



# Wylie City Council

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## Minutes

### Regular Meeting

Tuesday, August 28, 2018 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers  
300 Country Club Road, Bldg. 100  
Wylie, TX 75098

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#### CALL TO ORDER

*Announce the presence of a Quorum.*

Mayor Eric Hogue called the meeting to order at 6:00 p.m. City Secretary Stephanie Storm took roll call with the following City Council members present: Mayor *pro tem* Keith Stephens, Councilman Matthew Porter, Councilman Jeff Forrester, Councilwoman Candy Arrington, Councilman Timothy Wallis, and Councilman David Dahl.

Staff present included: City Manager Mindy Manson; Assistant City Manager Chris Holsted; Police Chief Anthony Henderson; Fire Battalion Chief Brian Ritter; Development Services Director Renae Ollie; Project Engineer Wes Lawson; Public Information Officer Craig Kelly; Parks and Recreation Director Robert Diaz; Finance Director Melissa Beard; Human Resources Director Lety Yanez; Building Official Bret McCullough; WEDC Director Sam Satterwhite; Library Director Rachel Orozco; City Secretary Stephanie Storm, and various support staff.

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#### INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Hogue gave the invocation and Councilwoman Arrington led the Pledge of Allegiance.

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#### PRESENTATIONS

- **Battle of the Badges Award**

Katie Huntsman, representing Carter Blood Care, addressed Council stating that during the Bluegrass on Ballard event held June 30, 2018 the third annual “Battle of the Badges” was conducted. This year 99 units were collected, which will help save about 300 lives. She announced the winner of the contest was the Wylie Fire Department. Representatives of the Police Department and Wylie Fire Rescue along with Battalion Chief Ritter and Chief Henderson were present for the award.

## **CITIZENS 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.*

Dennis Keck, Wylie resident, addressed Council, thanking them for putting an Ethics Policy in place.

## **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 August 14, 2018 Regular Meeting of the Wylie City Council. (S. Storm, City Secretary)**
- B. Consider, and act upon, approval of a Final Plat for Holiday Express Wylie Addition, creating two commercial lots on 5.901 acres, generally located south of FM 544 and west of Sanden Boulevard. (R. Ollie, Development Services Director)**
- C. Consider, and act upon, approval of a Final Plat for Miller Services Addition, creating two lots on 6.13 acres, generally located in the City of Wylie ETJ on the southeast corner of Troy and Beaver Creek Roads. (R. Ollie, Development Services Director)**
- D. Consider, and act upon, Ordinance No. 2018-23 to amend Planned Development 2018-06, Section II.11 to set forth conditions for parking and street design on Street D, generally located northeast of the intersection of South Ballard and Pleasant Valley Road (ZC2018-11). (R. Ollie, Development Services Director)**
- E. Consider, and act upon, proposals for employee group health insurance, including major medical, dental, term life, accidental death/dismemberment, long-term disability, and prescription drug coverage. (L. Yanez, HR Director)**
- F. Consider, and act upon, Resolution No. 2018-32(R) authorizing the City Manager to execute an Amended and Restated Solid Waste & Recycling Contract (#W2018-118-A) between the City of Wylie, Texas and Community Waste Disposal, L.P. (C. Holsted, Asst. City Manager)**
- G. Consider, and place on file, the City of Wylie Monthly Investment Report for July 31, 2018. (M. Beard, Finance Director)**
- H. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for July 31, 2018. (M. Beard, Finance Director)**
- I. Consider, and act upon, the vendor application for the Brides and Brews Bridal Show event to be held at the Brown House on October 21, 2018. (R. Diaz, Parks & Recreation Director)**
- J. Consider, and act upon, the award of RFP #W2018-69-B for Construction Manager At Risk – Pre-Construction Services to Pogue Construction LLC, for the Renovation and Expansion of the City of Wylie Public Safety Building in the amount of \$30,000.00 and authorizing the City Manager to execute any and all necessary documents. (G. Hayes, Purchasing Manager)**
- K. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of July 31, 2018. (S. Satterwhite, WEDC Director)**

Councilman Porter requested that Consent Item K be removed from Consent and considered individually. Consensus of the Council was to remove Item K from consent and consider individually.

### Council Action

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

### REGULAR AGENDA

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- K. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of July 31, 2018. (S. Satterwhite, WEDC Director)**

### Council Comments

Councilman Porter asked the status of the website. Satterwhite replied that the board will see the live version at their next regular board meeting.

