



Wylie City Council

Minutes

Regular Meeting

Tuesday, March 13, 2018 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Mayor Eric Hogue called the meeting to order at 6:00 p.m. City Secretary Stephanie Storm took roll call with the following City Council members present: Mayor *pro tem* Keith Stephens, Councilman David Dahl, Councilwoman Candy Arrington, Councilman Jeff Forrester; Councilwoman Diane Culver, and Councilman Timothy Wallis.

Staff present included: City Manager Mindy Manson; Assistant City Manager Chris Holsted; WEDC Executive Director Sam Satterwhite; Police Chief Anthony Henderson; Fire Chief Brent Parker; Senior Planner Jasen Haskins; City Engineer Tim Porter; Public Information Officer Craig Kelly; City Secretary Stephanie Storm, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Hogue gave the invocation and City Manager Manson led the Pledge of Allegiance.

PRESENTATIONS

- **Presentation by Kevin Dinnin of BCFS on behalf of the State of Texas thanking Wylie for the support during Hurricane Harvey.**

Kevin Dinnin, President of BCFS, presented a plaque to the City of Wylie Police and Fire Rescue Departments for their fearless dedication to the citizens of Texas in response to Hurricane Harvey.

CITIZENS 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.

Evelyn and Faith Seddig both addressed Council regarding the Wylie FFA Show and Sale coming up on March 21-24, 2018.

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 February 27, 2018, Regular Meeting of the Wylie City Council. (S. Storm, City Secretary)**
- B. Consider, and act upon, approval of a Preliminary Plat for Redwood at the Lakes Phase 2. The Plat will create 2 lots on 30.58 acres. The subject property is generally located southeast from the intersection of Vinson Road and Allen Road (County Line Road). (R. Ollie, Development Services Director)**
- C. Consider, and act upon, Ordinance No. 2018-09 to change the zoning from Agricultural – 30 District (AG-30) to Planned Development for Single-Family Estate on approximately 27.7 acres, located at 801 Lake Ranch Lane, within the Lake Ranch Addition. ZC2018-01 (R. Ollie, Development Services Director)**
- D. Consider, and act upon, approval of a Final Plat for Inspiration, Phase 3B-2 consisting of 14.143 acres to establish single-family residential lots for a master planned development within Wylie’s ETJ, generally located north of Parker Road (F.M. 2514) on Inspiration Blvd. (R. Ollie, Development Services Director)**
- E. Consider, and act upon, approval of a Final Plat for Inspiration, Phase 5A-3 consisting of 3.125 acres to establish single-family residential lots for a master planned development within Wylie’s ETJ, generally located north of Parker Road (F.M. 2514) on Inspiration Blvd. (R. Ollie, Development Services Director)**
- F. Consider, and act upon, Resolution No. 2018-14(R) authorizing the Mayor to execute a Project Specific Agreement for striping RE: Various Roads, “Type B” Public Roadway — Made Pursuant to Master Road & Bridge Interlocal Maintenance Agreement Between Dallas County, Texas and City of Wylie, Texas. (M. Sferra, Public Services Director)**
- G. Consider, and act upon, the approval of a second modification to contract #W2016-15-E a professional services agreement for Sewer Assessment with Pipeline Analysis Inc., in the amount of \$92,756.16 and authorizing the City Manager to execute any and all necessary documents. (G. Hayes, Purchasing)**
- H. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of January 31, 2018. (S. Satterwhite, WEDC Director)**

Mayor Hogue requested that Consent Item B be removed from Consent and considered individually. Consensus of the Council was to remove Item B from Consent and consider individually.

Council Action

A motion was made by Councilwoman Culver, seconded by Councilman Forrester to approve A, C, D, E, F, G, and H of the Consent Agenda, and consider Item B individually. A vote was taken and the motion passed 7-0.

REGULAR AGENDA

- B. Consider, and act upon, approval of a Preliminary Plat for Redwood at the Lakes Phase 2. The Plat will create 2 lots on 30.58 acres. The subject property is generally located southeast from the intersection of Vinson Road and Allen Road (County Line Road). (R. Ollie, Development Services Director)**

Mayor Hogue clarified that the developer had requested previously to make the lot sizes smaller but they have come back and are making the lot sizes compliant to our regulations or larger.

Council Action

A motion was made by Councilwoman Culver, seconded by Councilman Dahl to approve Consent Agenda B. A vote was taken and the motion passed 7-0.

Tabled from 01-23-2018

Remove from table and consider

A motion was made by Mayor *pro tem* Stephens, seconded by Councilman Dahl to remove Item #1 from the table and consider. A vote was taken and the motion passed 7-0.

