



# Wylie City Council

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## Minutes

### Wylie City Council Meeting

Tuesday, August 11, 2015 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

#### **CALL TO ORDER**

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*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 Eric Hogue, Mayor pro tem Keith Stephens, Councilwoman Candy Arrington, Councilman Todd Winters, Councilwoman Diane Culver, and Councilman William Whitney III. Councilman David Dahl was absent.

Staff present were: City Manager, Mindy Manson; Assistant City Manager, Jeff Butters; Public Services Director, Mike Sferra; Fire Chief, Brent Parker; Development Services Director, Renae Ollie; Finance Director, Linda Bantz; City Engineer, Chris Holsted; Human Resources Manager, Lynn Fagerstrom; Public Information Officer, Craig Kelly; City Secretary, Carole Ehrlich; and various support staff.

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

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Mayor pro tem Keith Stephens gave the invocation. Councilwoman Diane Culver led the Pledge of Allegiance.

#### **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.*

Mike Minihan, representing residents of Quail Hollow subdivision, spoke regarding issues to their neighborhood with the expansion of Stone 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 July 28, 2015 Regular Meeting of the Wylie City Council. *(C. Ehrlich, City Secretary)*
- B. Consider, and act upon, Resolution No. 2015-15(R) authorizing the City Manager to execute an updated Multijurisdictional Pretreatment Agreement with the North Texas Municipal Water District. *(M. Sferra, Community Services Director)*
- C. Consider, and act upon, Ordinance No. 2015-25, amending Planned Development (2015-03 & 2005-24) Braddock Place Phase IV to allow three car-garages with front entry on lots 12,000 sf or less with the following conditions: a maximum of one third of the lots may have a three (3) car-garage; with the third garage having a four (4) foot offset. A maximum of one third of the lots may have a two and one half (2.5) car-garage; with the remaining one third to have a two car garage. Designs with a three car garage shall have a maximum of two doors which shall be cedar with carriage hardware. ZC 2015-06 *(R. Ollie, Development Services Director)*
- D. Consider, and act upon, Ordinance No. 2015-26, amending the zoning from Single Family Residential (SF 10/24) District to Neighborhood Service (NS), to allow an engineering firm to operate business. Property generally located at 634 North Ballard. ZC 2015-05 *(R. Ollie, Development Services Director)*
- E. Consider, and act upon, an approval of a Final Plat for Bozman Farm Estates Phase 5, establishing 193 single family residential lots and two open space lots on 69.071 acres, generally located at Collins Boulevard and Troy Road. *(R. Ollie, Development Services Director)*
- F. Consider, and act upon, an approval of a Preliminary Plat for Platinum Storage Country Club Subdivision (PD 2015-07), creating two commercial lots on 11.0216 acres, generally located on the east side of Country Club and approximately 600' north of Brown Street. *(R. Ollie, Development Services Director)*
- G. Consider, and act upon, the award of bid # W2015-42-B for the Animal Shelter Facility Interior Remodel Project; to The Gilbert Construction Group, Inc. in the amount of \$45,820.00 and authorizing the City Manager to execute any and all necessary documents. *(G. Hayes, Purchasing)*
- H. Consider, and act upon, Resolution No. 2015-16(R) authorizing the City Manager to execute an easement for right-of-way for a water transmission pipeline for the North Texas Municipal Water District. *(C. Holsted, City Engineer)*
- I. Consider, and act upon, proposals for employee group health insurance, including major medical, dental, term life, accidental death/dismemberment, long term disability and prescription drug coverage. *(L. Fagerstrom, Human Resources Manager)*

## **Council Action**

A motion was made by Councilman Wintters, seconded by Mayor pro tem Stephens to approve the Consent Agenda as presented. A vote was taken and the motion passed 6-0 with Councilman Dahl absent.

## **REGULAR AGENDA**

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1. **Hold a Public Hearing and consider, and act upon, a change in zoning from Agricultural-30 (AG/30) to Planned Development-Single-Family (PD-SF), to allow for residential uses of varied densities on approximately 45 acres, generally located west of E. Stone Road and approximately 2,100 feet south of Brown Street. ZC 2015-08 (R. Ollie, Development Services Director)**

### **Staff/Developer Comments**

Development Services Director Ollie addressed Council stating that the applicant is requesting to establish permanent zoning on approximately 45 acres of land annexed into the City in April 2014. Ollie reported single-family residential units would have minimum lot sizes of 7,200 sf, with 60' widths. Lots along the northern and southern property line will have an average lot size of 8,090 sf lots and along the western boundary line will have an average lot size of 10,105 sf.

Ollie explained the dwelling sizes range from a minimum of 1,750 sf to 2,400 sf or greater, with 30% being 2,400 sf or greater. Maximum number of lots not to exceed 160 lots.

