



# Wylie City Council

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## Minutes

### Regular Meeting

March 10, 2020 – 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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Mayor *pro tem* Jeff Forrester 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, Councilwoman Candy Arrington, Councilman Timothy T. Wallis, and Councilman David Dahl. Mayor Eric Hogue was absent.

Staff present included: City Manager Chris Holsted; Assistant City Manager Brent Parker; Assistant Police Chief Tommy Walters; Public Information Officer Craig Kelly; Finance Director Melissa Beard; Assistant Fire Chief Brian Ritter; Planning Manager Jasen Haskins; Parks and Recreation Director Rob Diaz; Project Engineer Wes Lawson; WEDC Executive Director Jason Greiner; Public Works Director Tim Porter; Library Director Rachel Orozco; Human Resources Director Lety Yanez; City Secretary Stephanie Storm, and various support staff.

#### INVOCATION & PLEDGE OF ALLEGIANCE

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Councilman Dahl gave the invocation and Councilwoman Arrington led the Pledge of Allegiance.

#### PRESENTATIONS

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- **Employee Milestone Anniversaries.**

Mayor *pro tem* Forrester and City Manager Holsted presented milestone anniversary honors to the following employees:

- Michael Stewart, School Resource Officer – 10 years of service
- Nina Davis, Adult Services Librarian – 10 years of service
- Debbie Nowling, Children Services Librarian – 10 years of service
- Ron Arp, Assistant Finance Director – 10 years of service
- Jimmy Johnston, Fire Driver/Engineer – 15 years of service

#### CITIZEN COMMENTS ON NON-AGENDA ITEMS

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Bruce Moilan, citizen, addressed Council with concerns regarding paying for water at a City park located in Kreymer Estates and referenced Ordinance Nos. 2012-04 and 2015-11.

## **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 the February 25, 2020 Regular Meeting and Work Session of the Wylie City Council. (S. Storm, City Secretary)**
- B. Consider, and act upon, Resolution No. 2020-13(R) authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation. (C. Holsted, City Manager)**
- C. Consider, and act upon, Resolution No. 2020-14(R), authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of seven cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC. (C. Holsted, City Manager)**
- D. Consider, and act upon, approval of a Final Plat for Birmingham Bluffs Phase 2, establishing 31 Single-Family residential lots and three open-space lots on 11.958 acres, generally located on the northwest corner of Westgate Way and Brown Street. (J. Haskins, Planning Manager)**
- E. Consider, and act upon, a final plat of Woodbridge Centre Phase 1 Lot 2D, Block B, being a replat of lots 2A and 2B, Block B, generally located at 799 and 801 Woodbridge Parkway. (J. Haskins, Planning Manager)**
- F. Consider, and act upon, proposed amended Rules and Procedures for the Planning and Zoning Commission to reflect changes to State Law, City Ordinances, and other matters. (J. Haskins, Planning Manager)**
- G. Consider, and act upon, proposed Rules and Procedures for the Zoning Board of Adjustment to reflect changes to State Law, City Ordinances, and other matters. (J. Haskins, Planning Manager)**
- H. Consider, and act upon, Ordinance No. 2020-23 amending Ordinance No. 2019-27, which established the budget for fiscal year 2019-2020; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance. (M. Beard, Finance Director)**
- I. Consider, and act upon, Resolution No. 2020-15(R) approving a Joint General and Special Election Services Contract between the City of Wylie and The Collin County Elections Administrator to be administered by the Collin County Elections Administrator for the May 2, 2020 Wylie General and Special Election. (S. Storm, City Secretary)**
- J. Consider, and act upon, the acceptance of the resignation of Brad Emerson and appointment of Brian Ortiz as a new board member to the City of Wylie Planning and Zoning Commission to fill the term of March 2020 to June 30, 2021. (S. Storm, City Secretary)**
- K. Consider, and act upon, Resolution No. 2020-16(R) authorizing the City Manager of the City of Wylie, Texas to execute an Encroachment on Easement agreement with Oncor Electric Delivery Company LLC to construct, operate, and maintain a hike and bike trail in the Oncor easement which is recorded in Volume 581, Page 236 of the Deed of Records of Collin County, Texas for the Birmingham Bluffs Subdivision Trail project located in Reta Allen Park. (R. Diaz, Parks & Recreation Director)**

**L. Consider, and act upon, Resolution No. 2020-17(R) authorizing the City Manager of the City of Wylie, Texas to execute an Encroachment on Easement agreement with Oncor Electric Delivery Company LLC to construct, operate, and maintain a fence in the Oncor easement which is recorded in Volume 644, Page 325 and Volume 644, page 316 of the Deed of Records of Collin County, Texas in Avalon Park. (R. Diaz, Parks & Recreation Director)**

Mayor *pro tem* Forrester requested that Consent Item E be removed from Consent and considered individually as a Councilmember had a conflict. Consensus of the Council was to remove Item E from Consent and consider individually.

