



Wylie City Council

Minutes

Regular Meeting

March 26, 2019 – 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 6:03 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 Dylan Ostrom.

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; Public Works Director Tim Porter; Project Engineer Wes Lawson; Human Resources Director Lety Yanez; WEDC Executive Director Sam Satterwhite; WEDC Attorney Randy Hullett; City Secretary Stephanie Storm, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Hogue gave the invocation and Junior Mayor Dylan Ostrom led the Pledge of Allegiance.

PRESENTATIONS

- **Junior Mayor Dylan Ostrom**

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

- **Employee Milestone Anniversary**

Mayor Hogue and City Manager Manson presented milestone anniversary honors to the following employees:

Anthony Henderson, Police Chief – 20 years of service

- **CWD Annual Report – Robert Medigovich, CWD Municipal Coordinator**

Greg Roemer, president of CWD, gave CWD’s annual report regarding solid waste pickup, X-treme Green Events, and sponsorship within the city for 2018.

- **Presentation and discussion from Abernathy, Roeder, Boyd & Hullett, P.C. on regulations and procedures pertaining to the WEDC**

Randy Hullett, representing Abernathy, Roeder, Boyd & Hullett, addressed Council regarding the City's supervision in regards to the Economic Development Corporation (EDC). The current approach is that the approval process is handled through the budget process; the City Council approves the EDC budget as a component of the City's budget. If a budgeted item exceeds the budgeted amount, then a budget amendment is brought back to the City Council for approval. Monthly financials are approved by the EDC board each month and are presented to the Council for review and to be placed on file. Projects of more significance are brought to City Council in advance to seek input. Any debt incurred by the EDC is brought to the Council in advance for approval. As long as a new project is approved by the EDC Board and is within the annual budget process, and the amount does not exceed the budgeted amount, performance agreements for incentives are not brought to the City Council for approval. Hullett reported most cities do not require Council approval for every performance agreement because a two-step approval process can result in a gap, and in a competitive market, could allow another City to pursue the business. Currently the City Manager and Mayor attend each EDC meeting to understand and know what the EDC is working on.

Hullett stated the oversight and level of governance is up to the City Council in how they want to structure the EDC.

Councilman Porter asked whether, when the EDC monthly financials are brought to City Council, the Council is approving new projects and expenditures included in the report, or accepting the monthly financial report. Hullett replied that Council is only accepting. Councilman Dahl and Councilwoman Arrington stated they felt like the current process did not need to be changed. Councilman Porter asked if budget amendments are required to be done prior to or after a project. Hullett replied it is usually done semi-annually, and if it is going to exceed the budgeted amount, then it is usually brought to City Council during executive session before moving forward with the project.

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.

Michael White and Margaret Eubanks addressed Council with concerns regarding water drainage from Lewis Ranch Estates.

Denny Hanson, representing East Fork Masonic Lodge, invited the public to a fish fry at the Lodge on April 6.

Meiissa Kenfield addressed Council regarding social media standards for city council members.

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.

- Consider, and act upon, approval of the Minutes of March 12, 2019 Regular Meeting of the Wylie City Council. (S. Storm, City Secretary)**

- B. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of November 30, 2018. *(S. Satterwhite, WEDC Director)*
- C. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of December 31, 2018. *(S. Satterwhite, WEDC Director)*
- D. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of January 31, 2019. *(S. Satterwhite, WEDC Director)*
- E. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of February 28, 2019. *(S. Satterwhite, WEDC Director)*
- F. Consider, and place on file, the City of Wylie Monthly Investment Report for February 28, 2019. *(M. Beard, Finance Director)*
- G. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for February 28, 2019. *(M. Beard, Finance Director)*
- H. Consider, and act upon, vendor application for Wylie East High School Cross Country Team to sell items at a cross-country meet to be held August 31, 2019 at Founders Park. *(R. Diaz, Parks and Recreation Director)*
- I. Consider, and act upon, approval of a Final Plat for Woodbridge Phase 21A to establish 61 residential and six open space lots on 24.470 acres, located on McCreary Road approximately 2500' south of FM 544. *(R. Ollie, Development Services Director)*
- J. Consider, and act upon, approval of a Final Plat for Woodbridge Phase 21B to establish 92 residential and three open space lots on 22.691 acres, located between McCreary Road and Springwell Parkway approximately 2200' south of FM 544. *(R. Ollie, Development Services Director)*
- K. Consider, and act upon, approval of a Final Plat for Woodbridge Townhomes Tract A-3 Phase 1, establishing 95 single-family attached residential lots and four open space lots on 15.981 acres, generally located on the southwest corner of Hooper Road and Hensley Road. *(R. Ollie, Development Services Director)*
- L. Consider, and act upon, approval of a Final Plat for Woodbridge Townhomes Tract A-4 Phase 1, establishing 84 single-family attached residential lots and two open space lots on 11.463 acres, generally located on the south of the intersection of Regency Drive and Exchange Street. *(R. Ollie, Development Services Director)*
- M. Consider, and act upon, Resolution No. 2019-08(R) of the City Council of the City of Wylie, Texas, hereby authorizing the City Manager to execute an Interlocal Agreement between the City of Wylie and Collin County for Collin County's use of the City of Wylie's Radio Tower for Public-Safety Radio. *(B. Parker, Fire Chief)*
- N. Consider, and act upon, Resolution No. 2019-09(R), to ratify the purchase of two (2) one-ton vehicles from Reliable Chevrolet in the amount of \$84,054.00; authorizing the City Manager to execute any necessary documents. *(G. Hayes, Purchasing Manager)*