Maintenance of the park area will be the responsibility of the HOA. Ollie reported the Parks Board considered the dedication and park improvements and recommended approval on July 13, 2015. Notifications were sent to thirteen residents within 200 feet of the proposed zoning, with three written responses returned favoring the request and one response opposing the request at the time of posting.

Ollie explained the item was originally considered by the Planning Commission at its July 21st meeting. The Commission rejected the minimum 6,000 sf lots and recommended that the minimum lot size be 7,200 sf. The applicant has made that adjustment and included average lot sizes of 8,000 sf and eliminated the 6,000 sf lots. Lot width is a minimum 60'. The Planning and Zoning Commission voted 6-0 to recommend approval.

Applicant Fred Phillips addressed Council providing a presentation regarding the proposed planned development.

### **Council Discussion**

Mayor Hogue asked Ollie if the parkland dedication requirements had been met. Planning Director Ollie replied they had. Councilwoman Culver commented that she believed the thoroughfare improvement funding should be separate from the parkland dedication fees in the PD.

Mayor Hogue asked the applicant what the minimum home value would be. Mr. Phillips replied in the \$300,000 range. Mayor Hogue commented that he could not see a minimum house size of 1,700 sf selling for \$300,000; this proposed home size is well below the minimum house size of 2,400 sf. Mayor pro tem Stephens noted the proposed plan had only a minimum of 30% of the homes being 2,400 sf, leaving 70% to be under the recommended minimum. He stated that he would like to see that percentage change.

Mr. Kreymer, owner of the property, addressed Council stating that he and his family desired to bring senior living to the Wylie community. He explained that the 65 acres just north of this 45 acre development is set aside and dedicated to a senior living community. These two plans are separate. The senior community development will include senior cottages, memory care, Alzheimer care, and Assisted Living care. This development is still in the planning stages.

### **Public Hearing**

Mayor Hogue opened the public hearing on Zoning Case 2015-09 at 6:43 p.m. asking anyone present wishing to address Council to come forward.

Resident Sue Workman spoke with concerns regarding the senior living community only being in the planning stages.

Mayor Hogue continued the public hearing at 6:45 p.m.

Councilwoman Culver suggested the item be tabled to receive clarification on both the Parkland Dedication Fees and the home sizes addressed in the proposed Planned Development. Mayor pro tem Stephens concurred.

### **Council Action**

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Culver to table Item #1 (ZC 2015-09) for clarification from the applicant regarding lot and home size and refer the parks dedication fees back to the Parks and Recreation Board to clarify the amount of funding for parkland dedication. A vote was taken and the motion passed 6-0 with Councilman Dahl absent.

2. **Hold a Public Hearing and consider, and act upon, a change in zoning from Agricultural (A/30) to Planned Development-Single-Family (PD-SF), for single-family residential development on approximately 21 acres, located on the north side of Alanis Drive approximately 1400' west of S. Ballard Ave. ZC 2015-07 (R. Ollie, Development Services Director)**

### **Staff Comments**

Development Services Director Ollie addressed Council stating that the applicant is requesting to establish permanent zoning on approximately 21 acres of land, as Phase II of a Planned Development which was approved in January of 2015. Phase I contains a historical house known as "The Stone House" and the overall theme of that development will continue in Phase II.

The PD specifies minimum lot size of 7,200 sf with 25% of the lots having a minimum dwelling size of 1,800 sf or greater; 35% being 2,000 sf or greater, and 40% being 2,200 sf or greater. Maximum number of lots shall not exceed 95 lots. No alleys are required within the property. The proposal sets 5 feet as the minimum side yard requirement and 10 feet for corner lots. Front yard setbacks are proposed for 20 feet. Maintenance of the park area will be the responsibility of the HOA.

Ollie reported an eight foot Hike & Bike Trail, with six feet in front of dwellings will be installed to achieve a link in the City park system. Garage doors may be located on the primary street elevation with an

upgraded insulated door with carriage hardware.

Ollie reported the Parks Board considered the dedication and park improvements and recommended approval on July 13, 2015.

Notification letters were sent to residents within 200 feet of the proposed zoning with thirty-seven mailed and no responses returned at the time of posting. The Planning and Zoning Commission voted 7-0 to recommend approval.

#### **Developer/Council Discussion**

Applicant Jim Douglas addressed Council showing a presentation for Phase II plans. He noted the old "Stone" house would be moved to the north directly across from the fire station. A small parking lot will be by the park to accommodate residents and visitors to the Stone House. The home builder for Phase II will be Bloomfield Homes.

Mayor Hogue addressed concern with the 7,200 sf lot sizes and 1,800 sf homes. Mayor pro tem Stephens stated he was in agreement with Mayor Hogue and liked the lot sizes in Phase I and asked that Phase II conform in lot size to Phase I with a larger percentage of 8,500 sq. ft. lots and larger home sizes. Douglas stated he could increase the lot size to a minimum of 8,000 sq. ft. with at least 50% being over 8,500 sf and could increase the minimum house size to 2,000 sf for Phase II.