Porter asked if there are any new projects that are being funded for the first time reflected in the monthly report. Satterwhite replied that they haven't announced the name of the developer yet, but a developer is assembling multiple properties and has requested assistance in demolition to tear down old facilities at a prime commercial piece to place them on the market as a single master plan development.

Councilman Porter asked if Chick-fil-A was provided assistance on the parcel they purchased from the EDC. Satterwhite replied they were not provided incentives, but the EDC initially agreed to approach the City and request a partial waive of impact fees. Instead of asking the City to waive the fees, the EDC choose to accept the burden and paid the amount toward the site work and oversizing the decel lane.

Porter asked if Holiday Inn has complied with the original agreement. Satterwhite replied that they failed to meet their performance measures at their December and June deadlines; therefore, the formalized Agreement between Holiday Inn and the EDC is null and void.

### Council Action

A motion was made by Councilman Wallis, seconded by Councilman Dahl, to approve consent item K. A vote was taken and the motion passed 7-0.

- 1. Hold a Public Hearing and consider, and act upon, a change in zoning from Agricultural (AG/30) to Planned Development-Business Government (PD-BG), property generally located at the intersection of Lynda Lane and Forrest Ross Road (ZC2018-13). (R. Ollie, Development Services Director)**

### Staff Comments

Development Services Director Ollie addressed Council stating the applicant is requesting to rezone from Agricultural to Planned Development with a base zoning of Business Government. The Business Government District is very limited in the uses allowed by right. The special conditions of the PD further restrict some uses. The applicant is requesting only the following uses: General Office, Training Center, Operations Center, and Laboratory. In addition, local utilities, utility, or Government installations are allowed by right, with mounted antennae allowed but with additional provisions.

Ollie replied that 16 notifications were mailed; with three responses returned in opposition at the time of posting.

### **Council Comments**

Mayor *pro tem* Stephens asked what kind of materials will be used in the laboratory. Ollie replied that it is not hazardous materials; just chemicals used to test water. Councilman Forrester asked if language could be added to state that hazardous materials could not be transported onto the site. He also noted that in 4-4 Business Government general conditions, it states that the maximum height may be up to 50 feet; he asked whether that could be amended to reflect the height of the building at 26 feet 4 inches. Ollie replied that both of those could be added.

### **Applicant Comments**

Joe Stankiewicz, representing North Texas Municipal Water District, addressed Council stating that their board has approved contributing to road improvements in this area from Highway 78 north to a point past the railroad tracks on Lynda Lane. Mayor Hogue asked why this spot was chosen. Stankiewicz stated that this building is critical to the operations of the district. A preliminary study was done, and the engineers and district staff recommended this location. Councilman Porter asked what types of chemicals are being used to test the water. Stankiewicz replied that the purpose of this laboratory is for water quality testing only. He stated he can get the types of chemicals to provide to Council. Councilmen Forrester and Dahl asked where the current water quality testing facility is. Stankiewicz replied that the current facility is at the existing operations center off of Brown Street. Councilman Forrester asked what will happen to the current facility. Stankiewicz stated the facility will stay as is; it runs several hundred thousand tests on an annual basis that is required in their system and outside samples they receive from each one of the cities from the course of the day and week. Councilman Porter asked if there are currently raised power poles or if it something being added along Forrest Ross Road. Paul Woodard, representing Halff Associates, addressed Council stating that the electrical lines will be underground all along their site and Forrest Ross, and above ground between their site and the tanks to the north. That reconnects to the line that formerly went along the old alignment of Lynda Lane, previously an overhead line that they are now placing underground. Mayor *pro tem* Stephens and Mayor Hogue expressed concern with the traffic from this facility in regard to Forrest Ross Road. The Mayor asked if the NTMWD is subject to Impact Fees. Manson replied that she was not sure if they were subject to the Impact Fees.

### **Public Hearing**

Mayor Hogue opened the public hearing on ZC 2018-13 at 6:39 p.m. asking anyone present wishing to address Council to come forward.

No citizens were present wishing to address Council.

Mayor Hogue closed the public hearing at 6:40 p.m.

Councilman Dahl noted a citizen had sent a letter to each council member regarding the public hearing prior to the Council meeting and asked that Council consider the letter from him as if he were present at the public hearing, due to the fact that he was out of town.

### **Staff Comments**

City Manager Manson asked the applicant whether, if there is concern about additional traffic on Forrest Ross, it would be possible to have employee parking accessed internal to the plant so that the only parking off Forrest Ross is visitor parking, which would reduce the amount of traffic. The applicant

replied that they could. Councilman Wallis and Mayor Hogue asked about the visitors they receive at the facility. Woodard replied that visitors would include people attending public meetings in the training room and/or invited by the District for training.

