



Wylie City Council Regular Meeting Minutes

April 26, 2022 – 6:00 PM

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

CALL TO ORDER

Mayor Matthew Porter called the regular meeting to order at 6:00 p.m. The following City Council members were present: Junior Mayor Alvin Velasquez, Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Timothy T. Wallis, Councilman Scott Williams, and Councilman Garrett Mize.

Staff present included: Interim City Manager Brent Parker; Assistant City Manager Renae Ollie; Police Chief Anthony Henderson; Finance Director Melissa Beard; Fire Battalion Chief Casey Nash; Public Information Officer Craig Kelly; Planning Manager Jasen Haskins; Library Director Ofilia Barrera; Public Works Director Tommy Weir; Human Resource Director Lety Yanez; Recreation Division Manager Carmen Powlen; City Engineer Tim Porter; WEDC Executive Director Jason Greiner; City Attorney Richard Abernathy; City Secretary Stephanie Storm; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Forrester led the invocation, and Councilman Williams led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

PR1. Junior Mayor Alvin Velasquez.

Mayor Porter introduced Junior Mayor Alvin Velasquez, administered the oath of office, and presented a proclamation for "Mayor of the Day."

PR2. Proclamation for Small Business Week.

Mayor Porter presented a proclamation proclaiming May 1-7, 2022 as National Small Business Week in Wylie, Texas. Members of the Wylie Chamber of Commerce, WEDC staff and board members, Downtown Merchants Association, and small business owners were present to accept the Proclamation.

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.

There were no citizens present wishing to address the 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 April 12, 2022 Regular City Council Meeting minutes.
- B. Consider, and act upon, a Preliminary Plat of Birmingham and 78 Addition, establishing Lot 1, Block 1 on 1.038 acres, generally located on the northwest corner of State Highway 78 and Birmingham Street.
- C. Consider, and act upon, Ordinance No. 2022-32 for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a restaurant with drive-thru on 1.35 acres, property located at 3201 FM 544 (ZC 2022-03).
- D. Consider, and act upon, Ordinance No. 2022-33 for a change in zoning from Commercial Corridor (CC) to Planned Development - Commercial Industrial (PD-CI) on 21.85 acres generally located on the southwest corner of State Highway 78 and Wylie East Drive (ZC 2022-05).
- E. Consider, and act upon, Ordinance No. 2022-34 amending regulations to Zoning Ordinance No. 2015-09, Article 6, Section 6.3 Downtown Historic District.
- F. Consider, and act upon, the Park Event Application for an Art Market Event at Olde City Park on July 16, 2022.
- G. Consider, and act upon, the Park Event Application Do it for Declan 5K fundraiser event at Founders Park on December 10, 2022.
- H. Consider, and act upon, Ordinance No. 2022-35 amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 82 (Peddlers and Solicitors).
- I. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of March 31, 2022.
- J. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for March 31, 2022.
- K. Consider, and place on file, the City of Wylie Monthly Investment Report for March 31, 2022.
- L. Consider, and act upon, rescinding the award 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.
- M. Consider, and act upon, the approval of the purchase of Chevrolet vehicles for the Police Department in the estimated amount of \$208,000 from Reliable Chevrolet through a Sheriff's Association of Texas cooperative purchasing, and authorizing the Interim City Manager to execute any necessary documents.
- N. Consider, and act upon, the approval of the purchase of Chevrolet vehicles for the Police Department in the estimated amount of \$214,403 from Reliable Chevrolet through a Sheriff's Association of Texas cooperative purchasing, and authorizing the Interim City Manager to execute any necessary documents.

Mayor Porter stated one comment form was received for Item G so that item will be considered individually.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to approve Consent Agenda Items A-F and H-N as presented. A vote was taken and motion passed 7-0.

EXECUTIVE SESSION

Mayor Porter reconvened the Council into Executive Session at 6:20 p.m.

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.

ES1. Discuss the performance of the Interim City Manager.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 8:00 p.m.

REGULAR AGENDA

G. Consider, and act upon, the Park Event Application Do it for Declan 5K fundraiser event at Founders Park on December 10, 2022.

Council Comments

Mayor Porter called Katharine Sink up to the podium as she had completed a public comment form. Ms. Sink did leave while Council was in executive session.

Council Action

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to approve Item G as presented. A vote was taken and motion passed 7-0.

1. Tabled from 03-08-2022

Remove from table and consider

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Duke, to remove Item 1 from the table and consider. A vote was taken and motion passed 7-0.

