

# Wylie City Council Regular Meeting

December 14, 2021 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



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## CALL TO ORDER

## INVOCATION & PLEDGE OF ALLEGIANCE

## COMMENTS ON NON-AGENDA ITEMS

*Any member of the public may address Council regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Council requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

## 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 November 15, 2021 Regular City Council Meeting minutes.
- B. Consider, and act upon, a Final Plat, being a Replat of Lots 1 and 2, Block 1 of Country Club Addition and 2 acres of tract 22 of the Charles Atterbury Survey, establishing one lot on 13.022 acres, located at 570 Country Club Rd.
- C. Consider, and act upon, a Final Plat, being a Replat of Lots 1 and 2, Block 11 of Railroad Addition, establishing one lot on 0.2557 acres, located at 501C North Highway 78.
- D. Consider, and act upon, a Final Plat for Wylie Substation Addition, establishing one lot on 9.722 acres, located at 2655 Stone Road in the City of Wylie's Extraterritorial Jurisdiction.
- E. Consider, and act upon, a Final Plat, being a Replat of Lots 1 and 2, Block D of Regency Business Park Addition Phase 2, establishing one lot on 2.946 acres, located at 200 Regency Drive.
- F. Consider, and act upon, a Final Plat of Bariatric Care Center Addition, establishing one commercial lot on 20.01 acres, located at 801 South State Highway 78.
- G. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for October 31, 2021.
- H. Consider, and place on file, the City of Wylie Monthly Investment Report for October 31, 2021.
- I. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of October 31, 2021.
- J. Consider, and act upon, Ordinance No. 2021-56 amending Ordinance No. 2021-43, which established the budget for fiscal year 2021-2022; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

- K. Consider, and act upon, the approval of the purchase of a parking lot lighting system for the Wylie Senior Center and Community Park from Musco Sports Lighting, LLC in the estimated amount of \$124,333.00 through a cooperative purchasing contract with Buy Board Cooperative Purchasing (#592-19), and authorizing the Interim City Manager to execute any necessary documents.
- L. Consider, and act upon, the approval of the purchase of Pavement Resurfacing Services from Reynolds Asphalt and Construction Company in the estimated annual amount of \$1,100,000.00 through an existing City of Grand Prairie, Texas contract and authorizing the Interim City Manager to execute any necessary documents.
- M. Consider, and act upon, the approval of the purchase of playground equipment for Valentine Park from WeBuildFun, Inc. in the estimated amount of \$69,671.51 through a cooperative purchasing contract with Buy Board Cooperative Purchasing and authorizing the Interim City Manager to execute any necessary documents.
- N. Consider, and act upon, the approval of the purchase of Motorola Radio Equipment and Maintenance Services in the estimated annual amount of \$150,000.00 from Motorola Solutions, Inc. through a cooperative purchasing contract with H-GAC Buy and authorizing the Interim City Manager to execute any necessary documents.
- O. Consider, and act upon, the approval of the purchase of Chevrolet Tahoe SSV vehicles in the estimated amount of \$75,330.00 through a cooperative purchasing contract with the Sheriffs Association of Texas, and authorizing the Interim City Manager to execute any necessary documents.
- P. Consider, and act upon, the approval of the purchase of Chevrolet Tahoe PPV vehicles for the Police Department in the estimated amount of \$207,000.00 through a BuyBoard cooperative purchasing, and authorizing the Interim City Manager to execute any necessary documents.
- Q. Consider, and act upon, Resolution No. 2021-45(R) of the City Council of the City of Wylie, Texas to ratify Wylie Contract #W2021-4-A for Human Resources Benefits Consulting from HUB International Texas in the estimated annual amount of \$66,000.00, and authorizing the Interim City Manager to sign any and all necessary documents.

## **EXECUTIVE SESSION**

### **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.

ES1. Discuss Right-of-Way Acquisition for McMillen Drive.

## **RECONVENE INTO OPEN SESSION**

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

## **REGULAR AGENDA**

- 1. Consider, and act upon, adoption of Ordinance No. 2021-57 determining a public use, need and necessity for the acquisition of property and permanent easements to expand a public right of way being a 7.307 acres tract of land situated in the J.W. Mitchell Survey, Abstract No. 589, City of Wylie, Collin County, Texas, as more particularly described and depicted in attached Exhibit "A," "A-1," "A-2," "A-3," and "A-4"; among other things, facilitate the construction, access, repair, maintenance and replacement of public roadway facilities and related public improvements in connection with the expansion of McMillen Road from McCreary Road

to Country Club Road in Wylie, Texas (collectively, the "Project") in the City of Wylie, Collin County, Texas; authorizing the Interim City Manager and City Attorney, or their respective designees, to acquire the property including making initial bona fide offers, and authorizing the City Attorney to file proceedings in eminent domain to condemn the needed real property for public use, if necessary; and providing an effective date.

