



# Wylie City Council

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## Minutes

### Regular Meeting

March 24, 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 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 Police Chief Tommy Walters; Public Information Officer Craig Kelly; Planning Manager Jasen Haskins; City Attorney Richard Abernathy; and Deputy City Secretary Tina Link.

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

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Councilman Dahl gave the invocation and Councilman Porter led the Pledge of Allegiance.

#### **CITIZEN COMMENTS ON NON-AGENDA ITEMS**

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Bruce Moilan, Sr. and Lisa Tovar submitted citizen comment forms that Mayor Hogue read aloud regarding concerns related to Kreymer Estates park, trails, and the development.

Mayor Hogue read aloud a citizen comment form submitted by an anonymous submitter regarding concerns related to the Library continuing to have employees on-site.

Jeremy Meier, Wylie Downtown Merchants Association, addressed Council promoting Takeout Tuesday.

#### **CONSENT AGENDA**

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*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 March 10, 2020 Regular Meeting and Work Session of the Wylie City Council. (S. Storm, City Secretary)**

- B. Consider, and act upon, an Amended Plat for Lot 1, Block A of the W.I.S.D. Center Addition, to establish new and adjust existing fire lane and utility easements on 55.494 acres, located at 951 South Ballard Avenue. (J. Haskins, Planning Manager)**
- C. Consider, and act upon, an Amended Plat for Lot 1, Block A of the Wally W. Watkins Elementary School Addition, to establish new and adjust existing fire lane and utility easements on 10.818 acres, located at 1301 Elm Drive. (J. Haskins, Planning Manager)**
- D. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for February 29, 2020. (M. Beard, Finance Director)**
- E. Consider, and place on file, the City of Wylie Monthly Investment Report for February 29, 2020. (M. Beard, Finance Director)**
- F. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of February 29, 2020. (J. Greiner, WEDC Director)**
- G. Consider, and act upon, the award of bid #W2020-20-A for Mowing and Litter Control Services to J. Nichols Construction Inc. in the estimated annual amount of \$365,000.00, and authorizing the City Manager to execute any and all necessary documents. (G. Hayes, Purchasing Manager)**

**Council Action**

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

**REGULAR AGENDA**

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- 1. Hold a Public Hearing, consider, and act upon, a change of zoning from Agricultural (AG), Light Industrial (LI) and Multifamily (MF) to Planned Development (PD), to allow for a mixed-use master planned community on 20.433 acres, located from 2535-2701 S. SH 78. (ZC 2020-03) (J. Haskins, Planning Manager)**

**Staff Comments**

Planning Manager Haskins addressed Council stating that the purpose of the Planned Development (PD) is for townhomes and for mixed-use residential and commercial. There are a few changes from the previous PD, but most of the information is the same. It would allow for 34 townhomes on Tract 1 and then 230,000 square feet of commercial and multi-family development on Tract 2-5. Haskins reported construction will be masonry; shared parking on tracts 2-5; applicant is asking for 15% reduction of per-use parking; and a pedestrian bridge is proposed over Maxwell Creek.

Haskins reported no responses were received from the notifications mailed out, and the Planning and Zoning Commission voted 4-2 because of concerns over the project getting finished in time.

**Council Comments**

Councilman Porter asked if the changes that were made are included in the current motion. Haskins reported they are located in the PD. Councilman Dahl inquired as to the plat for the townhomes not going through until the commercial is built. Haskins replied that is located in the first paragraph of Section 1.1 Development Schedule. Porter asked whether, if it should not be completed, the zoning would be in place for any future developer. Haskins responded that the zoning would remain in effect for any developer. Porter questioned Mr. Branch regarding information on utility easements.

### Applicant Comments

Chuck Branch, representing Daydra Management LLC, addressed Council stating that their engineers have worked with TxDOT, discussed the ROW, and would next require a Utility Installment Review to be submitted. Forrester asked Branch if they would be going along or under Highway 78 to tie in with the City. Branch responded they would go along Highway 78. Branch he had received letters of intent of several tenants who are expressing interest in the development.

