



Wylie City Council

Minutes

Regular Meeting

August 13, 2019 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Mayor Eric Hogue called the regular meeting to order at 6:00 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Matthew Porter, Mayor *pro tem* Jeff Forrester, Councilwoman Candy Arrington, Councilman Timothy T. Wallis, and Councilman David Dahl.

Staff present included: City Manager Chris Holsted; Assistant City Manager Brent Parker; Assistant City Manager Renaé Ollie; Police Chief Anthony Henderson; Chief Building Official Bret McCullough; Public Information Officer Craig Kelly; Parks and Recreation Director Robert Diaz; Finance Director Melissa Beard; Fire Chief Brandon Blythe; Public Works Director Tim Porter; Library Director Rachel Orozco; Human Resources Director Lety Yanez; Planning Manager Jasen Haskins; WEDC Assistant Director Jason Greiner; Project Engineer Wes Lawson; City Attorney Richard Abernathy; City Secretary Stephanie Storm, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Hogue gave the invocation and Mayor *pro tem* Forrester led the Pledge of Allegiance.

PRESENTATIONS

- **Battle of the Badges Award**

Katie Huntsman, representing Carter Blood Care, addressed Council stating that during Bluegrass on Ballard, the fourth annual “Battle of the Badges” was conducted. This year 74 units were collected, which will help save about 222 lives. She announced the winner of the contest was the Wylie Fire Department. Representatives of Wylie Fire Rescue along with Fire Chief Blythe and Police Chief Henderson were present for the award.

- **Senator Pat Fallon – Legislative Update**

Senator Pat Fallon gave a brief update of the 2018 Legislative Session. Fallon presented Hogue with a certificate from the Senate for his service as the president of the Texas School for the Deaf.

CITIZEN 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.

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In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

Mary Lange addressed Council expressing appreciation, gratitude, and support for the Parks and Recreation Department.

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 23, 2019 Regular Meeting and July 23, 2019 Work Session of the Wylie City Council.** *(S. Storm, City Secretary)*
- B. **Consider, and act upon, a final plat of Woodlake Village Addition Lot 1 Block D, to allow for a Police or Fire Station use on 7.136 acres, located at 2000 N. State Highway 78.** *(J. Haskins, Planning Manager)*
- C. **Consider, and act upon, Ordinance No. 2019-18 a change of zoning from Neighborhood Services (NS) to Planned Development (PD-NS), to allow for a Wholesale Contractors Maintenance Yard use on 1.89 acres, located at 634 North Ballard. ZC 2019-09.** *(J. Haskins, Planning Manager)*
- D. **Consider, and act upon, Ordinance No. 2019-19 setting a date for a public hearing on October 8, 2019 to discuss and review updates to the Land Use Assumptions and Capital Improvements Plan.** *(T. Porter, Public Works Director)*
- E. **Consider, and act upon, the approval of a Job Order Contract #W2019-71-I for the Remodel of the Utility Billing Department Windows from Core Construction, Inc. in the estimated amount of \$59,456.53 through a cooperative purchasing contract with National Cooperative Purchasing Alliance (NCPA), and authorizing the City Manager to execute any necessary documents.** *(G. Hayes, Purchasing Manager)*

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Dahl, to approve the Consent Agenda as presented. A vote was taken and motion passed 7-0.

REGULAR AGENDA

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Porter, to move into executive session to discuss Regular Agenda Item 1 regarding the legislative session that just occurred. A vote was taken and motion passed 7-0.

Mayor Hogue convened the Council into Executive Session at 6:30 p.m.

EXECUTIVE SESSION

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

Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

A governmental body may not conduct a private consultation with its attorney except:

- (1) when the governmental body seeks the advice of its attorney about:
 - a. Pending or contemplated litigation; or

- b. A settlement offer, or
(2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Hogue reconvened into Open Session at 6:41 p.m.

- 1. Hold a Public Hearing to consider, and act upon, a change of zoning from Agricultural-30 (AG-30) to Single Family (SF 10/24), to allow for single-family development, not to exceed 49 residential lots on 16.48 acres, located at 2605 E. Stone Road. ZC 2019-10 (J. Haskins, Planning Manager)**

Applicant Comments

Todd Wintters, representing Engineering Concepts, addressed Council stating the applicant is requesting to rezone a 16.48-acre property located north of Greyhawk. The applicant brought this Item to Council previously as a Planned Development (PD) but is now coming back for straight zoning. The subdivision will consist of no more than 49 residential lots and one open-space lot.