Councilman Porter requested that Consent Items B, C, D, E, K, and L be removed from Consent and considered individually. Mayor *pro tem* Stephens requested that Consent Item M be removed from Consent and considered individually. Consensus of the Council was to remove Items B, C, D, E, K, L, and M from Consent and consider individually.

Council Action

A motion was made by Councilman Forrester, seconded by Councilman Dahl, to approve Items A, F, G, H, I, J, and N on the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

REGULAR AGENDA

- B. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of November 30, 2018. (S. Satterwhite, WEDC Director)**
- C. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of December 31, 2018. (S. Satterwhite, WEDC Director)**
- D. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of January 31, 2019. (S. Satterwhite, WEDC Director)**
- E. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of February 28, 2019. (S. Satterwhite, WEDC Director)**

Council Comments

Councilman Porter questioned why on Items B, C, D, and E on the attachment Sales Tax Revenue report that December 2018 is listed under the 2019 column. Satterwhite replied that December 2018 is within FY 2018 – 2019 with October and November 2018 accrued back to FY 2017 – 2018.

Council Action

A motion was made by Councilman Dahl, seconded by Councilman Forrester, to approve Items B, C, D, and E on the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

- K. Consider, and act upon, approval of a Final Plat for Woodbridge Townhomes Tract A-3 Phase 1, establishing 95 single-family attached residential lots and four open space lots on 15.981 acres, generally located on the southwest corner of Hooper Road and Hensley Road. (R. Ollie', Development Services Director)**

Council Comments

Councilman Porter asked if there is a screening wall. Public Services Director Ollie replied there is a screening wall. Porter asked if the words “substantially conforms” have a different meaning than the words “conforms to the PD.” Ollie replied that there was no difference in the meaning.

Council Action

A motion was made by Councilman Porter, seconded by Councilman Dahl, to approve Item K on the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

- L. Consider, and act upon, approval of a Final Plat for Woodbridge Townhomes Tract A-4 Phase 1, establishing 84 single-family attached residential lots and two open space lots on 11.463 acres, generally located on the south of the intersection of Regency Drive and Exchange Street. (R. Ollie, Development Services Director)**

Council Comments

Councilman Porter stated the question was the same as Item K and was answered.

Council Action

A motion was made by Councilman Forrester, seconded by Councilman Porter, to approve Item L on the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

- M. Consider, and act upon, Resolution No. 2019-08(R) of the City Council of the City of Wylie, Texas, hereby authorizing the City Manager to execute an Interlocal Agreement between the City of Wylie and Collin County for Collin County's Use of the City of Wylie's Radio Tower for Public-Safety Radio. (B. Parker, Fire Chief)**

Council Comments

Mayor *pro tem* Stephens asked whether, with the County's use of the battery backup, the runtime will be negatively affected. He also asked whether the County's use of a dehydrator port will limit ports available for future growth for Wylie. Fire Chief Parker replied the battery backup will not be negatively affected, and regarding the dehydrator, currently the City has one extra port, and when the County establishes its equipment, the City will have four extra ports.

Council Action

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

- 1. Consider, and act upon, Ordinance No. 2019-09 repealing Ordinance No. 2014-15, codified as Division 3 (Water Conservation Plan) of Article IV (Water) of Chapter 114 (Utilities) of the Wylie Code of Ordinances and adopting a Water Conservation Plan to promote the responsible use of water; requiring the filing of this ordinance and plan with the Texas Commission on Environmental Quality; providing for penalties for the violation of this ordinance; providing repealing, savings and severability clauses, an effective date and for the publication of the caption hereof. (T. Porter, Public Works Director)**

Staff Comments

Public Works Director Porter addressed Council requesting to speak on Items 1 and 2 together. The City Council adopted the current Water Conservation Plan and Water Resource and Emergency Management Plan in April 2014. Title 30 Texas Administrative Code, Chapter 288 requires water systems to update and resubmit their Water Conservation Plans and Drought Contingency Plans to the Texas Water Development Board every five years after initial adoption, or as appropriate due to new or updated information.

