



Wylie City Council

Minutes

Regular Meeting

August 11, 2020 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Mayor *pro tem* Jeff Forrester 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, Councilwoman Candy Arrington, Councilman Timothy T. Wallis and Councilman David Dahl. Mayor Eric Hogue was absent.

Staff present included: City Manager Chris Holsted; Assistant City Manager Brent Parker; Assistant City Manager Renae Ollie; Police Chief Anthony Henderson; Fire Chief Brandon Blythe; Public Information Officer Craig Kelly; Parks and Recreation Director Robert Diaz; Finance Director Melissa Beard; Public Works Director Tim Porter; Building Official Bret McCullough; Municipal Court Supervisor Lisa Davis; City Attorney Victor Cristales; City Secretary Stephanie Storm, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Raymond Perry led the invocation and Mayor *pro tem* Forrester led the Pledge of Allegiance.

PRESENTATIONS

- **Proclamation – Black Owned Business Month**

Mayor *pro tem* Forrester read a proclamation declaring the month of August 2020 as Black Owned Business Month in the City of Wylie. Mary Harris, Latonya and Damian Johnson, Tamara Herndon, and Michael Bowen 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 July 28, 2020 Regular Meeting and Work Session of the Wylie City Council. *(S. Storm, City Secretary)*
- B. Consider, and act upon, the award of RFP #W2020-85-A for Professional Auditing Services to Weaver and Tidwell, L.L.P. in the estimated annual amount of \$65,500, and authorizing the City Manager to execute any and all necessary documents. *(G. Hayes, Purchasing Manager)*
- C. Consider, and act upon, a request for substantial renovations in accordance with Ordinance No. 2013-17 for the remodel of an existing residential structure, located at 308 W. Oak Street, Lot 6, Block 9 of the Keller's #2 Addition within the Downtown Historic District. *(R. Ollie, Asst. City Manager)*
- D. Consider, and act upon, a request for substantial renovations in accordance with Ordinance No. 2013-17 to construct a ramp on the north side of an existing residential structure for the purpose of enhancing accessibility, located at 301 N. Ballard Street (Brown House), within the Downtown Historic District. *(R. Diaz, Parks & Recreation Director)*
- E. Consider, and act upon, Resolution No. 2020-35(R) of the City Council of the City Of Wylie, Collin, Dallas and Rockwall Counties, Texas, amending Resolution No. 2020-06(R), which ordered a General Election to be held on May 2, 2020, for the purpose of electing the positions of Mayor and two Council Members (Place 5 and Place 6) of the Wylie City Council, to hold office for a period of three years, and amending Resolution No. 2020-22(R); providing that the election is to be held on November 3, 2020; designating locations of polling places, dates and hours; making other necessary amendments; providing a repealing clause. *(S. Storm, City Secretary)*
- F. Consider, and act upon, Resolution No. 2020-36(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall counties, Texas, amending Resolution No. 2020-10(R), which ordered a Special Election to be held on May 2, 2020, for the purpose of filling a vacancy in the office of City Council, Place No. 2, resulting from the resignation of council member Matthew Porter, and amending Resolution No. 2020-22(R); providing that the election is to be held on November 3, 2020; designating locations of polling places, dates and hours; making other necessary amendments; providing a repealing clause. *(S. Storm, City Secretary)*
- G. Consider, and act upon, Resolution No. 2020-37(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall counties, Texas, ordering a Special Election to be held on November 3, 2020, for the purpose of submitting to the qualified voters of the city of Wylie certain proposed amendments to the existing Home Rule Charter of the city of Wylie, in conjunction with the city of Wylie General Election and Special Election to fill a vacancy on November 3, 2020. *(S. Storm, City Secretary)*
- H. Consider, and act upon, Resolution No. 2020-38(R) authorizing the City Manager to execute a Joint General and Special Election Services Contract between the City of Wylie and the Collin County Elections Administrator to be administered by the Collin County Elections Administrator for the November 3, 2020 Wylie General and Special Elections. *(S. Storm, City Secretary)*
- I. Consider, and act upon, Resolution No. 2020-39(R) authorizing the City Manager to execute a Joint General and Special Election Services Contract between the City of Wylie and the Dallas County Elections Administrator to be administered by the Dallas County Elections Administrator for the November 3, 2020 Wylie General and Special Elections. *(S. Storm, City Secretary)*
- J. Consider, and act upon, Resolution No. 2020-40(R) authorizing the City Manager to execute a Joint General and Special Election Services Contract between the City of Wylie and the Rockwall County Elections Administrator to be administered by the Rockwall County Elections

Administrator for the November 3, 2020 Wylie General and Special Elections. *(S. Storm, City Secretary)*

- K. Consider, and act upon, Resolution No. 2020-41(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall Counties, Texas, repealing Resolution Nos. 2020-07(R) and 2020-11(R), which appointed Election Officials for the General Election and Special Election on May 2, 2020.** *(S. Storm, City Secretary)*
- L. Consider, and act upon, Resolution No. 2020-42(R) approving the adoption of ExpressVote Universal Voting System, EVS 6.0.2.0, that was approved by the Dallas County Commissioner's Courts for use by all entities who contract elections through Dallas County.** *(S. Storm, City Secretary)*

Councilman Porter requested Agenda Item B be pulled from Consent and considered individually. The consensus of Council was to consider Item B individually.

