



Wylie City Council

Minutes

Regular Meeting

June 23, 2020 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

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, Councilman Timothy T. Wallis, and Councilman David Dahl. Councilwoman Candy Arrington absent.

Staff present included: City Manager Chris Holsted; Assistant City Manager Brent Parker; Assistant City Manager Renae Ollie; Police Chief Anthony Henderson; Public Information Officer Craig Kelly; Planning Manager Jasen Haskins; Parks and Recreation Director Robert Diaz; Finance Director Melissa Beard; Human Resources Director Lety Yanez; and Deputy City Secretary Tina Link.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Hogue convened into a moment of silence and Mayor Hogue led the Pledge of Allegiance.

PRESENTATIONS

- **Presentation to Outgoing Boards & Commissions Members.**

Mayor Hogue presented outgoing board members gifts of appreciation for their service. Mayor Hogue thanked each member for volunteering their time to serve on the various boards and commissions.

- **Oath of Office for Incoming Wylie Boards and Commission Members.**

Deputy City Secretary Link administered the Oath of Office to the newly appointed board and commission members in attendance.

- **Parks & Recreation Month Proclamation.**

Mayor Hogue presented a proclamation recognizing the month of July as Parks and Recreation Month in the City of Wylie. Parks and Recreation Director Robert Diaz, Parks Manager Brent Stowers, Recreation Manager Carmen Powlen, and Parks and Recreation Board members Craig Allen and Joni Robinson were present to accept the proclamation.

CITIZEN COMMENTS ON NON-AGENDA ITEMS

There were no citizens present wishing to address Council.

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 June 9, 2020 Regular Meeting and Work Session 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 May 31, 2020. (J. Greiner, WEDC Director)**
- C. Consider, and act upon, the approval of Wylie Agreement #W2020-22-I for the purchase of fencing and miscellaneous site improvements for Avalon Park from Basic IDIQ Inc. in the estimated amount of \$110,946.01 through a cooperative purchasing contract with Choice Partners Cooperative, and authorizing the City Manager to execute any necessary documents. (G. Hayes, Purchasing Manager)**
- D. Consider, and act upon, Resolution No. 2020-30(R) of the City Council of the City of Wylie, Texas, to ratify Change Orders No. 1 and No. 2 with Moss Utilities LLC for emergency expenses for the repair of Hooper Road between Steel Road and Hensley Lane in the estimated amount of \$33,013.00; and authorizing the City Manager to execute any necessary documents. (G. Hayes, Purchasing Manager)**
- E. Consider, and act upon, a vendor application for the Wylie ISD Council of PTA's "Back to the Future Back to School" event at Olde City Park on August 29, 2020. (R. Diaz, Parks & Recreation Director)**
- F. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for May 31, 2020. (M. Beard, Finance Director)**
- G. Consider, and place on file, the City of Wylie Monthly Investment Report for May 31, 2020. (M. Beard, Finance Director)**

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Duke, to approve the Consent Agenda as presented. A vote was taken and motion passed 6-0 with Councilwoman Arrington absent.

REGULAR AGENDA

- 1. Consider, and act upon, authorizing the City Manager to sign a Development Agreement pending Annexation, between the City of Wylie, Larry C. Martinez (owner Tract 1), and Johnny N. Martinez (owner Tract 2) and Wylie DPV Limited Partnership (Applicant - Dominion of Pleasant Valley) for the continued development of a single family planned development generally located south of Sachse Road and Pleasant Valley Road. (J. Haskins, Planning Manager)**

Staff Comments

Planning Manager Haskins addressed Council stating the applicant and the associated property owners wish to enter into a Development Agreement with the City for the potential annexation and zoning of two tracks of land that are adjacent to Dominion of Pleasant Valley. The applicant is proposing to add an additional 16.5 acres for residential lots, open space, and a commercial lot. If the Development Agreement is authorized, the owner will voluntarily petition the City for annexation and the applicant will request rezoning of this property. Haskins stated the applicant's intent is to maintain the aesthetics and design of Dominion of Pleasant Valley.

Council Comments

Councilman Dahl asked if the same construction standards would follow the standards based on state law. Haskins confirmed that those issues are addressed with the next Development Agreement item on the agenda.