### Public Hearing

Mayor Hogue opened the public hearing on Item 1 at 6:21 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Hogue closed the public hearing at 6:22 p.m.

### Council Action

A motion was made by Councilman Porter and seconded by Mayor *pro tem* Forrester to approve a change of zoning from Agricultural (AG), Light Industrial (LI) and Multifamily (MF) to Planned Development (PD), to allow for a mixed-use master planned community on 20.433 acres, located from 2535-2701 S. SH 78. (ZC 2020-03). A vote was taken and the motion passed 6-1 with Mayor Hogue voting against.

2. **Hold a Public Hearing, consider, and act upon, a change of zoning from Agricultural (AG) to Planned Development (PD), to allow for a mixed-use senior residential community on 24.5 acres located at 1751 McMillen Road. (ZC2020-02) (J. Haskins, Planning Manager)**

### Staff Comments

City Manager Chris Holsted addressed Council stating the applicant requested that Council open the Public Hearing and continue it to the next meeting.

### Public Hearing

Mayor Hogue opened the public hearing on Item 2 at 6:24 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

### Council Action

A motion was made by Councilman Dahl and seconded by Mayor *pro tem* Forrester to continue this public hearing at the April 14 City Council meeting. seconded. A vote was taken and the motion passed 7-0.

3. **Consider, and act upon, Resolution No. 2020-18(R) Postponing to the November 3, 2020 Uniform Election Date the General and Special Elections Scheduled to be held on May 2, 2020, for the purpose of electing persons to the Offices of Mayor and Councilmembers for Places 5 And 6 and the remaining term for Place 2 in response to the COVID-19 Pandemic and Public Health Emergency; Designating Polling Places; Authorizing Execution Of Joint Election Contract for the November 3, 2020 Election; and take all other appropriate action. (S. Storm, City Secretary)**

Mayor Hogue convened the Council into Executive Session at 6:26 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.

- **Item 3**

## **RECONVENE INTO OPEN SESSION**

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

Mayor Hogue reconvened into Regular Session at 7:40 p.m.

### **Citizen Comments**

Melissa Kenfield and Justin Dumlao submitted citizen comment forms that Mayor Hogue read aloud requesting Council postpone the May general and special elections.

Diane Johnson submitted a citizen comment form that Mayor Hogue read aloud requesting that Council keep the general and special elections in May.

### **Staff Comments**

City Manager Holsted recommended that no action be taken on this item.

### **Council Action**

No action was taken by Council on Item 3.

- 4. Consider, and act upon, an amendment to Ordinance No. 2020-24 Continuing or Renewing the Mayor's Declaration of Local Disaster for Public Health Emergency.**

Mayor Hogue convened the Council into Executive Session at 7:46 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.

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(1) when the governmental body seeks the advice of its attorney about:

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- **Item 4**

**RECONVENE INTO OPEN SESSION**

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

Mayor Hogue reconvened into Open Session at 8:15 p.m.

**Staff Comments**

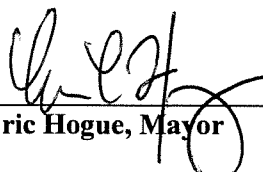
City Manager Holsted addressed Council stating the only amendment that is recommended at this time is to remove the text in Section 8 that states 180 days in jail.

**Council Action**

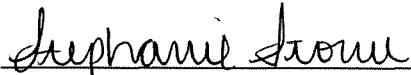
A motion was made by Mayor *pro tem* Forrester and seconded by Councilman Porter to approve the amendment to Ordinance No. 2020-24 Declaration of Disaster by striking the jail term of 180 days from Section 8. A vote was taken and the motion passed 7-0.

**ADJOURNMENT**

A motion was made by Councilman Porter, seconded by Councilman Wallis, to adjourn the meeting at 8:18 p.m. A vote was taken and motion passed 7-0.

  
Eric Hogue, Mayor

ATTEST:

  
Stephanie Storm, City Secretary

