



# Wylie City Council

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## Minutes

### Regular Meeting

February 12, 2019 – 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 Eric Hogue called the meeting to order at 6:00 p.m. The following City Council members were present: Mayor *pro tem* Keith Stephens, Councilman Matthew Porter, Councilman Jeff Forrester, Councilwoman Candy Arrington, Councilman Timothy T. Wallis, Councilman David Dahl, and Junior Mayor Hunter Tignor.

Staff present included: City Manager Mindy Manson; Assistant City Manager Chris Holsted; Police Chief Anthony Henderson; Development Services Director Renaé Ollie; Chief Building Official Bret McCullough; Public Information Officer Craig Kelly; Parks and Recreation Director Robert Diaz; Finance Director Melissa Beard; Fire Chief Brent Parker; Project Engineer Wes Lawson; WEDC Executive Director Sam Satterwhite; Library Director Rachel Orozco; Human Resources Director Lety Yanez; City Secretary Stephanie Storm, and various support staff.

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#### INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Keith Stephens gave the invocation and Boy Scout Troop 1846 led the Pledge of Allegiance.

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#### PRESENTATIONS

- **Junior Mayor Hunter Tignor**

Mayor Hogue introduced Junior Mayor Hunter Tignor, administered the oath of office, and presented a proclamation for “Mayor of the Day.”

- **Presentation of Donation to the Wylie Police Department (Credit Union of Texas)**

Chris Gaston, Desmond Bibbs, and Alejandro Contreras, representing Credit Union of Texas, presented a donation of \$4,550.00 to Wylie Police Department to provide each officer a Breast Cancer Awareness Badge to wear during the month of October.

- **Blue Star Banner Presentation**

Mayor Hogue presented a Blue Star flag and coin to Robert and Emily Diaz in honor of their son Patrick Diaz, serving in the Army. He was a graduate of Wylie East High School. He was awarded the Blue Star Banner award.

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

Dr. Julie Kilgore and Laurie Pollard, addressed Council with concerns regarding proposed Brookside Estates located at 2121 Stone Road.

Margaret Eubanks, addressed Council with concerns regarding water control from Lewis Ranch Estates.

### **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 January 22, 2019 Regular Meeting of the Wylie City Council. (S. Storm, City Secretary)**
- B. Consider, and act upon, approval of a Preliminary Plat to create a single lot for Absolute Automotive Addition, Block A, Lot 1 on 2.222 acres, generally located west of Hooper Road and south of Steel Road. (R. Ollie, Development Services Director)**
- C. Consider, and act upon, approval of a Final Plat to create a single lot for Crossroads Wylie RV Addition, Block A, Lot 1 on 10.27 acres within Wylie's ETJ, generally located north of the intersection of Vinson Road and County Line Road and more specifically at 2045 E. FM 544. (R. Ollie, Development Services Director)**
- D. Consider, and act upon, approval of a Preliminary Plat for Pheasant Creek Mixed Use Addition to establish 33 single-family attached lots, one commercial lot, and two open space lots on 4.825 acres. Property located north of the intersection of County Line Road and Neva Lane. (R. Ollie, Development Services Director)**
- E. Consider, and act upon, approval for substantial renovations in accordance with Ordinance No. 2013-17 for the remodel of an existing commercial structure, generally located at the northeast corner of W. Oak St. and Birmingham, and more specifically at 210 W. Oak St. (State of Mind BBQ) within the Downtown Historic District. (R. Ollie, Development Services Director)**
- F. Consider, and act upon, the approval of the purchase of Materials and Installation Services for the Renovation of City Baseball Fields from MasterTurf Products and Service, Inc. in the estimated amount of \$54,000.00 through a cooperative purchasing contract with Buy Board Cooperative Purchasing and authorizing the City Manager to execute any necessary documents. (G. Hayes, Purchasing Manager)**
- G. Consider, and act upon, Resolution No. 2019-04(R) of the City Council of the City of Wylie, Texas, hereby authorizing the City Manager to enter into an interlocal cooperative contract between the Department of Public Safety (DPS) General Stores and the City of Wylie,**

providing for a cooperative purchasing program for the purchase of general supplies. (G. Hayes, Purchasing Manager)