Applicant Comments

Ron Haynes, owner and developer of Dominion of Pleasant Valley, addressed Council stating the idea is to annex the property into the Planned Development. Due to the high electric lines, it is a 200 ft. wide easement, which leaves inefficient property in this area of the development and makes it difficult to get emergency vehicles there. By annexing the two tracks and extending the road to Sachse Rd., it would dramatically improve the access to this area of the property from an ingress and egress standpoint. Mr. Haynes exhibited the style of homes in the area stating the average price of a home is \$380,000 stating these are substantial expensive homes, which will add to the tax base of Wylie. Haynes reported these homes will be part of the Garland Independent School District.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Porter, authorizing the City Manager to sign a Development Agreement pending Annexation, between the City of Wylie, Larry C. Martinez (owner Tract 1), and Johnny N. Martinez (owner Tract 2) and Wylie DPV Limited Partnership (Applicant - Dominion of Pleasant Valley) for the continued development of a single family planned development generally located south of Sachse Road and Pleasant Valley Road. A vote was taken and the motion passed 6-0 with Councilwoman Arrington absent.

2. **Consider, and act upon, authorizing the City Manager to sign a Development Agreement pending Annexation, between the City of Wylie, Larry C. Martinez (owner Tract 1), and Johnny N. Martinez (owner Tract 2) and Wylie DPV Limited Partnership (Applicant - Dominion of Pleasant Valley) regarding the use of building materials for the continued development of a single family planned development generally located south of Sachse Road and Pleasant Valley Road. (J. Haskins, Planning Manager)**

Staff Comments

Planning Manager Haskins addressed Council stating this is the building materials part of the Development Agreement.

Council Comments

Councilman Porter asked if this harkens back to the development standards in place when the Planned Development was approved. Haskins confirmed that it does.

Council Action

A motion was made by Councilman Porter, seconded by Mayor *pro tem* Forrester authorizing the City Manager to sign a Development Agreement pending Annexation, between the City of Wylie, Larry C. Martinez (owner Tract 1), and Johnny N. Martinez (owner Tract 2) and Wylie DPV Limited Partnership (Applicant - Dominion of Pleasant Valley) regarding the use of building materials for the continued development of a single family planned development generally located south of Sachse Road and Pleasant Valley Road. A vote was taken and the motion passed 6-0 with Councilwoman Arrington absent.

- 3. Consider, and act upon, Resolution No. 2020-31(R) of the City Council of the City of Wylie, Texas, adopting an amended version of the Wylie Parks, Recreation and Open Space Master Plan; and providing for an effective date. (R. Diaz, Parks & Recreation Director)**

Staff Comments

Parks and Recreation Director Diaz addressed Council noting on May 16, 2016, Council authorized the City Manager to consult with Dunaway & Associates to update the Master Plan. A steering committee was formed, a robust citizen survey performed, and several public meetings were held. The final Master Plan was on the website for the board and public to have input. From these criteria, a weighted priority ranking of the top ten items was established based upon input from the citizen survey, Park Board, City staff, and the Dunaway team. Some concept park plans are also included as well as a conceptual plan of the Municipal property. Diaz wished to thank all of those who participated in forming this Plan. Diaz stated the Plan was recommended for adoption by Council at the Parks and Recreation board meeting on June 8, 2020.

Council Comments

Councilman Porter reiterated a question he and other Council members had earlier in this project as to getting concrete costs on the recommendations that are being made and if there have been any updates on that. Diaz replied that he is requesting a study on the aquatic center and the costs of running that as well as a study on Lavon Lake and the Corps property. Porter stated that his concern in plans for the next 5-10 years is that Council would be committing to something as far as a hiring without having an exact dollar standpoint. He requested that before it is put before a bond committee that Diaz and his department put something together reflecting the operational long-term commitment and what it is going to look like. Mayor *pro tem* Forrester stated that this is a plan to update a plan from 10 years ago by getting ideas from citizens and Dunaway. It is not saying that tomorrow we will start construction on all top ten items; we will go at them one at a time. Forrester stated maybe even with the current situation, reassess those needs and move forward. Diaz agreed. Councilman Dahl agreed with points made by Porter and Forrester and said that it would not be accurate to have a dollar amount at this point, but would like to see what the potential dollar amount would be that we are committing to for each project moving forward with the Master Plan.

Council Action

A motion was made by Mayor *pro tem* Forrester and seconded by Councilman Dahl approving Resolution No. 2020-31(R) of the City Council of the City of Wylie, Texas, adopting an amended version of the Wylie Parks, Recreation and Open Space Master Plan; and providing for an effective date. A vote was taken and the motion passed 6-0 with Councilwoman Arrington absent.