2. Consider, and act upon, adoption of Ordinance No. 2021-58 determining a public use, need, and necessity for the acquisition of property and temporary construction easements to expand a public right of way being 6.885 acres tract of land situated in the J.W. Mitchell Survey, Abstract No. 589, City of Wylie, Collin County, Texas, as more particularly described and depicted in attached Exhibits "A," "A-1," "A-2," and "A-3"; among other things, facilitate the construction, access, repair, maintenance and replacement of public roadway facilities and related public improvements in connection with the expansion of McMillen Road from McCreary Road to Country Club Road in Wylie, Texas (collectively, the "Project") in the City of Wylie, Collin County, Texas; authorizing the Interim City Manager and City Attorney, or their respective designees, to acquire the property including making initial bona fide offers, and authorizing the City Attorney to file proceedings in eminent domain to condemn the needed real property for public use, if necessary; and providing an effective date.

## **WORK SESSION**

WS1. Discuss City Council Code of Conduct Ordinance.

WS2. Discussion regarding parking on Cloudcroft ordinance.

## **RECONVENE INTO REGULAR SESSION**

## **REGULAR AGENDA**

3. **Tabled from 11-15-2021**  
*Remove from table and consider*

Consider, and act upon, Ordinance No. 2021-55 of the City of Wylie, Texas, amending Section 110-173 (a) (10) (Stopping, Standing, or Parking prohibited in certain places) of Article VI (Stopping, Standing, and Parking) of Chapter 110 (Traffic and Vehicles) of the Wylie Code of Ordinances; prohibiting parking, stopping or standing of a vehicle along the north side of Cloudcroft Dr. from S. Ballard Ave. east to the point of intersection with the private drive of 101 Cloudcroft (approximately 115 feet), and on the south side of Cloudcroft Dr. from S. Ballard Ave. east to the point of intersection with Aspen Ln. (approximately 245 feet); establishing an offense; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance and providing for the publication of the caption hereof.

4. Consider, and act upon, Ordinance No. 2021-60 of the City of Wylie, Texas, amending Article VI (Stopping, Standing, and Parking) of Chapter 110 (Traffic and Vehicles) of the Wylie Code of Ordinances, creating Section 110-190 resident only parking permit areas; permitting parking in certain areas by permit only during those times set forth in this ordinance; establishing an offense; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance; and providing for the publication of the caption hereof.
5. Hold a Public Hearing to consider, and act upon, a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through service on 1.03 acres, property generally located at the northwest corner of State Highway 78 and Birmingham Street. (ZC 2021-23)

6. Consider, and act upon, the approval of the modification to contract #W2018-118-A Solid Waste & Recycling Services with Community Waste Disposal L.P., adjusting the billing rates effective January 1, 2022, and authorizing the Interim City Manager to execute any necessary documents.
7. Consider, and act upon, Ordinance No. 2021-59, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Article VI (Stopping, Standing, and Parking), Chapter 110 (Traffic and Vehicles), Section 110-187 (Overnight Parking), to allow campers, RV (recreational vehicle), or travel trailers to be temporarily parked in front of the owner's residence for loading and unloading purposes only for a period not to exceed twenty-four hours.
8. Consider, and act upon, authorizing the execution of a Deed without Warranty to convey 0.0337± acres of land situated in the Samuel B. Shelby Survey, Abstract No. 820T, City of Wylie, Collin County, Texas from the City of Wylie to KEP Brown Street Village, LP.
9. Consider, and act upon, acceptance of an easement conveying to the City of Wylie easement rights on 0.0337± acres situated in the Samuel B. Shelby Survey, Abstract No. 820T, City of Wylie, Collin County, Texas from KEP Brown Street Village, LP.
10. Consider, and act upon, Resolution No. 2021-46(R) opposing the Texas Commission on Environmental Quality (TCEQ) application for a proposed wastewater treatment facility located 0.4 miles northwest of the intersection of North Murphy Road and Rolling Ridge Drive in Collin County, Texas near the cities of Murphy, Parker, and Wylie. TCEQ Permit No. WQ0016003001

## **WORK SESSION**

WS3. Planning Department Presentation.

## **RECONVENE INTO REGULAR SESSION**

## **EXECUTIVE SESSION**

### **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.

ES2. Consider the sale or acquisition of properties located at FM 544/Cooper and State Hwy 78/Brown.

ES3. Discuss property generally located in the area of Parker Rd. and Country Club Rd.

### **Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.**

(a) This chapter does not require a governmental body to conduct an open meeting:

(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or

(2) to hear a complaint or charge against an officer or employee.

(b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

ES4. Discuss staffing options for the City Engineer and Project Engineer.

### **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).

ES5. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2017-10a, 2020-11b, 2021-4a, 2021-6a, 2021-8a, 2021-9e, 2021-9g, 2021-11a, and 2021-11b.

## **RECONVENE INTO OPEN SESSION**

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

## **READING OF ORDINANCES**

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

## **ADJOURNMENT**

## **CERTIFICATION**

I certify that this Notice of Meeting was posted on December 14, 2021 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

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*Stephanie Storm, City Secretary*

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*Date Notice Removed*

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020. Hearing impaired devices are available from the City Secretary prior to each meeting.

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.