- 1. Hold a Public Hearing and consider, and act upon, a change of zoning from Single-Family 10/24 (SF-10/24) District to Planned Development for Patio Homes on approximately 18 acres, generally located at the northwest corner of Brown Street and Westgate Way within the D.W. Williams Survey, Abs A1021, Tr 2. ZC2017-09 (R. Ollie, Development Services Director)**

Staff Comments

Senior Planner Haskins addressed Council this is a single-family residential with the current zoning on the property as SF-10/24; 2,400 sf home on a 10,000 sf lot. A few changes have been made to the PD since the item was tabled; one change is the minimum number of lot sizes of 2,200 sq. ft. has gone from 40% to 50%.

Applicant/Council Comments

Trey Walette, representing Skorbourg, addressed Council stating they have decreased the number of homes that can be 1,800-2,000 sq. ft. to 20% and 2,000-2,200 sq. ft. to 30%, and have increased the homes over 2,200 sq. ft. to 50% in the neighborhood. Walette stated 5.3 acres of parkland will be donated to the City and 1,100 linear feet of the hike/bike trail will be constructed to connect to the master trail plan, which will cost about \$144,000. Walette stated phase one and two infrastructure as well as the park and trail will be constructed prior to any certificate of occupancies being issued. Councilwoman Culver expressed concerns with the lack of amenities offered to the homeowners. John Arnold, representing Skorbourg, addressed Council stating the HOA fees will maintain the fence, columns, landscaping and mowing the common areas. Several councilmembers spoke in favor of fewer amenities and lower HOA fees for the residents. The applicant requested to table this item to resolve previous issues regarding other neighborhoods prior to approving this item.

Public Hearing

Mayor Hogue opened the public hearing on ZC2017-09 at 6:52 p.m. asking anyone present wishing to address Council to come forward.

Frank Giarratano, residing in Braddock Place, addressed Council stating that the developers have met with their neighborhood to address concerns/issues.

Matthew Porter, citizen of Wylie, addressed Council expressing concerns regarding the proposed development.

Mayor Hogue closed the public hearing at 6:58 p.m.

Council Action

A motion was made by Mayor *pro tem* Stephens, seconded by Councilman Dahl to table the change of zoning from Single-Family 10/24 (SF-10/24) District to Planned Development for Patio Homes on approximately 18 acres, generally located at the northwest corner of Brown Street and Westgate Way within the D.W. Williams Survey, Abs A1021, Tr 2. ZC2017-09. A vote was taken and the motion passed 7-0.

2. **Hold a Public Hearing and consider, and act upon, a Replat for Southside Addition Lots 43R-48R; being a Residential Replat of Lots 43-46 of the Southside Addition, generally located on Stone Circle 125' east of South Birmingham Street. (R. Ollie, Development Services Director)**

Staff Comments

Senior Planner Haskins addressed Council stating the applicant is requesting a residential replat to reconfigure four lots into six for a townhome development. The entire property is currently zoned Townhome (TH) and the proposed use is allowed by right.

The Planning and Zoning Commission voted 7-0 to recommend approval of the request.

Public Hearing

Mayor Hogue opened the public hearing at 7:16 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 7:17 p.m.

Council Action

A motion was made by Councilman Dahl, seconded by Mayor *pro tem* Stephens to approve a replat for Southside Addition lots 43R-48R; being a residential replat of lots 43-46 of the Southside Addition, generally located on Stone Circle 125' east of South Birmingham Street. A vote was taken and the motion passed 7-0.

3. **Hold a Public Hearing and consider, and act upon, a change of zoning from Agricultural – 30 District (AG-30) to Planned Development for Commercial and Industrial uses (PD-CC-LI) on approximately 8 acres, located at 1900 N S.H.78. ZC2018-02 (R. Ollie, Development Services Director)**

Staff Comments

Senior Planner Haskins addressed Council requesting that Council take no action on this item due to a notification error.

Public Hearing

Mayor Hogue opened the public hearing on ZC2018-02 at 7:19 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 7:20 p.m.

Council Action

No action was taken.

- 4. Hold a Public Hearing and consider, and act upon, a change of zoning from Agricultural – 30 District (AG-30) to Business Government (BG) for College or University uses on approximately 54 acres, generally located west of Brown Street, and west of Country Club Road. ZC2018-04 (R. Ollie, Development Services Director)**

Staff Comments

Senior Planner Haskins addressed Council requesting that Council take no action on this item due to a notification error.