- 4. Consider, and act upon, Resolution No. 2020-32(R) authorizing the execution of a master tax-exempt lease purchase agreement with All American Investment Group, LLC in the total amount of \$3,333,667.00 for the purchase of water meter equipment, installation and related items; and authorizing the City Manager to execute any necessary documents. (M. Beard, Finance Director)**

Staff Comments

Finance Director Beard addressed Council stating at the June 9 Council meeting there was discussion regarding financing options for the AMI Project with Johnson Controls. Beard is requesting approval for this Resolution so staff can execute the master tax-exempt lease purchase agreement with All American Investment Group, LLC that goes along with the contract reflected in the next item. It has level debt annual payments at an interest of 2.1%. As requested, the first payment will not be made until the eight-month construction period.

Council Action

A motion was made by Mayor *pro tem* Forrester and seconded by Councilman Duke approving Resolution No. 2020-32(R) authorizing the execution of a master tax-exempt lease purchase agreement with All American Investment Group, LLC in the total amount of \$3,333,667.00 for the purchase of water meter equipment, installation and related items; and authorizing the City Manager to execute any necessary documents. A vote was taken and the motion passed 6-0 with Councilwoman Arrington absent.

5. **Consider, and act upon, the award of Phase 2 of RFQ #W2019-92-E for an Energy Savings Performance Construction Contract for a Comprehensive Water and Energy Efficiency Program to Johnson Controls LLC, and authorizing the City Manager to execute any and all necessary documents.** (*G. Hayes, Purchasing Manager*)

Staff Comments

Purchasing Manager Hayes addressed Council stating that this is the second part of what was approved in Item 4. This is the phase two contract. The total construction cost for the project is \$7,333,667 of which the City would fund a portion of that directly and the rest would be financed.

Council Action

A motion was made by Councilman Porter and seconded by Councilman Dahl awarding of Phase 2 of RFQ #W2019-92-E for an Energy Savings Performance Construction Contract for a Comprehensive Water and Energy Efficiency Program to Johnson Controls LLC, and authorizing the City Manager to execute any and all necessary documents. A vote was taken and the motion passed 6-0 with Councilwoman Arrington absent.

Mayor Hogue convened the Council into Work Session at 6:43 p.m.

WORK SESSION

- **Discuss Extraterritorial Jurisdiction and city limits surrounding Lavon Lake.** (*R. Ollie, Asst. City Manager*)

Assistant City Manager Ollie addressed Council stating Wylie has 37 square miles and 10 of those are the ETJ, noting the areas around Lake Lavon and if Council is interested in keeping the ETJ. Ollie stated it would be a process to get rid of it and someone else would need to take it or the county would have to agree to maintain it. There was discussion with Princeton that they were interested in some of the areas around the lake. Joe Helmberger, representing Princeton, was present for the discussion. This would be approximately 3,600 acres in which some areas are ETJ and some are City limits. Ollie suggested discussion about what the pros and cons would be with this area.

City Manager Holsted stated that some of the ETJ has recent platting of single-family development and that Council has very little control over that area. Helmberger noted on the map where the MUD districts are located as well as what is located in the Princeton sanitary sewer control. The sanitary sewer could be provided because they wish to eliminate the septic systems. The Army Corps of Engineers has already agreed if the City would release the city limits around the lake, they would annex it into Princeton. There would be contiguous property that could be annexed into the city. Councilman Forrester asked what the new line would look like. Holsted showed that it could be multiple lines and stated that we do not serve anything on the peninsula now. It allows Princeton to take control of some the development. Holsted stated NTMWD would like to get rid of as much septic as possible. Councilman Dahl asked if we would retain the section along Hwy. 78. Holsted replied that there are plats, but they are ETJ and we do not provide water or sewer to them. Ollie stated that the lake parts are all broken up and are not just one section. Mayor Hogue questioned Fire Chief Blythe about possible hovercraft services to the lake area if it is not in the City limits. Blythe noted that we already contract with the county for fire and ems services and that it should already be covered under the contract with the county. Councilman Porter asked if the incorporation would be a part of Princeton. Ollie replied that it would be a part of the ETJ. Helmberger stated the peninsula would remain the ETJ, but the tracks of land that would be released would be annexed into the City of Princeton. Ollie stated that Wylie would have to release the land to the county first and then Princeton would start the annexation process. Hogue asked which fire departments take care of that area. Helmberger replied that Princeton and Branch are responsible. Porter asked if the annexation takes place would it become part of Princeton's city limits or their ETJ. Helmberger replied that the Corps would voluntarily annex.

