the city limits in accordance with recent change in Texas law; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof.** (B. Parker, Fire Chief)

- D. Consider, and act upon, vendor application for Wylie East High School Color guard for the Breakfast with Santa event December 12, 2015 at the Bart Peddicord Community Center.** *(R. Diaz, Parks and Recreation Superintendent)*
- E. Consider and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of August 31, 2015.** *(S. Satterwhite, WEDC Director)*
- F. Consider, and act upon, Ordinance No. 2015-34, a change in zoning from Commercial Corridor (CC) to Planned Development – Light Industrial District (PD-LI) to allow Light industrial uses; on approximately 2 acres generally located west of Commerce Street and south of Business Way (710 Business Way). ZC 2015-10.** *(R. Ollie, Development Services Director)*
- G. Consider, and act upon, approval and final acceptance of the Woodbridge Parkway paving project and authorize final payment to Mario Sinacola & Sons in the amount of \$228,411.78 and accept the project as complete.** *(C. Holsted, City Engineer)*

Councilwoman Arrington requested Consent Item C be removed from the Consent Items and be considered individually. Consensus of the Council was to remove Consent Item C from the Consent Items and consider individually.

### **Council Action**

A motion was made by Councilman Wintters, seconded by Councilwoman Culver to approve Consent Items A, B, D, E, F, and G, as presented. A vote was taken and the motion passed 6-0, with Mayor Hogue absent.

### **REGULAR AGENDA**

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- C. Consider, and act upon, Ordinance No. 2015-33 amending Wylie’s Code of Ordinances, Ordinance No. 2005-07, as amended, Chapter 46 (Fire Prevention and Protection), Article IV (Fireworks), Sections 46-63 (Declared a Public Nuisance) and 46-65 (Territorial Applicability of Article); clarifying jurisdiction to regulate fireworks outside of the city limits in accordance with recent change in Texas law; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof.** *(B. Parker, Fire Chief)*

### **Staff Comments**

Councilwoman Arrington asked Chief Parker what the affect would be in impacting Wylie with regard to the new legislation and the proposed ordinance controlling fireworks. Chief Parker stated that the City had never enforced the use of fireworks in the City’s ETJ. He explained this law will not impact the discharge of fireworks outside the City limits because there is not staffing to enforce the ETJ. Parker noted the law will allow firework stands within the ETJ (within 5,000 ft. of the City limits).

Councilwoman Culver stated that during the 4<sup>th</sup> of July events, patrol of the City is increased and calls are constant through the period. Culver noted that with the dangers involved with fireworks and dry grasses in our area, each Councilmember should contact their local state official to pressure them to resend this legislation.

### **Council Action**

A motion was made by Councilman Dahl, seconded by Councilwoman Culver to approve Ordinance No. 2015-33 amending Wylie's Code of Ordinances, Ordinance No. 2005-07, as amended, Chapter 46 (Fire Prevention and Protection), Article IV (Fireworks), Sections 46-63 (Declared a Public Nuisance) and 46-65 (Territorial Applicability of Article); clarifying jurisdiction to regulate fireworks outside of the City limits in accordance with recent change in Texas law; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

- 1. Consider, and act upon, the award of bid #W2015-67-B for Ballard Avenue Paving & Drainage Improvements Dallas/Collin County Line to Alanis Drive Project; to Tri-Con Services Inc. in the amount of \$5,299,999.99, and authorizing the City Manager to execute any and all necessary documents. (C. Holsted, City Engineer)**

### **Staff Comments**

City Engineer Holsted addressed Council stating that competitive sealed bids were solicited for the paving, drainage, and utility improvements for Ballard Avenue from the Dallas/Collin County Line to Alanis Drive as described in bid #W2015-67-B. Tri-Con Services Inc. was the successful bidder with a cost bid of \$5,299,999.99. He noted work should begin in a couple of weeks.

The Council thanked City Engineer Holsted for working with the County to acquire county funding for these thoroughfare projects.

### **Council Action**

A motion was made by Councilwoman Culver, seconded by to a Councilman Wintters to approve award of bid #W2015-67-B for Ballard Avenue Paving and Drainage Improvements Dallas/Collin County Line to Alanis Drive Project; to Tri-Con Services, Inc. in the amount of \$5,299,999.99 and authorizing the City Manager to execute any and all necessary documents. A vote was taken and the motion passed 6-0, with Mayor Hogue absent.

### **READING OF ORDINANCES**

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*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 2015-33, 2015-34, and 2015-35 into the official record.

### **WORK SESSION**

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- Review of proposed Brown House facility fees. (R. Diaz, Parks and Recreation Superintendent)**

Parks and Recreation Superintendent Robert Diaz addressed Council stating that the agenda packet included, for Council review, proposed fees for event rental of the newly acquired Brown House. He explained that the fees were based on other facilities in the area and taking into consideration the uniqueness of this venue. He noted that additionally there is a DRAFT-

Alcohol Policy, should the Council approve alcohol during scheduled events. Diaz asked for feedback and direction from Council.

Council direction was to move forward with further research on items presented and to include a possible option of no charge fees for traditional Wylie ISD functions that previously were held at the Brown House, a possible discount for not-for-profit organizations wishing to rent the venue, and to include a draft policy for the use of alcohol at events.

- **Review of proposed Interlocal Agreement between the City of Wylie, Texas and Wylie Northeast Special Utility District for an Interim Waste Water Service Agreement.**

City Manager Manson addressed council stating that since the Inspiration Subdivision (originally known as the Hanover Development) was initially proposed in 2008, the City of Wylie has worked to ensure that the neighborhood would be connected to the regional waste water system, rather than be served by a small, independent treatment plant located near Lake Lavon. Manson explained to that end, staff worked through the process available to us with the Texas Commission on Environmental Quality and ultimately arrived at a Development Agreement that was approved by the City Council in 2011. That Agreement set out some land use and development requirements, as well as the criteria for the timing that the development would be required to tie into the regional waste water system.

The Agreement allowed the development to operate with a small on-site plant until a specified flow was reached, and at that time, provisions would be made to tie the subdivision to one of the waste water treatment plants in the NTMWD system. Since that original Agreement was approved, the land changed hands and the new developers wish to forgo the small on-site plant option and work to connect to the regional system.

Staff has worked with the Wylie Northeast Special Utility District (WNE), who will be the provider of water and sewer to Inspiration, in order to identify a logical connection between that service area and the Muddy Creek Waste Water Treatment Plant. The ultimate permanent connection for the fully built-out neighborhood will take longer to implement due to the need to acquire right-of-way, complete engineering, and so forth. The proposed term of the Interim Agreement is 3 years with a specified average and maximum daily flow. If approved, this will allow time for the work to be completed for the proposed permanent connection.

Direction from Council was to move forward to bring back an interim agreement with Inspiration for consideration by Council, and to insure that Inspiration management knows this agreement will end in three years and will not be extended; Inspiration must have a permanent connection and be tied into the NTMWD system by the end of the 3 year term.

## RECONVENE INTO REGULAR SESSION

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Mayor pro tem Stephens reconvened into Regular Session at 7:24 p.m.

## ADJOURNMENT

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A motion was made by Councilwoman Culver, seconded by Councilman Winters to adjourn the meeting at 7:25 p.m. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

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**Eric Hogue, Mayor**

**ATTEST:**

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**Carole Ehrlich, City Secretary**