Public Hearing

Mayor Hogue opened the public hearing on ZC2018-04 at 7:21 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 7:22 p.m.

Council Action

No action was taken.

Tabled from 02-27-2018

Remove from table and consider

A motion was made by Councilman Forrester, seconded by Councilman Dahl to remove Item #5 from the table and consider. A vote was taken and the motion passed 7-0.

- 5. Consider, and act upon, Resolution No. 2018-13(R) reviewing and approving the Chapter 380 Agreement by and between the City of Wylie, Texas and Cross Development, LLC; further authorizing the City Manager to execute the Chapter 380 Agreement; further**

authorizing the City Manager to take any and all other actions necessary to effectuate the same; and providing for an effective date. (S. Satterwhite, WEDC Director)

Staff Comments

WEDC Executive Director Sam Satterwhite presented to Council that progress was made in determining that the land south of the Explorer Pipeline Easement will not present any development challenges in terms of access and remaining soils impacted by polypropylene and plastic shavings from a landfill operated by Electro Extraction, Inc. from 1972 – 1979. Further, Cross will confirm the same to the satisfaction of the City prior to fee waivers taking place and committed to actively market the property for commercial development. Satterwhite also indicated that there was no progress in securing commitments from Cross as to the timing for the construction of Phase II. Mr. Brian Rumsey, Cross Development Partner, commented to Council that while it is difficult to commit to timing, he believes there will be significant interest in the property south of the pipeline.

Council Discussion

Councilman Wallis expressed concerns regarding potential financial impacts to the City. Councilwoman Culver, Councilwoman Arrington, Councilman Dahl, and Mayor *pro tem* Stephens expressed the proposed project presents a good opportunity to get this property back in production. Councilman Forrester stated that the developer has presented Council with their development intentions and have provided answers to Council's questions from February 27th meeting.

Matthew Porter, Wylie resident, addressed Council expressing concerns about the Chapter 380 Agreement.

Council Action

A motion was made by Councilman Dahl, seconded by Councilwoman Culver to approve Resolution No. 2018-13(R) reviewing and approving the Chapter 380 Agreement by and between the City of Wylie, Texas and Cross Development, LLC; further authorizing the City Manager to execute the Chapter 380 Agreement; further authorizing the City Manager to take any and all other actions necessary to effectuate the same; and providing for an effective date. A vote was taken and the motion passed 6-1 with Councilman Wallis voting against.

- 6. Consider, and act upon, Ordinance No. 2018-08 of the City Council of the City of Wylie, Texas, approving a tariff authorizing an annual rate review mechanism ("rrm") as a substitution for the annual interim rate adjustment process defined by section 104.301 of the Texas Utilities Code, and as negotiated between Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company") and the Steering Committee of cities served by Atmos; requiring the company to reimburse cities' reasonable ratemaking expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the open meetings act; declaring an effective date; and requiring delivery of this ordinance to the company and legal counsel for the steering committee. (M. Manson, City Manager)**

Staff Comments

City Manager Manson addressed Council stating the City, along with 171 other Mid-Texas Cities served by Atmos Energy Corporation, Mid-Tex Division, is a member of the Steering Committee of Cities Served by Atmos. Manson stated before Council is an approval of a new rrm, rate review mechanism, which is the approval of the process by which any changes in the rates will be reviewed going forward.

The benefit to the City and the coalition of Cities is, absent this process, our option would be to fall under the provisions of state law, which would be the Gas Reliability Infrastructure Program ("GRIP"). This rrm allows the City to have a discussion and thorough review of any rate increases.

Council Action

A motion was made by Councilman Forrester, seconded by Mayor *pro tem* Stephens to approve Ordinance No. 2018-08 of the City Council of the City of Wylie, Texas, approving a tariff authorizing an annual rate review mechanism ("rrm") as a substitution for the annual interim rate adjustment process defined by section 104.301 of the Texas Utilities Code as provided for in agenda item #6. A vote was taken and the motion passed 6-0 with Councilwoman Culver absent.

READING OF ORDINANCES

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

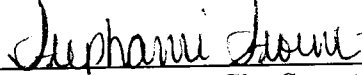
City Secretary Storm read the captions to Ordinance Nos. 2018-08 and 2018-09 into the official record.

ADJOURNMENT

A motion was made by Mayor *pro tem* Stephens, seconded by Councilman Dahl to adjourn the meeting at 8:17 p.m. A vote was taken and the motion passed 6-0 with Councilwoman Culver absent.


Eric Hogue, Mayor

ATTEST:


Stephanie Storm, City Secretary

