



# Wylie City Council

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## Minutes

### Regular Meeting

April 9, 2019 – 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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*Announce the presence of a Quorum.*

Mayor Eric Hogue called the meeting to order at 6:01 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 Lily Evans.

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 Assistant Director Jason Greiner; City Secretary Stephanie Storm, and various support staff.

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

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Mayor *pro tem* Stephens gave the invocation and Councilman Wallis led the Pledge of Allegiance.

#### **PRESENTATIONS**

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- **Junior Mayor Lily Evans**

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

- **Wylie Downtown Merchants Association Presentation**

Jeremy Meier and Bobby Heath, representing the Downtown Merchants Association, presented City Manager Manson with the Award of Distinction.

- **Proclamation Declaring Mindy Manson “Citizen of Decade”**

Mayor Hogue presented a proclamation naming Mindy Manson as “Citizen of the Decade” in the City of Wylie. He noted her 24 years of service to the City of Wylie, and serving as the longest-serving city manager in Wylie’s 131-year history.

- **Proclamation for National Library Week, April 7-13**

Mayor Hogue presented a proclamation proclaiming April 7-13, 2019 as National Library Week in Wylie, Texas. Members of the Library Board, Friends of the Library, and staff were present to accept the proclamation.

- **Proclamation for Crime Victims' Rights Week, April 7-13**

Mayor Hogue presented a proclamation proclaiming April 7-14, 2019 as Crime Victims' Rights Week in Wylie, Texas. Police Chief Henderson was present to accept the proclamation.

- **Proclamation for National Public Safety Telecommunications Week, April 14-20**

Mayor Hogue presented a proclamation proclaiming April 14-20, 2019 as Public Safety Telecommunications Week in Wylie, Texas. Fire Chief Parker and members of the Public Safety Communications Department (Dispatch) were present to accept the proclamation.

- **Wylie Way Students**

Mayor Hogue and Mayor *pro tem* Stephens presented medallions to students demonstrating "Shining the Wylie Way." Each nine weeks one student from each WISD campus is chosen as the "Wylie Way Student."

### **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.*

Margaret Eubanks addressed Council with concerns regarding water drainage 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 March 26, 2019 Regular Meeting of the Wylie City Council.** (*S. Storm, City Secretary*)
- B. **Consider, and act upon, approval for substantial renovations in accordance with Ordinance No. 2013-17 for the remodel of an existing residential structure at 301 W. Brown St. within the Downtown Historic District.** (*R. Ollie, Development Services Director*)
- C. **Consider, and act upon, Resolution No. 2019-10(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall counties, Texas, amending Resolution No. 2019-03(R), Section 1, to amend the election judges; and providing for an effective date.** (*S. Storm, City Secretary*)

### **Council Action**

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

Mayor Hogue convened the Council into Executive Session at 7:00 p.m.

## **EXECUTIVE SESSION**

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If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with an attorney for the City.

§ 551.072 – Discussing purchase, exchange, lease or value of real property.

§ 551.074 – Discussing personnel or to hear complaints against personnel.

§ 551.087 – Discussing certain economic development matters.

§ 551.073 – Discussing prospective gift or donation to the City.

§ 551.076 – Discussing deployment of security personnel or devices or security audit.

*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.

- **Development Regulations**

## **RECONVENE INTO OPEN SESSION**

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

Mayor Hogue reconvened into Open Session at 7:52 p.m.

## **REGULAR AGENDA**

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1. **Consider authorizing the City Manager to sign an Agreement between John Englar and Yanyn Duan or their assigns and the City of Wylie to allow for the annexation into the City limits and the development of single-family homes within property located in the City's Extraterritorial Jurisdiction (ETJ), generally located north of Stone Road and east of Kreymer Road, and more specifically at 2121 E. Stone Road. (R. Ollie, Development Services Director)**

### **Staff Comments**

Development Services Director Ollie addressed Council stating the applicant, Skorburg Company, and the property owner are proposing an Agreement relating to the annexation of the subject property into the City limits and the development consisting of 61 residential lots. The agreement sets forth the property under consideration, development standards, special conditions, conceptual site layout, and developer obligations for the realignment and relocation of a City-owned 24-inch sewer line already in place on the property.