### **Council Action**

A motion was made by Councilman Porter, seconded by Councilman Forrester, to deny a change in zoning from Agricultural (AG/30) to Planned Development-Business Government (PD-BG), property generally located at the intersection of Lynda Lane and Forrest Ross Road (ZC2018-13). A vote was taken and the motion passed 6-1 with Councilman Dahl voting against.

- 2. Hold a Public Hearing on the proposed tax rate of \$0.735848 for fiscal year 2018-2019 and provide all interested persons an opportunity to be heard, either for or against any item in the proposed budget; and set and announce the date, time and place of the meeting at which Council will vote on the final budget. (M. Beard, Finance Director)**

### **Staff Comments**

Finance Director Beard addressed Council stating on August 14, 2018, the City Council voted to accept the proposed tax rate and scheduled two public hearings on the proposed tax rate. The first public hearing is tonight and the second public hearing is scheduled for September 4, 2018. The proposed 2018-2019 budget is based on a tax rate of \$0.735848 per \$100 valuation. Any changes made to the proposed tax rate or proposed budget will affect required publications and steps in the tax rate and budget approval process.

### **Public Hearing**

Mayor Hogue opened the public hearing on the proposed tax rate at 6:54 p.m. asking anyone present wishing to address Council to come forward.

Meg Elmore, Wylie resident, addressed Council requesting a decrease in the tax rate.

Mayor Hogue closed the public hearing at 6:58 p.m.

### **Council Action**

A motion was made by Councilman Forrester, seconded by Councilman Porter, to set September 11, 2018 at 6:00 p.m. in the Council Chambers of the Wylie Municipal Complex, 300 Country Club Road, Wylie, TX as the date, time and place at which Council will vote on the tax rate. A vote was taken and the motion passed 7-0.

- 3. Hold a Public Hearing on the fiscal year 2018-2019 Proposed Budget and provide all interested persons an opportunity to be heard, either for or against any item in the proposed budget; and set and announce the date, time and place of the meeting at which council will vote on the final budget. (M. Beard, Finance Director)**

### **Staff Comments**

Finance Director Beard addressed Council stating a public hearing is required to be held on the fiscal year 2018-2019 proposed budget. In addition, the date, time, and place that the vote will be taken on the final budget must also be scheduled. This meeting is currently scheduled for September 11, 2018 at 6:00 p.m. in the Council Chambers of the Wylie Municipal Complex, 300 Country Club Road, Wylie, TX.

### **Public Hearing**

Mayor Hogue opened the public hearing on the fiscal year 2018-2019 proposed budget at 7:01 p.m. asking anyone present wishing to address Council to come forward.

No citizens were present wishing to address Council.

Mayor Hogue closed the public hearing at 7:02 p.m.

### **Council Action**

A motion was made by Councilman Dahl, seconded by Councilman Wallis, to set September 11, 2018 at 6:00 p.m. in the Council Chambers of the Wylie Municipal Complex, 300 Country Club Road, Wylie, TX as the date, time and place at which Council will vote on the final budget.. A vote was taken and the motion passed 7-0.

### **READING OF ORDINANCE**

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City Secretary Storm read the caption to Ordinance No. 2018-23 into the official record.

Mayor Hogue convened into executive session at 7:04 p.m.

### **EXECUTIVE SESSION**

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*Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:*

#### **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 at 5<sup>th</sup> Street and State Highway 78.**

### **RECONVENE INTO OPEN SESSION**

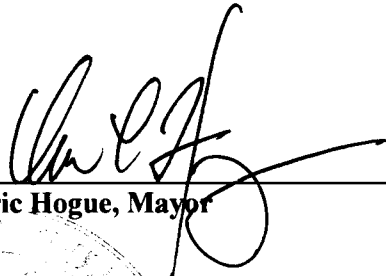
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Mayor Hogue reconvened into regular session at 7:16 p.m.

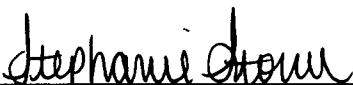
**ADJOURNMENT**

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A motion was made by Mayor *pro tem* Stephens, seconded by Councilman Porter, to adjourn the meeting at 7:16 p.m. A vote was taken and the motion passed 7-0.

  
Eric Hogue, Mayor

ATTEST:

  
Stephanie Storm, City Secretary

