

Wylie City Council Regular Meeting

October 12, 2021 – 6:00 PM

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



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS & RECOGNITIONS

PR1. 1st Nine Weeks Wylie Way Students 1st - 4th Grade.

PR2. Emergency Room Nurses Week

PR3. Breast Cancer Awareness Month

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 September 28, 2021 Regular City Council Meeting minutes.
- B. Consider, and act upon, Ordinance No. 2021-46 setting the time and place for all regular City Council Meetings in the 2022 calendar year.
- C. Consider, and act upon, Resolution No. 2021-32(R) of the City Council of the City of Wylie, Texas to ratify emergency repairs of the electrical system at Founders Park from Groves Electrical Service, Inc. in the amount of \$55,600.00.
- D. Consider, and act upon, the approval of the purchase of a Ford 450/Horton Type 1 Model 623 Ambulance from Professional Ambulance Sales & Service LLC (d.b.a. SERVS LLC) in the estimated amount of \$338,840.00 through a cooperative purchasing contract with Houston-Galveston Area Council Cooperative, and authorizing the City Manager to execute any necessary documents.
- E. Consider, and act upon, the approval of the purchase of Chevrolet vehicles in the estimated amount of \$564,000.00 through a cooperative purchasing contract with Sheriff's Association of Texas Vehicle Purchase Program, and authorizing the City Manager to execute any necessary documents.
- F. Consider, and act upon, the approval of the purchase of Ultra Low Sulfur Diesel and Unleaded Gasoline from Wylie Independent School District in the estimated amount of \$200,000.00 through the Collin County

governmental Purchasing Forum agreement, and authorizing the City Manager to execute any necessary documents.

- G. Consider, and act upon, Ordinance No. 2021-47 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.

REGULAR AGENDA

1. Consider, and act upon, adoption of Resolution No. 2021-33(R) determining a public necessity to acquire certain property for public use by eminent domain for rights-of-way (in fee simple), related improvements for the construction, expansion, access, repair, maintenance and replacement of public road commonly referred to as Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive); giving notice of an official determination of public necessity to acquire certain property for public use by eminent domain for such rights-of-way (in fee simple), and related improvements for the construction, expansion, access, repair, maintenance and replacement of Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive); authorizing the City manager of the City of Wylie, Texas, to establish procedures for acquiring the rights-of-way (in fee simple), and related improvements for the construction, expansion, access, repair, maintenance and replacement of Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive), offering to acquire said property right, voluntarily, from the landowners through the making of bona fide offers including making initial and final offers; authorizing the City Attorney to file proceedings in eminent domain to condemn the needed real property for public use, if needed; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.
2. 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 0.975 acres, property located at 2027 N State Highway 78. (ZC 2021-22)
3. Consider, and act upon, Resolution No. 2021-34(R) casting a nomination for a candidate for the Board of Directors of the Collin Central Appraisal District.

WORK SESSION

- WS1. Discuss and review the recent Comp Plan Public Open House and the draft Comp Plan goals - Joint with Planning and Zoning Commission and Comprehensive Plan Advisory Committee.
- WS2. Discuss the Downtown Wylie Traffic Impact Analysis project.
- WS3. Discuss traffic and parking issues around WISD schools.
- WS4. Discuss November City Council meeting date.

RECONVENE INTO REGULAR SESSION

EXECUTIVE SESSION

Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

If 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.

ES1. Receive legal advice regarding Code of Ordinances - Chapter 82, peddlers and solicitors ordinance.

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. Discuss Right-of-Way Acquisition for McMillen Drive and Eubanks Lane.

ES3. Consider the sale or acquisition of properties located at Ballard/Brown, FM 544/Cooper, Jackson/Oak, State Hwy 78/Ballard, and State Hwy 78/Brown.

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).

ES4. 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, 2021-4b, 2021-4c, 2021-6a, 2021-8a, 2021-8b, 2021-9c, 2021-9e, and 2021-9f.

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.

ES5. Discuss the performance and contract of the City Manager.

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 October 8, 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.

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.