- H. Consider, and act upon, the award of RFP #W2019-1-A for Janitorial Services to All Janitorial Professional Services Inc. in the estimated annual amount of \$195,223.00, and authorizing the City Manager to execute any and all necessary documents. (G. Hayes, Purchasing Manager)
- I. Consider, and act upon, Ordinance No. 2019-05 amending Ordinance No. 2018-24 for Wylie Economic Development Corporation Budget Amendments approved by the WEDC Board of Directors on December 10, 2018 for fiscal year 2018-2019. (S. Satterwhite, WEDC Director)

Mayor Hogue requested that Consent Item D be removed from Consent and considered individually. Councilman Porter requested that Consent Items C and I be removed from Consent and considered individually. Consensus of the Council was to remove Items C, D, and I from Consent and consider individually.

### Council Action

A motion was made by Councilman Wallis, seconded by Councilman Dahl, to approve items A, B, E, F, G, and H on the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

### REGULAR AGENDA

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- C. Consider, and act upon, approval of a Final Plat to create a single lot for Crossroads Wylie RV Addition, Block A, Lot 1 on 10.27 acres within Wylie's ETJ, generally located north of the intersection of Vinson Road and County Line Road and more specifically at 2045 E. FM 544. (R. Ollie, Development Services Director)

### Council Comments

Councilman Porter asked to what degree Council has authority regarding this property since it is in the County.

### Staff Comments

Development Services Director Ollie responded Council's role is to set the boundaries to make it a legal lot of record and the City has no control over the use.

### Council Action

A motion was made by Councilwoman Arrington, seconded by Councilman Dahl, to approve a Final Plat to create a single lot for Crossroads Wylie RV Addition, Block A, Lot 1 on 10.27 acres within Wylie's ETJ, generally located north of the intersection of Vinson Road and County Line Road and more specifically at 2045 E. FM 544. A vote was taken and the motion passed 6-1 with Councilman Forrester voting against.

- D. Consider, and act upon, approval of a Preliminary Plat for Pheasant Creek Mixed Use Addition to establish 33 single-family attached lots, one commercial lot, and two open space lots on 4.825 acres. Property located north of the intersection of County Line Road and Neva Lane. (R. Ollie, Development Services Director)

### Council Comments

Mayor Hogue asked how the commercial lot's zoning restricts the types of development. Ollie responded it is zoned Neighborhood Services and listed the possible uses. Councilman Forrester asked whether there were any elevations and any required square footage of the proposed townhouses. Ollie replied it is straight zoning and meets the zoning requirements currently in place. The site plan that was approved included the commercial lot. Councilman Dahl expressed concerns with an attempt to place a townhome project into a neighborhood services lot leaving a bare minimum for a commercial property. Ollie replied the site plan has been approved and the plat conforms to the approved site plan; to deny the plat requires a technical reason.

### Council Action

A motion was made by Councilman Dahl, seconded by Councilwoman Arrington, to approve Consent Agenda Item D. A vote was taken and the motion passed 5-2 with Councilman Porter and Wallis voting against.

- I. **Consider, and act upon, Ordinance No. 2019-05 amending Ordinance No. 2018-24 for Wylie Economic Development Corporation Budget Amendments approved by the WEDC Board of Directors on December 10, 2018 for fiscal year 2018-2019. (S. Satterwhite, WEDC Director)**

### Council Comments

Councilman Porter asked for additional information regarding a carry forward not originally planned in the budget for an alley project, and an unbudgeted paving project at Sanden and Hensley. Councilman Porter asked why these were not included in the original budget.

### Staff Comments

WEDC Executive Director Satterwhite responded there was an alley project started off Ballard, but due to the timing and moving utilities, it was not completed in the previous budget year so the project is still ongoing.