**Council Action**

A motion was made by Councilman Porter, seconded by Councilman Wallis, to approve the Consent Agenda items A-D and F-L as presented. A vote was taken and motion passed 6-0 with Mayor Hogue absent.

**REGULAR AGENDA**

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**E. Consider, and act upon, a final plat of Woodbridge Centre Phase 1 Lot 2D, Block B, being a replat of lots 2A and 2B, Block B, generally located at 799 and 801 Woodbridge Parkway. (J. Haskins, Planning Manager)**

Councilman Porter filed a conflict of interest with the City Secretary prior to the start of the meeting and stepped out of the Council Chambers during the consideration of this item.

**Council Action**

A motion was made by Councilman Dahl, seconded by Councilwoman Arrington, to approve a final plat of Woodbridge Centre Phase 1 Lot 2D, Block B, being a replat of lots 2A and 2B, Block B, generally located at 799 and 801 Woodbridge Parkway. A vote was taken and motion passed 5-0 with Councilman Porter abstaining and Mayor Hogue absent.

**1. Consider, and act upon, a revised preliminary plat for Wylie Lake Townhomes Addition, establishing 21 residential lots and three HOA lots on 4.839 acres, generally located northwest of the intersection of Spencer Lane and Colby Lane. (J. Haskins, Planning Manager)**

**Staff Comments**

Planning Manager Haskins addressed Council stating the applicant has submitted a revised preliminary plat for Wylie Lake Townhomes, creating 21 residential lots and three HOA lots on 4.839 acres. The subject property is zoned within Planned Development 2003-18 and Townhomes are an allowed use by right.

Revisions occurred after the February 4, 2020 P&Z meeting but before the February 25, 2020 City Council consideration. During consideration, City Council elected to refer the revised plat to P&Z for a recommendation before making a final decision. The P&Z Commission reviewed the revised plat at their last meeting as requested and the Commissioners recommended approval by a vote of 6-0.

**Citizen Comments**

Al Schoelen, representing Wylie Lakes HOA, addressed Council with concerns that the townhome subdivision does not have two points of access out of their subdivision.

Domineca Irula, resident, addressed Council with concerns regarding the proposed townhomes including a lack of communication from the builder and privacy fencing, and she requested an environmental impact assessment.

Carlos Irula, resident, addressed Council asking for support from Council and stated he would like to be part of the process.

**Council Comments**

Forrester asked about the lack of two points of access. Haskins replied that fire and city engineer comments were as long as the cul-de-sac is less than the maximum allowed, and this cul-de-sac is at about 350-400 feet in length, two points of access weren't necessary for such a small subdivision and it's within a larger subdivision that has two points of access. Forrester asked about the privacy fencing. Haskins reported that they will be held to whatever subdivision requirements were in place at that time; however, staff would prefer a living screen so there is no gap between a privacy fence and a wrought iron fence where tall weeds grow in between.

**Applicant Comments**

Milton Colegrove, legal counsel for Taas Investments, addressed Council stating he has reached out to the president of the HOA on a few occasions. He stated it is their intent to have their own HOA within the subdivision and to completely follow the planning development guidelines given by the City.

**Council Comments**

Wallis and Porter asked about the two points of access and the cul-de-sac regulations. Holsted reported in the thoroughfare standards the City allows a cul-de-sac up to a certain length and is within the maximum length of the cul-de-sac. Holsted confirmed with Haskins that the townhomes would be sprinkled. Haskins reported based on the information provided by the fire marshal, they would be sprinkled. Dahl expressed that he believes in property rights and zoning. Porter asked if the access points would be moot or meet a technical reason for denial if so chosen by Council. Holsted replied the cul-de-sac is less than the max length allowed.

**Council Action**

A motion was made by Councilman Dahl, to approve a revised preliminary plat for Wylie Lake Townhomes Addition, establishing 21 residential lots and three HOA lots on 4.839 acres, generally located northwest of the intersection of Spencer Lane and Colby Lane. The motion died for the lack of a second and no vote was taken.

City Secretary Storm requested clarification that no action was taken on the item. Holsted stated the Council has a 30-day time frame to act on the plat. Haskins reported if no action is taken, the item is approved. If there is a denial staff would request a reason for denial to provide the applicant with a letter.