During the preceding months, representatives of the member cities met with North Texas Municipal Water District (NTMWD) to discuss and revise the existing model Water Conservation Plan and Water Resource and Emergency Management Plan that member cities could adopt, with minor modifications to fit individual needs. Porter stated some of the changes are recommendations for additional water conservation measures, urged by NTMWD but not required.

The proposed plans are very similar to the existing plans and should be an easy transition for water customers.

Porter reviewed some of the proposed changes in both the Water Conservation Plan and Water Resource and Emergency Management Plan. A majority of the changes are to the different drought stages in the Water Resource and Emergency Management Plan and the triggers that begin each stage.

Council Comments

Councilman Wallis clarified that, under the proposed plan, restaurants would be required to ask if customers would like water, not automatically bring it to the table. Wallis asked whether they would be fined if they automatically brought water to the customer, and whether this would be at different stages or all the time. Porter replied that it would be in effect all the time and he is unsure who would police if the restaurants served water automatically without asking. Wallis expressed concerns that this could affect good customer service.

Mayor *pro tem* Stephens asked whether the change refitting existing irrigation systems with rain free sensors and Smart controllers would affect current homeowners. Porter replied that this is a recommended change that NTMWD urges City to consider, but is not a required change.

Councilman Forrester asked if other recommendations could be removed from the proposed plan. Porter replied there are compulsory and additional measures; some are required under the plan and others are not. If the City wanted to remove compulsory measures, he would need to meet with the NTMWD to see the procedure.

The consensus of Council was to table Items 1 and 2 to get clarification on what changes are required or are recommendations, and what other member cities are adopting.

Council Action

A motion was made by Councilman Forrester, seconded by Councilman Porter, to table Item 1 to the next City Council meeting. A vote was taken and the motion passed 7-0.

2. **Consider, and act upon, Ordinance No. 2019-10 repealing Ordinance No. 2014-16, codified as Division 2 (Water Resource and Emergency Management Plan) of Article IV (Water) of Chapter 114 (Utilities) of the Wylie Code of Ordinances and adopting a new Water Resource and Emergency Management Plan to promote the responsible use of water; requiring the filing of this ordinance and plan with the Texas Commission on Environmental Quality; providing for penalties for the violation of this ordinance; providing repealing, savings and severability clauses, an effective date and for the publication of the caption hereof. (T. Porter, Public Works Director)**

Staff Comments

This item was discussed with Item 1.

Council Action

A motion was made by Councilman Forrester, seconded by Councilman Porter, to table Item 2 to the next City Council meeting. A vote was taken and the motion passed 7-0.

Mayor Hogue recessed the Council to move into a Work Session in the Council Conference Room at 7:36 p.m.

Mayor Hogue reconvened into the Work Session at 7:43 p.m.

WORK SESSION

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

City Manager Manson addressed Council requesting direction regarding what Council would like to see in the long-range strategic plan and how staff should use the information to present the upcoming budget. Consensus from Council was for staff to provide information during the budget process showing what the City can afford to do staying at the effective tax rate along with a list of the highest of high priorities. Arrington said she felt this process would potentially cause an unfair shift of priorities to departments. Manson stated an incremental approach with recommendations from the City Manager would be the best approach. Manson stated another aspect that needs to be factored in is what it takes to sustain the current level of service and taking care of everyday business. Staff will submit items included in the 5-10 year plan during the budget process each year. If there is not something included in the plan, staff needs to know sooner than later.

RECONVENE INTO REGULAR SESSION

Mayor Hogue reconvened into Regular Session at 8:25 p.m.

Mayor Hogue convened the Council into Executive Session at 8:25 p.m.

EXECUTIVE SESSION

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.
 - **Bennett Road Drainage**

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).
 - **Discuss the offer of incentives for Project 2013-3a.**

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 the intersection of Jackson Street and Oak Street.**

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Hogue reconvened into Open Session at 9:26 p.m.

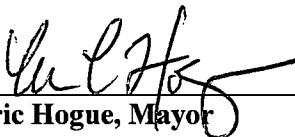
READING OF ORDINANCE

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

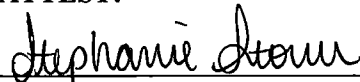
There were no Ordinances to read into the official record.

ADJOURNMENT

A motion was made by Councilman Dahl, seconded by Councilman Wallis, to adjourn the meeting at 9:28 p.m. A vote was taken and the motion passed 6-0 with Mayor *pro tem* Stephens absent.


Eric Hogue, Mayor

ATTEST:


Stephanie Storm, City Secretary