Regarding the paving project at Sanden and Hensley, Satterwhite replied the EDC originally constructed that street and had noted failing paving in the area. When they inquired about the repair, they learned that it was on Public Works' list of upcoming projects; however, as there were several projects ahead of it, the EDC chose to absorb the cost of the repair.

Satterwhite reported the reason these items were not included in the original budget is the EDC thought the alley project would be completed during the previous fiscal year but it was not. Regarding the paving project, the EDC did not anticipate the need, but once the need was identified, acted on it after board approval.

### Council Action

A motion was made by Councilman Dahl, seconded by Councilman Forrester, to approve Consent Item I. A vote was taken and the motion passed 7-0.

1. **Hold a Public Hearing and consider, and act upon, a Replat to create Lot 5R, Block 23 within Railroad Addition; being a Residential Replat of Lots 5, 6, 7, and 8 of the Railroad Addition, generally located west of Fifth Street, and north of Masters Avenue. (R. Ollie, Development Services Director)**

### Staff Comments

Development Services Director Ollie addressed Council stating the purpose of the replat is to reconfigure four lots to establish one lot on 0.344 acres. The property is zoned multi-family. The property contains a legal non-conforming single-family home. Combining the four lots into one larger lot will allow the property owner to add an addition to his home.

Ollie reported 14 notifications were mailed with one response received in favor and none in opposition at the time of this posting. The Commission recommended approval 6-0.

### Council Comments

Councilman Forrester asked whether it would make sense to re-zone this as single family. Ollie replied that she does not believe so at this time, but staff could bring back documentation to look at the entire area. Councilman Porter asked whether, if this is approved, there is anything preventing the homeowner from selling the lot to a developer to develop multi-family structures. Ollie replied there is nothing that would prevent that because the zoning is in place, but they would have to meet the standards required. Councilman Dahl and Mayor *pro tem* Stephens confirmed that the applicant is wishing to replat in order to expand his home and meet the setback requirements.

### Public Hearing

Mayor Hogue opened the public hearing on Item 1 at 6:56 p.m. asking anyone present wishing to address Council to come forward.

There were no citizens present wishing to address Council.

Mayor Hogue closed the public hearing at 6:56 p.m.

### Council Action

A motion was made by Mayor *pro tem* Stephens, seconded by Councilman Dahl, to approve a replat to create Lot 5R, Block 23 within Railroad Addition; being a Residential Replat of Lots 5, 6, 7, and 8 of the Railroad Addition, generally located west of Fifth Street, and north of Masters Avenue. A vote was taken and the motion passed 6-1 with Councilman Porter voting against.

- 2. Hold a Public Hearing and consider, and act upon, a change of zoning from Agricultural-30 (AG-30) to Commercial Corridor (CC), for retail purposes on one acre, generally located south of Parker Road and west of Country Club Road. ZC 2019-01 (R. Ollie, Development Services Director)**

### Staff Comments

Development Services Director Ollie addressed Council stating the applicant is requesting to rezone a 1-acre property located at 2505 Country Club Road from AG/30 to CC. The applicant is proposing the property be rezoned to allow for a single retail development of approximately 8,000 square feet. Three notifications were mailed with no responses returned at the time of posting. However, property owners immediately to the south of the subject tract attended the meeting and submitted a form in favor of the request. Should the zoning be approved the applicant will submit a final site plan and a preliminary plat for consideration before any development can begin.

## Public Hearing

Mayor Hogue opened the public hearing on Item 2 at 7:08 p.m. asking anyone present wishing to address Council to come forward.

There were no citizens present wishing to address Council.

Mayor Hogue closed the public hearing at 7:09 p.m.

## Council Action

A motion was made by Councilman Forrester, seconded by Councilman Porter, to approve a change of zoning from Agricultural-30 (AG-30) to Commercial Corridor (CC), for retail purposes on one acre, generally located south of Parker Road and west of Country Club Road. ZC 2019-01. A vote was taken and the motion passed 7-0.