Council Action

A motion was made by Councilman Porter, seconded by Councilman Duke, to approve Consent Agenda Items A, and C through L as presented. A vote was taken and motion passed 6-0 with Mayor Hogue absent.

- B. Consider, and act upon, the award of RFP #W2020-85-A for Professional Auditing Services to Weaver and Tidwell, L.L.P. in the estimated annual amount of \$65,500, and authorizing the City Manager to execute any and all necessary documents.** *(G. Hayes, Purchasing Manager)*

Council Comments

Councilman Porter and Councilwoman Arrington expressed concerns with utilizing the same firm for the audit for the last 11 years and to continue doing service with them for an additional five years.

Staff Comments

Purchasing Manager Hayes addressed Council explaining the professional services proposal process, the procurement process, and gave additional information about the evaluation team for this item. Hayes stated the City received three responses, and the evaluation team reviewed and scored each response based on the published criteria of experience, client work history, staff qualifications, and audit approach to establish a technical score and ranking for each firm. Cost is then factored into the final score to determine the most qualified firm. Finance Director Beard stated three responses were received; however, only two met the qualifications. Beard stated that the City does follow the GFOA best practice of rotating the staff from the audit firm each year.

Council Action

A motion was made by Councilman Dahl, seconded by Councilwoman Arrington, to award of RFP #W2020-85-A for Professional Auditing Services to Weaver and Tidwell, L.L.P. in the estimated annual amount of \$65,500, and authorizing the City Manager to execute any and all necessary documents. A vote was taken and the motion passed 4-2 with Councilmen Duke and Porter voting against and Mayor Hogue absent.

REGULAR AGENDA

- 1. Consider, and act upon, Resolution No. 2020-43(R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for fiscal year 2020-2021, accepting the calculation of the no new revenue tax rate and the voter approval tax rate, establishing the date for a public hearing and vote on the proposed property tax rate, and providing for the publication as provided by the Texas Property Tax Code Sec. 26.06.** *(M. Beard, Finance Director)*

Staff Comments

Finance Director Beard addressed Council stating the City is required by law to follow certain meeting and notice/publication guidelines identified in the "Truth in Taxation" Tax Codes. In accordance with the laws of the State of Texas, the no new revenue tax rate, the voter approval tax rate and other information must be published and a public hearing must be held. This year's no new revenue rate is \$0.681979 and the voter approval tax rate is \$0.690181.

Beard stated the proposed 2020-2021 budget is based on a tax rate of \$0.671979 per \$100 valuation. The proposed rate is \$.01 below the no new revenue tax rate and \$0.016475 less than the current rate. This rate reduction continues a nine-year trend of reducing the tax rate cumulatively by \$0.226921 or 24%.

Beard reported the proposed budget was placed on file with the City Secretary's office on August 7. Any change in the proposed tax rate will require revision of the proposed budget. The City Council is required to vote on the proposed tax rate tonight and publish the required information at least five days prior to the public hearing on August 25, 2020. The notice of public hearing will include how each council member voted. This year, the council may adopt the tax rate at the same meeting as the public hearing. If a tax rate is not adopted on August 25, a special called meeting must be held within seven days, or September 1, to adopt a rate according to Tax Code 26.06(e).

Council Action

A motion was made by Councilman Porter, seconded by Councilman Wallis, approving Resolution No. 2020-43(R) of the City Council of the City of Wylie, Texas, accepting the proposed property tax rate for fiscal year 2020-2021, accepting the calculation of the no new revenue tax rate and the voter approval tax rate, establishing August 25, 2020 at 6:00 p.m. at the City of Wylie Municipal Complex for a public hearing and vote on the proposed property tax rate, and providing for the publication as provided by the Texas Property Tax Code, Chapter 26. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

2. **Establish a date, time and place to hold a Public Hearing on the fiscal year 2020-2021 Proposed Budget so that all interested persons may be heard, either for or against any item in the proposed budget before final approval. The date, time and place for the hearing and the final vote will be published in the City's official newspaper, as provided by the Texas Local Government Code, Section 102. (M. Beard, Finance Director)**

Staff Comments

Finance Director Beard addressed Council stating Texas Local Government Code, Section 102.006 and the City's charter require a public hearing to be held on the 2020-2021 Proposed Budget. Council must establish a date, time and place for the public hearing so that all interested persons may be heard, either for or against any item on the proposed budget before final approval. The date, time and place for the hearing and the final vote will be published in the City's official newspaper and posted on the City's website. The hearing date must be at least 15 days after the proposed budget was filed with the City Secretary, which was August 7, and the notice must be published at least five days before the hearing. Staff recommends August 25, 2020 at 6:00 p.m. in the Council Chambers of the Municipal Complex.