#### **Public Hearing**

Mayor Hogue opened the public hearing on Zoning Case 2015-07 at 7:23 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 7:24 p.m.

#### **Council Action**

A motion was made by Councilman Winters, seconded by Councilwoman Culver to approve a change in zoning from Agricultural (A-30) to Planned Development-Single-Family (PD-SF) for single-family residential development on approximately 21 acres, located on the north side of Alanis Drive approximately 1400' west of S. Ballard Avenue (ZC 2015-07); with the following conditions: Phase II - minimum lot size will be 8,000 sf with at least 50% being 8,500 sf and home size will be a minimum of 2,000 sf. A vote was taken and the motion passed 6-0 with Councilman Dahl absent.

- 3. Hold a Public Hearing and consider, and act upon, 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 2015-09 (R. Ollie, Development Services Director)**

#### **Staff Comments**

Development Services Director Ollie addressed Council stating that the applicant was initially requesting to amend the zoning on approximately 2 acres of commercially zoned land to allow limited light industrial

uses and to establish guidelines for such development.

### **Council Motion**

A motion was made Mayor pro tem Stephens, seconded by Councilman Whitney to accept the withdrawal by the applicant for Zoning Case 2015-09. A vote was taken and the motion passed 6-0 with Councilman Dahl absent.

Mayor Hogue requested the item be reconsidered in order to allow for the Public Hearing.

Consensus of the Council was to reconsider the item.

### **Public Hearing**

Mayor Hogue opened the public hearing on Zoning Case 2015-09 at 7:30 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 7:31 p.m.

### **Council Action**

A motion was made Mayor pro tem Stephens, seconded by Councilman Whitney to accept the withdrawal by the applicant for Zoning Case 2015-09. A vote was taken and the motion passed 6-0 with Councilman Dahl absent.

4. **Consider, and act upon, Resolution No. 2015-17(R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for fiscal year 2015-2016, accepting the calculation of the effective tax rate, establishing dates for public hearings on the proposed property tax rate, and providing for the publication as provided by the Texas Local Government Code, Section 140.010. (L. Bantz, Finance Director)**

### **Staff Comments**

Finance Director Bantz addressed Council stating that the City is required by law to follow certain meeting and notice (publication) guidelines identified in the "Truth in Taxation" guide. In accordance with the "Truth in Taxation" laws of the State of Texas, the effective and rollback tax rates and other information must be published and two public hearings must be held if an entity's proposed tax rate exceeds the lower of either the effective tax rate or the rollback tax rate. This year's effective tax rate is \$0.860898 and the rollback tax rate is \$0.889895.

Bantz reported the two public hearings will take place at the Regular City Council meeting of August 25, 2015 and a Special Called Meeting on September 1, 2015. The final approval will be considered on September 8, 2015.

### **Council Action**

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Arrington to

adopt Resolution No. 2015-17 (R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for fiscal year 2015-2016, accepting the calculation of the effective tax rate, establishing dates for public hearings on the proposed property tax rate, and providing for the publication as provided by the Texas Local Government Code, Section 140.010. A vote was taken and the motion passed 6-0 with Councilman Dahl absent.

5. Consider, and act upon, Resolution No. 2015-18(R) authorizing and approving a certain Certificate of Corporate Resolution 2015-01(R) adopted by the Board of Directors of the Wylie Economic Development Corporation authorizing one or more loans in the aggregate amount of \$387,317.13 from The American National Bank of Texas and pledging the ½ cent sales tax for economic development as collateral to secure the repayment of said loan(s). (S. Satterwhite, WEDC Director)

**Staff Comments**

WEDC Executive Director Sam Satterwhite addressed Council stating that WEDC Resolution No. 2015-01 passed by the WEDC Board of Directors had a typographical error and asked that the item be tabled to allow time for the WEDC board to amend their resolution.

**Council Action**

A motion was made by Mayor pro tem Stephens, seconded by Councilwoman Culver to table consideration of Agenda Item #5. A vote was taken and the motion passed 6-0 with Councilman Dahl absent.

**READING OF ORDINANCES**

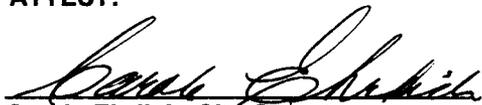
*Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.*

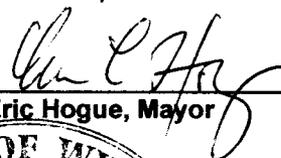
City Secretary Ehrlich read the captions to Ordinance No.'s 2015-25 and 2015-26 into the official record.

**ADJOURNMENT**

A motion was made by Councilwoman Culver, seconded by Councilman Wintters to adjourn the meeting at 7:40 p.m. A vote was taken and the motion passed 6-0 with Councilman Dahl absent.

ATTEST:

  
Carole Ehrlich, City Secretary

  
Eric Hogue, Mayor