- 3. Hold a Public Hearing and consider, and act upon, Ordinance No. 2019-06, supporting a Municipal Setting Designation to prohibit the use of groundwater in the designated area; generally located north of FM 544 and east of Commerce Street, and more specifically being 802 W. Kirby St. of the Samuel B Shelby Survey, Tr 11, Abs 820 & E.C. Davidson Survey, Tr3, Abs. MSD2018-01 (R. Ollie, Development Services Director)**

## Staff Comments

Development Services Director Ollie addressed Council stating in January 2016, the City Council adopted Ordinance No. 2016-01 that authorizes TCEQ to identify and designate certain areas as Municipal Setting Designations (MSD) to prohibit groundwater's use as potable water if there is contamination in excess of the applicable potable water protective concentration levels.

A Public Meeting was held on January 24, 2019, in which the consultant presented information about the process and the specific area of request. There were four citizens in attendance. Those in attendance were allowed to ask questions and provide input.

Ollie introduced Frank Clark, an environmental consultant with W&M Environmental Group. Clark gave a short presentation regarding the MSD process and the specific property in question. Clark noted that a number of chemicals were detected at the site; plume maps were showed for two of the chemicals: Perchloroethylene (PCE) and Trichloroethylene (TCE). There are no wells within half a mile of the property that would be impacted by this plume.

## Council Comments

Regarding the plumes located in the southeast corner of the property toward FM 544, Councilman Forrester asked whether there was any risk of the chemicals entering the storm water runoff and into our treatment facilities. Clark replied they met with TCEQ about two weeks ago and are waiting to hear comments back from them regarding the plumes; it will be looked at before the site is closed.

## Public Hearing

Mayor Hogue opened the public hearing on Item 3 at 7:25 p.m. asking anyone present wishing to address Council to come forward.

There were no citizens present wishing to address Council.

Mayor Hogue closed the public hearing at 7:26 p.m.

### Council Action

A motion was made by Councilman Forrester, seconded by Councilman Dahl, to approve Ordinance No. 2019-06, supporting a Municipal Setting Designation to prohibit the use of groundwater in the designated area; generally located north of FM 544 and east of Commerce Street, and more specifically being 802 W. Kirby St. of the Samuel B Shelby Survey, Tr 11, Abs 820 & E.C. Davidson Survey, Tr3, Abs. MSD2018-01 with the amendment of adding 800 W. Kirby St.. A vote was taken and the motion passed 7-0.

Mayor Hogue recessed the Council, and invited any members of the public who would like to attend to move into a Work Session in the Council Conference Room at 7:29 p.m.

Mayor Hogue reconvened into the Work Session at 7:36 p.m.

### WORK SESSION

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- **Discuss the renovation and expansion of the Public Safety Building.** *(C. Holsted, Assistant City Manager)*

Assistant City Manager Holsted addressed Council stating that Melissa Brand-Vokey and Thom Powell, representing Architects Design Group, and Brandon Wilson, representing Pogue, were present to go over the status of this project and provide an updated cost. Brand-Vokey addressed Council stating there will be an addition to the front of the building, which will serve as a public lobby, courts, and communications, and there will be an addition to the backside of the building. Public parking will be in the front and will be set back from the building, and staff parking will be behind secured gates in the back. There will be two public accesses to the building: one in front by the courts and one on the side by the jail. Most of the existing building will be police and fire administration. The existing jail will remain where it is and will expand some. The courtyard will remain as a courtyard to the building.

Holsted addressed Council regarding the schematic design budget. The current schematic design budget for the building is \$12.3 million. Staff is including the \$12.3 million and \$702,971 for the sally port addition as the base cost. Alternates that are not included in the \$12.3 million, but are being looked at, include parking awnings, perimeter security fence, public parking and subgrade prep, and courtyard design feature/fountain. Total revenue is \$15.1 million, expenses to date total \$328,990, future expenses are \$14.8 million, and total expenses are expected to be \$15.1 million.