### **Applicant Comments**

Art Anderson, representing the Skorburg Company, addressed Council giving a presentation on the proposed Brookside subdivision. Some of the changes made since the February 26, 2019 Council meeting include:

- increased 40-ft. lot width to 50-ft. lot width
- lots with trees will be preserved as open space
- increased 15-ft. setback to 25-ft. setback

- the flow of drainage will be maintained at the same level into the current ponds, and the remainder will be collected and go to a detention pond off of Stone Road
- alleys were removed to keep the tree line on the east side of the property, and
- city annexation will result in Impact Fee collection

#### Citizen Comments

Dan Mingea, Laurie Pollard, Geoff Kilgore, Julie Kilgore, and Chris Pollard addressed Council with concerns regarding the proposed development.

#### Council Action

A motion was made by Councilman Forrester, seconded by Councilman Porter, to deny authorizing the City Manager to sign an Agreement between John Englar and Yanyn Duan or their assigns and the City of Wylie to allow for the annexation and development of single-family homes within property located in the City's Extraterritorial Jurisdiction (ETJ), generally located north of Stone Road and east of Kreymer Road, and more specifically at 2121 E. Stone Road. A vote was taken and the motion passed 7-0.

#### Tabled from 02-26-2019

*Remove from table and consider*

#### Council Action

A motion was made by Councilman Porter, seconded by Councilman Forrester, to remove Item 2 from the table. A vote was taken and the motion passed 7-0.

2. **Consider authorizing the City Manager to sign an Agreement between John Englar and Yanyn Duan or their assigns and the City of Wylie to relocate a sanitary sewer line and sewer easement within property located in the City's Extraterritorial Jurisdiction (ETJ), located at 2121 E. Stone Road. (R. Ollie, Development Services Director)**

#### Citizen Comments

Laurie Pollard and Geoff Kilgore addressed Council with concerns regarding the proposed development.

#### Council Action

A motion was made by Councilman Forrester, seconded by Councilman Wallis, to deny authorizing the City Manager to sign an Agreement between John Englar and Yanyn Duan or their assigns and the City of Wylie to relocate a sanitary sewer line and sewer easement within property located in the City's Extraterritorial Jurisdiction (ETJ), located at 2121 E. Stone Road. A vote was taken and the motion passed 7-0.

#### Tabled from 02-26-2019

*Remove from table and consider*

#### Council Action

A motion was made by Councilman Forrester, seconded by Councilman Wallis, to remove Item 3 from the table. A vote was taken and the motion passed 7-0.

3. **Consider, and act upon, a Preliminary Plat to establish Brookside Estates, creating 73 single-family residential lots and four open space lot on 14.599 acres within Wylie's ETJ, generally located north of Stone Road and east of Kreymer Road, and more specifically at 2121 E. Stone Road. (R. Ollie, Development Services Director)**

**Applicant Comments**

Art Anderson, representing the Skorburg Company, addressed Council requesting approval of the preliminary plat, and if it is denied, that he be provided certified reasons for denial pursuant to Chapter 212 of the Local Government Code.

**Council Action**

A motion was made by Councilman Forrester, seconded by Councilman Porter, to deny a Preliminary Plat to establish Brookside Estates, creating 73 single-family residential lots and four open space lot on 14.599 acres within Wylie’s ETJ, generally located north of Stone Road and east of Kreymer Road, and more specifically at 2121 E. Stone Road. A vote was taken and the motion passed 7-0.

**Tabled from 03-26-2019**

*Remove from table and consider*

**Council Action**

A motion was made by Councilman Porter, seconded by Councilman Forrester, to remove Item 4 from the table. A vote was taken and the motion passed 7-0.

- 4. **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 stating from the feedback at the March 26, 2019 Council meeting, the Water Conservation Plan was updated to remove generalized “recommendation” language provided in the Model NTMWD Conservation Plan and to provide requirements for a more specific City of Wylie Plan.