**Council Comments**

Porter asked Holsted how the subdivision requirements interact with the thoroughfare standards since the townhomes are a separate subdivision.

Mayor *pro tem* Forrester recessed the Council into a break at 6:44 p.m.

Mayor *pro tem* Forrester reconvened the Council at 6:59 p.m.

Holsted reported the plat, as submitted, meets the intent of the Subdivision Regulations and the International Fire Code requirement because they are sprinkling the townhomes and the cul-de-sac length is less than the maximum allowed. Forrester asked if it meets the technical requirements of the Subdivision Regulations. Holsted confirmed it does.

**Council Action**

A motion was made by Councilman Dahl, seconded by Councilwoman Arrington, to approve a revised preliminary plat for Wylie Lake Townhomes Addition, establishing 21 residential lots and three HOA lots on 4.839 acres, generally located northwest of the intersection of Spencer Lane and Colby Lane. A vote was taken and motion passed 4-2 with Councilmen Duke and Wallis voting against and Mayor Hogue absent.

Mayor *pro tem* Forrester recessed the Council into work session at 7:01 p.m.

Mayor *pro tem* Forrester convened the Council into work session at 7:05 p.m.

## **WORK SESSION**

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- **AMI Project Update** (*M. Beard, Finance Director*)

Finance Director Beard gave a brief update on the AMI Project. Currently, over 3,200 meters are having to be read manually by various departments in order to stay within the 30 day billing cycle. A final contract is proposed to come for Council approval at the May 12 meeting with the project completed in November 2020. Beard reported a portal has not been chosen, but the one chosen will allow residents to see leaks, track usage, and provide accurate and close to real-time information.

- **Parks & Recreation Presentation to Council** (*R. Diaz, Parks & Recreation Director*)

Parks and Recreation Director Diaz showed a video overview presentation of the Parks and Recreation department. Diaz stated the vision for the department is to set the standard for connection, service, and quality of parks and recreation. Diaz introduced Parks and Recreation staff that were present.

The video presentation covered statistics of the Parks and Recreation department, spoke on public art, the Brown House, the Senior Recreation Center, and the Recreation Center, gave examples showing the values of the department, stated the mission, which is to spark connection, wellness, and learning, showed training that staff has completed, awards and recognitions the department has received, and the different funding sources.

- **Wylie Parks, Recreation, and Open Space Master Plan** (*R. Diaz, Parks & Recreation Director*)

Parks and Recreation Director Diaz announced there were three Parks and Recreation Board members present: Gloria Suarez, Brian Willeford, and Brett Swendig.

Elizabeth McIlrath and Philip Neeley, with Dunaway Associates, gave a Parks, Recreation and Open Space Master Plan and Municipal Complex Preliminary Master Plan Update presentation to Council. The Parks, Recreation and Open Space Master Plan presentation included parks inventory, population and demographics, park service areas, the needs assessment that was completed by the citizens, most needed facilities based on priority rankings, and an action plan worksheet and showed examples of the priorities based on rankings. The Municipal Complex Preliminary Master Plan presentation showed the preliminary master plan, key features, and examples of the key features.

Consensus from Council was to move the amphitheatre to the East Meadow and bring back an updated Municipal Complex Preliminary Master Plan at the March 24 Council meeting.

Mayor *pro tem* Forrester recessed the Council into a break at 8:29 p.m.

Mayor *pro tem* Forrester reconvened the Council into work session at 8:38 p.m.

Mayor *pro tem* Forrester convened the Council into Executive Session at 8:44 p.m.

## **EXECUTIVE SESSION**

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

**Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.**

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

- (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

- **Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and discussion regarding the offer of incentives for Projects: 2018-10c, 2019-8b, and 2019-11b.**

**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 properties located at: State Highway 78 & F.M. 544, State Highway 78 & Brown, and Jackson & Oak.**

**RECONVENE INTO OPEN SESSION**

*Take any action as a result from Executive Session.*

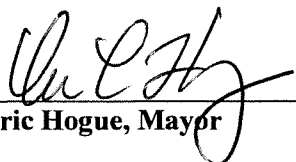
Mayor *pro tem* Forrester reconvened into Open Session at 9:51 p.m.

**READING OF ORDINANCE**

City Secretary Storm read the caption to Ordinance No. 2020-23 into the official record.

**ADJOURNMENT**

A motion was made by Councilman Porter, seconded by Councilman Wallis, to adjourn the meeting at 9:52 p.m. A vote was taken and motion passed 6-0 with Mayor Hogue absent.

  
Eric Hogue, Mayor

ATTEST:

  
Tina Link, Deputy City Secretary