Councilman Porter asked if the exterior presented is the conceptual or schematic design. Holsted replied schematic. Porter asked if there was a higher or lower cost to have the glass public entrance; would there be more money to spend on other areas if a more traditional entrance was used. Holsted replied staff would need to get with Pogue to see if there would be any savings. Porter asked what the glass was rated. Holsted replied it would be in compliance with building code requirements. Hogue replied Council needs to know what is needed in the building, not what is wanted. Holsted replied this floor plan represents the need based on meetings with staff. Porter replied in his opinion aesthetics to a building should not be traded for function. Councilman Dahl responded that the glass public entrance provides natural light to offices, which is an energy savings to the building. Councilman Porter and Dahl did express concerns with the glass in regard to hail storms. Brand-Vokey responded due to the fact that it is a police building, thicker glass typically would go on all exterior glass, which would make it more resistant. Stephens stated there are components that cannot be considered as alternates and asked what is driving the initial proposed costs up. Holsted replied the biggest cost is additional square footage for fire admin and the EOC; they were alternates on the original plan. Forrester asked what the life expectancy of the building will be once completed. Powell responded from a technical standpoint, it will be a 30 to 50-year building. Arrington asked if the building could accommodate buildout. Brand-Vokey replied yes it can handle

build out; the only thing not factored in is if a large change was made with police and fire, and if needed there is room to add on. Councilman Forrester and Porter asked about the public parking being an alternate, and where the public would park if that parking was not added. Holsted replied they are still working on the alternates' funding.

Holsted stated next steps in the process include design development phase and then construction documents phase.

- **Discuss the five-year financial plan and provide feedback for future revisions.** (*M. Manson, City Manager*)

Manson addressed Council stating staff has brought back updated spreadsheets based on direction from the January 14 Council work session. Spreadsheets shown included one with a flat tax rate for the next five years based on current assumptions with nothing new, one with a 2-cent reduction in the tax rate for the next five years with current assumptions with nothing new, and one with a flat tax rate for the next five years based on current assumptions, a change in debt assumptions, and adding in public safety requests.

Mayor Hogue requested an explanation of the details behind the numbers on the spreadsheets and to identify value generated by new construction as it relates to increase costs in doing business.

Mayor Hogue reported Council will meet after the next regular City Council meeting to continue to develop the Strategic Plan.

## **RECONVENE INTO REGULAR SESSION**

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Mayor Hogue reconvened into Regular Session at 9:02 p.m.

Mayor Hogue convened the Council into Executive Session at 9:02 p.m.

## **EXECUTIVE SESSION**

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### **Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.**

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

- **Consider the sale or acquisition of property located near Highway 78 and Ballard.**

### **Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.**

This chapter does not require a governmental body to conduct an open meeting:

- (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or
  - (2) to hear a complaint or charge against an officer or employee.
- (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

- **City Manager**



**RECONVENE INTO OPEN SESSION**

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Mayor Hogue reconvened into Open Session at 9:59 p.m.

**READING OF ORDINANCES**

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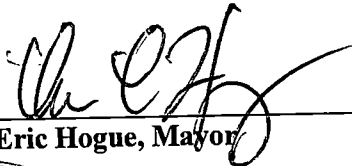
*Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.*

City Secretary Storm read the captions of Ordinance Nos. 2019-05 and 2019-06, with the amendment of adding 800 W. Kirby St., into the official record.

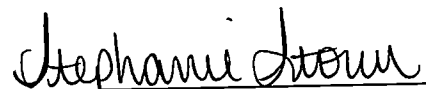
**ADJOURNMENT**

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A motion was made by Councilman Porter, seconded by Councilman Dahl, to adjourn the meeting at 10:01 p.m. A vote was taken and the motion passed 7-0.

  
Eric Hogue, Mayor

ATTEST:

  
Stephanie Storm, City Secretary