**Council Action**

A motion was made by Councilman Wallis, seconded by Councilwoman Arrington, to approve 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. A vote was taken and the motion passed 7-0.

**Tabled from 03-26-2019**

*Remove from table and consider*

**Council Action**

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

- 5. **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)**

### **Council Action**

A motion was made by Councilman Wallis, seconded by Councilwoman Arrington, to approve 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. A vote was taken and the motion passed 7-0.

6. **Consider, and act upon, Ordinance No. 2019-11 amending Ordinance No. 2018-24 (2018-2019 Budget) for proposed mid-year amendments for fiscal year 2018-2019. (M. Beard, Finance Director)**

### **Staff Comments**

Finance Director Beard addressed Council stating the mid-year budget amendments are generally intended to cover unanticipated and/or unavoidable revenue and expenditure adjustments to the adopted budget. The requested items are located within the General Fund, 4B Sales Tax Revenue Fund, and Utility Fund. The requests are further defined as neutral (matching revenues to expenditures), revenue increases, or expenditure increases. Salary savings from the first half of the fiscal year are included in the amendment.

### **Council Comments**

Councilman Porter asked, regarding the creation of a second assistant City Manager position, whether there would be an additional cost in next year's budget. Holsted responded one of the positions will be eliminated and there will be a re-organization of the department; therefore, there will not be a financial impact.

Mayor *pro tem* Stephens asked why a second assistant city manager position was being created. Holsted replied with the City growth, two assistant city managers would allow for more attention to departments, more community involvement, and more visibility. There is a small financial savings and no new full-time equivalents are being added; some job duties are being re-assigned.

### **Council Action**

A motion was made by Councilman Dahl, seconded by Councilwoman Arrington, to approve Ordinance No. 2019-11 amending Ordinance No. 2018-24 (2018-2019 Budget) for proposed mid-year amendments for fiscal year 2018-2019. 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 8:54 p.m.

Mayor Hogue reconvened into the Work Session at 9:04 p.m.

## WORK SESSION

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- **Discussion and direction regarding the possible transfer of ownership of the Wylie Cemetery and the Kreymer Cemetery to the City of Wylie.** (*M. Manson, City Manager*)

City Manager Manson reported members of the Wylie Cemetery Board were present to discuss the possibility of the City taking over the ownership and maintenance of the Wylie Cemetery and the Kreymer Cemetery. It is becoming increasingly difficult for the Board to oversee the operation of the cemeteries and there are few alternatives for them to pursue. The Board's current cash balance is very healthy and would cover the mowing costs for several years.

Direction from Council was to move forward with the City taking ownership and maintenance of both cemeteries to preserve the City's history and honor the City's mission statement.

Mayor Hogue reconvened into Work Session in the Council Chambers due to a technical issue in the conference room at 9:24 p.m.

- **Discuss and provide direction on the use of roundabouts as an acceptable means of traffic control at intersections within the City of Wylie.** (*T. Porter, Public Works Director*)

Public Works Director Porter addressed Council stating Freese & Nichols, Inc. were present to give Council a presentation and solicit Council feedback regarding roundabouts. Chris Bosco, representing Freese & Nichols, Inc., gave the presentation showing modern roundabouts, identifying advantages to roundabouts, discussing success stories in the Metroplex, and answering Council questions.

Direction from Council was to consider the use of roundabouts in the City and to identify traffic counts and the cost difference with regard to implementation and maintenance associated with roundabouts.

## RECONVENE INTO REGULAR SESSION

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Mayor Hogue reconvened into Regular Session at 10:04 p.m.

## READING OF ORDINANCE

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

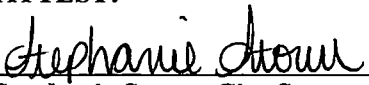
City Secretary Storm read Ordinance Nos. 2019-09, 2019-10, and 2019-11 into the official record.

## ADJOURNMENT

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A motion was made by Mayor *pro tem* Stephens, seconded by Councilman Porter, to adjourn the meeting at 10:08 p.m. A vote was taken and the motion passed 7-0.

ATTEST:

  
Stephanie Storm, City Secretary



  
Eric Hogue, Mayor