Holsted requested Council direction. Council gave direction stating they would like to see a list of the pros and cons of the total ETJ picture.

- **Budget Work Session for 4B Sales Tax Fund and Utility Fund. (C. Holsted, City Manager)**

City Manager Holsted addressed Council on the Utility Fund stating the estimated beginning fund balance is a little over \$12 million, proposed revenue of \$22.5 million, proposed expenses a little over \$20 million, and a small number of recurring requests and one-time expenses with an estimated ending fund balance of \$11.5 million. The Water and Sewer Rate Study presented to Council includes the requests as shown in the model. The model does show a reduction from the previous model, 9% for water and 7.5 % for sewer and the newest model includes a potential increase, which is less than that. Holsted discussed FM 2514 waterline relocation, Public Works and Parks security system upgrade, AWIA Resilience Plan, Construction of 8-inch waterline on 2nd Street, water pump station backup generators, Unit 270 vehicle replacement, and a portable light tower. Public Works Director Porter answered questions from Council on various items. Staff requested feedback on the rate model based on previous and current information. Council direction was to use what will give the best savings on the rate for 20-21 and to use the fund balance to get us through.

Holsted addressed Council bringing back some options for operations and cost savings in regards to the 4B Sales Tax Fund. The latest sales tax numbers are up 2%; still flat using the worst-case scenario based on the COVID issues. Parks and Recreation Director Diaz addressed Council in regards to the current numbers and operating costs and stated there are still staffing issues due to COVID. The Senior Recreation Center is still closed and some employees are not comfortable coming back to work. Staff is looking at modified hours and is proposing to stay at the current staff level. Diaz stated there has been no negative feedback from patrons in regards to the modified hours at the Recreation Center. One challenge staff would like to possibly look at is Sunday afternoon hours. Diaz reported staff is looking at reopening the Senior Recreation Center in August with a modified schedule. Because of the closure, there have been cost savings. Diaz stated that they would like to stay on the current course if possible. Holsted stated they are trying to eliminate all costs that they can because of the decrease in revenue from sales tax. The City has been building up the fund balance the last few years, which can help offset some of the losses. Council direction was modified hours for the Senior Recreation Center in the fall based upon guidelines and safety issues, and opening up the Recreation Center during Sunday afternoons and for possible rentals.

Mayor Hogue convened the Council into Executive Session at 8:01 p.m.

EXECUTIVE SESSION

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 to discuss the offer of incentives for Project 2019-12a, Project 2019-12c, Project 2020-4c and 2020-4d.**

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 & Brown, and Jackson & Oak.**

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Hogue convened the Council into Open Session at 9:07 p.m.

Council Action

A motion was made by Councilman Dahl, seconded by Councilman Duke, to authorize the Wylie EDC to enter into a Performance Agreement with Project 2020-4d in an amount not to exceed \$13,149. A vote was taken and the motion passed 6-0 with Councilwoman Arrington absent.

Council Action

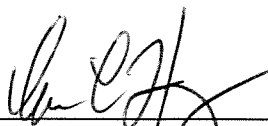
A motion was made by Councilman Wallis, seconded by Councilman Porter, to authorize the Wylie EDC to enter into a Performance Agreement with Project 2019-12c in an amount not to exceed \$11,800. A vote was taken and the motion passed 5-1 with Mayor Hogue voting against and Councilwoman Arrington absent.

Council Action

A motion was made by Councilman Porter, seconded by Councilman Duke, to authorize the Wylie EDC to enter into a Performance Agreement with Project 2019-12a in an amount not to exceed \$30,200 A vote was taken and the motion passed 6-0 with Councilwoman Arrington absent.

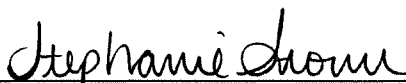
ADJOURNMENT

A motion was made by Councilman Porter, seconded by Councilman Duke, to adjourn the meeting at 9:10 p.m. A vote was taken and motion passed 6-0 with Councilwoman Arrington Absent.



Eric Hogue, Mayor

ATTEST:



Stephanie Storm, City Secretary