Council Action

A motion was made by Councilman Porter, seconded by Councilman Dahl, establishing August 25, 2020 at 6:00 p.m. in the Council Chambers of the Wylie Municipal Complex, 300 Country Club Road, Wylie, Texas as the date, time and place at which the public hearing will occur and Council will vote on the final budget. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

3. **Consider, and act upon, requests for funding for not-for-profit organizations impacted by COVID-19. (R. Ollie, Asst. City Manager)**

Staff Comments

Assistant City Manager Ollie addressed Council in accordance with Ordinance No. 2014-11 and Council direction received at the June 9, 2020 meeting, \$301,000 was allotted for not-for-profit organizations. At the July 28, 2020, Council awarded \$206,000 of the funds which leaves \$95,000 remaining. Ollie stated there were two organizations present tonight: 5 Loaves Food Pantry and In-Sync Exotics Wildlife Rescue and Educational Center.

Applicant Comments

Audrey Wallace, representing 5 Loaves Food Pantry, addressed Council stating they serve 45-55% of Wylie citizens, once COVID started they were feeding 10,000 families a month and are currently feeding 5,000-6,000 a month. Wallace stated they are requesting \$76,000 to purchase a walk in cooler and freezer to house food.

Angela Culver and Vicky Keahey, representing In-Sync Exotics Wildlife Rescue and Educational Center, addressed Council stating they reached 7,000 local residents last year through educational opportunities. Culver stated they are requesting \$40,000 to assist with the \$97,000 deficit.

Council Comments

Councilman Wallis stated he took the remainder \$95,000 and divided it by the total amount requested, \$116,000, and that equaled 82%. He multiplied each request by 82% which would total \$62,241 for 5 Loaves Food Pantry and \$32,759 for In-Sync Exotics Wildlife Rescue and Educational Center. Councilwoman Arrington stated she was okay with the numbers proposed by Councilman Wallis, and stated she would like to see more money to go towards 5 Loaves Food Pantry as they are serving a broader range of individuals. Councilman Duke stated he was okay with the numbers proposed by Councilman Wallis and did also propose \$65,000 for 5 Loaves Food Pantry and \$30,000 for In-Sync Exotics Wildlife Rescue and Educational Center. Porter stated he was open to what the majority of Council wanted. Councilman Dahl and Mayor *pro tem* Forrester proposed \$60,000 towards 5 Loaves Food Pantry and \$35,000 to In-Sync Exotics Wildlife Rescue and Educational Center as In-Sync is using reserves to operate the facility.

Council Action

A motion was made by Councilman Dahl, seconded by Councilman Wallis, to approve funding for not-for-profit organizations impacted by COVID-19 in the amount of \$60,000 towards 5 Loaves Food Pantry and \$35,000 to In-Sync Exotics Wildlife Rescue and Educational Center. A vote was taken and the motion passed 6-0 with Mayor Hogue absent.

Mayor *pro tem* Forrester convened the Council into Work Session at 7:09 p.m.

WORK SESSION

• Municipal Court – Court of Record Discussion (C. Holsted, City Manager)

Municipal Administrator Lisa Davis addressed Council giving a presentation on a Court of Record, which provides more efficient disposition of appeals, integrity of proceedings improved with recording of proceedings, provides enhanced enforcement of City Ordinances, and there are approximately 180 Municipal Courts of Record in Texas. Davis stated to become a Court of Record, the requirements include the passing of an ordinance establishing court of record, a Judge must be a licensed attorney with two or more years' experience, adding a Court reporter or electronically record proceedings, and creating a new court seal. The advantages of a Court of Record include a reduced number of appeals to county, City retains fines on affirmative judgment of appeal, enhanced enforcement of City ordinances, and increased jurisdiction for cases under Local Government Code Chapters 54 and 214. Davis reviewed peer cities and stated if they are or are not a Court of Record, reviewed the number of cases filed and appealed from 2014-2019, reviewed the Commercial Vehicle Enforcement (CVE) cases filed and appealed from 2014-2019, and showed an example of 2017 appeals to Collin County with the disposition, number of cases, amount paid, citation type, and the original amount due to the City. Davis stated the impacts to the Court include the cost of a recording device,

which was purchased with current Public Safety Building project, costs of transcription for defendants who are indigent, and adjustments in general processes and procedures by staff. Davis stated staff is recommending proceeding with creating an ordinance for approval that will establish the Wylie Municipal Court as a Court of Record. If direction from Council is to proceed with creating a Court of Record, the ordinance will be brought back for approval in December with the effective date of January 1, 2021. Davis answered questions from Council.

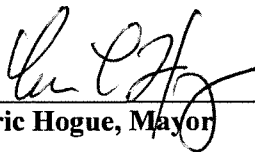
Council gave direction to move forward with becoming a Court of Record.

RECONVENE INTO REGULAR SESSION

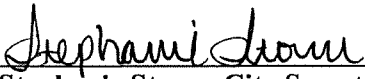
Mayor *pro tem* Forrester convened the Council into Regular Session at 7:24 p.m.

ADJOURNMENT

A motion was made by Councilman Wallis, seconded by Councilman Duke, to adjourn the meeting at 7:25 p.m. A vote was taken and motion passed 6-0 with Mayor Hogue absent.


Eric Hogue, Mayor

ATTEST:


Stephanie Storm, City Secretary