Mayor Hogue asked City Attorney Richard Abernathy to explain new HB 2439. Abernathy reported HB 2439 provides the owner or developer can use any building materials allowed by the three of the last effective building codes, which could result in the use of materials that do not comply with current building requirements. If Council desires to enforce the materials and protect the standards, they could utilize one of the exemptions, written consent, for the builder to build according to the current building standards. Hogue asked if the owner would be willing to do written consent. Joe Gampper, property owner, addressed Council, stating every bit of the materials in the previous PD can be used in the same percentages and same standards that Planning and Zoning recommended to Council in the conditions of approval.

Public Hearing

Mayor Hogue opened the public hearing on ZC2019-10 at 6:56 p.m. asking anyone present wishing to address Council to come forward.

No citizens were present wishing to address Council.

Mayor Hogue closed the public hearing at 6:57 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester seconded by Councilman Duke, to table Item 1 until the August 27, 2019 City Council meeting for further consideration. A vote was taken and motion passed 7-0.

- 2. Consider, and act upon, Resolution No. 2019-19(R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for fiscal year 2019-2020, 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. (M. Beard, Finance Director)**

Staff Comments

Finance Director Beard addressed Council stating 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, if an entity’s proposed tax rate exceeds the lower of either the effective tax rate or the rollback tax rate, then two public hearings must be held. Beard reported this year’s effective tax rate is \$0.688454 and the rollback tax rate is \$0.723543. The proposed 2019-20 budget is based on the effective tax rate; therefore, no public hearings to discuss the tax rate are required. The City Council’s vote on the tax rate is scheduled for September 10, 2019, which is a regular council meeting. Beard asked for direction from Council regarding whether they would like to hold a public hearing on the tax rate.

Council Action

A motion was made by Councilman Porter seconded by Councilman Forrester, to approve Resolution No. 2019-19(R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for fiscal year 2019-2020, accepting the calculation of the effective tax rate, establishing dates for public hearings to hold one on August 27, 2019 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 motion passed 7-0.

- 3. Consider, and act upon, Ordinance No. 2019-20 amending Ordinance No. 2018-24, which established the budget for fiscal year 2018-2019; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance. (M. Beard, Finance Director)**

Staff Comments

Finance Director Beard addressed Council stating staff is recommending a transfer of \$1,300,000 from the General Fund to a new Capital Fund (461) for the construction of Fire Station #2. The \$1.3 million is included in the Fire Department’s 2018-2019 budget for remodel of Fire Station #2. This money was from General Fund Fund Balance in the 2018-2019 budget. Council discussed the Fire Station #2 remodel and decided to forgo the remodel and pursue building Fire Station #2 on the land adjacent to the Municipal Complex. The amendment is to move the money from the Fire Department’s budget into Combined Services “Transfer to Capital Fund” account in the General Fund. The \$1.3 million will then be moved to the Capital Fund 461 fund balance for the future construction of Fire Station #2.

Council Action

A motion was made by Councilman Porter seconded by Councilman Wallis, to approve Ordinance No. 2019-20 amending Ordinance No. 2018-24 (2018-2019 Budget) for proposed budget amendments for fiscal year 2018-2019; providing for repealing, savings and severability clauses; and providing an effective date of this ordinance. A vote was taken and motion passed 7-0.

- 4. Consider, and act upon, the appointment of a board member to the North Texas Municipal Water District (NTMWD) Board to fill an expired term of June 1, 2019 to May 31, 2021. (S. Storm, City Secretary)**

Council Comments

Mayor Hogue recommended that Keith Stephens be appointed to fill the expired term on the North Texas Municipal Water District Board due to his municipal government experience, longevity in the City, and knowledge of the District.

Councilman Porter asked Mr. Stephens how he would approach balancing the needs of the 13 cities as a whole with the different needs that he has seen in Wylie. Stephens replied balancing the needs of each member city will be a challenge, but he does have long-term experience with team building and working through complex issues. Stephens stated he will make it a team effort as much as he can, considering the needs of our City and the member cities as well.

Council Action

A motion was made by Mayor Hogue seconded by Councilman Dahl, to appoint Keith Stephens as a board member to the North Texas Municipal Water District (NTMWD) Board to fill an expired term of June 1, 2019 to May 31, 2021. A vote was taken and motion passed 7-0.

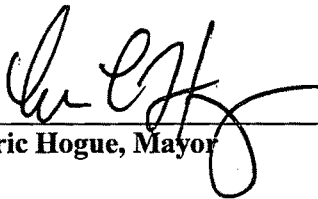
READING OF ORDINANCE

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

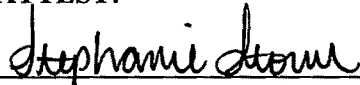
City Secretary Storm read the captions to Ordinance Nos. 2019-18, 2019-19, and 2019-20 into the official record.

ADJOURNMENT

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Porter, to adjourn the meeting at 7:12 p.m. A vote was taken and the motion passed 7-0.


Eric Hogue, Mayor

ATTEST:


Stephanie Storm, City Secretary