Hold a Public Hearing, consider, and act upon, a change in zoning from Agricultural District (AG/30) to Planned Development - Single Family (PD-SF) to allow for single family residential development on 47.2995 acres generally located on Country Club Road approximately 2000' south of Parker Road (ZC 2022-02).

Staff Comments

Planning Manager Haskins addressed Council stating the applicant is requesting a change in zoning from AG/30 to PD/SF to allow for 113 single-family homes, a 16-acre City park, and 2.5 acres of commercial frontage on a total of 47.3 acres generally located on Country Club just north of Smith Elementary.

Applicant Comments

John Arnold, representing Skorburg Company, gave a presentation on the subject property location, Work Session recap, future land use, original Proposed Zoning Plan, City Council's and P&Z Commission's concerns, new proposed Zoning Plan, park dedication, and a representative product.

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 8:15 p.m. asking anyone present wishing to address Council to come forward.

Aleksandra Rolfson, representing Riverchase HOA, spoke in opposition to the proposed project citing concerns with traffic, Smith Elementary population, sewer, drainage, park dedication, overall development, and fencing.

Todd Pickens spoke in opposition to the proposed project citing concerns with the lack of open space left in the City, being a high-density project, and not compliant with the proposed long-range plan.

Michael Kavanaugh spoke about concerns regarding the water runoff from the proposed development, did they receive input from the high school in response to this development, should be open space for kids, and traffic concerns.

Mayor Porter closed the public hearing at 8:25 p.m.

Council Comments

Mayor *pro tem* Forrester requested the Comprehensive Plan Advisory Committee's (CPAC's) thoughts on this property. Haskins replied that on the draft version of the future land use map this property has been shown as open space with commercial on the frontage. Forrester asked if Parks Board is aware of the plan for this property. Haskins replied a Parks Board member serves on CPAC and from his recollection is on-board with CPAC's recommendation for the future land use map. Councilman Williams asked what the proposed deviations are for single-family from our zoning ordinance. Haskins replied the deviations are smaller lots, setbacks, and home sizes. Porter asked what the normal lot coverage is. Haskins replied normal is 40-45 and the proposed is 75. Councilman Strang stated there are variances stacking upon each other, and it appears that a lot is being crammed in a small space and asked what does this do to the look and feel of the area. Strang asked how the drainage would be handled during construction and after. Haskins replied that there is a requirement for onsite detention after construction is completed but cannot speak to the detailed timelines during construction. Strang stated he shares the concern with drainage issues and feels there needs to be a better plan to make neighbors more comfortable during and after construction. Arnold replied the pond cannot be kept and will have to be drained, they will work together with TCEQ, will put an erosion control plan together for TCEQ's review, and for the lots in the floodplain a flood study will be performed before development, and during construction, they typically build the sediment pond first. Arnold added they have done a lot of homework on this property and have gone through Council, Parks Board twice, and Planning and Zoning Commission twice, and added he and the property owner were unaware of the future land use map. Arnold stated Parks Board has approved the plan thus far and he feels this fits the direction of this property based on feedback they have been given. Arnold said they can bring up some of the house minimums; however, feels the zoning is comparable and compatible with the surrounding projects. Arnold said they are under the need for a traffic impact analysis but will work with engineering staff, they have had multiple meetings with the ISD regarding school capacity, there is the capacity to accommodate the sewer, and requested if there is a concern with this plan he requested Council table or deny without prejudice. Councilman Mize stated he appreciated the information from the applicant and appreciated the residents that spoke on this item, and added this piece of property has been proposed for multiple different types of projects and there have been attempts at compromise and believes this is a proposal that is complementary to the surrounding neighborhoods. Mize added residents have identified the need for parks and recreation and this proposal does create a public park for the City that does not currently exist and added there is a need for housing in the City and commercial activity to have a source of revenue for the City. Mize stated he understands the concerns of the property owners, thought this is a well throughout proposal, and appreciates the changes that have been made. Mize stated he appreciates the work of CPAC, takes the future land use map seriously, and feels that it is to help guide the Council for future development. Forrester stated CPAC has been tasked with helping give Council direction on the remaining pieces of land left in the City, Council has

approved multiple subdivisions that have not started construction, this is one of the only large contiguous green spaces left in Wylie, although there has been an extraordinary effort put into this plan, he is not certain this is the correct way to go with this piece of property as this property has been slated with commercial and green space. Arnold stated regarding the CPAC plan, they have met with staff and Parks Board multiple times and neither has discussed with them a separate plan to review, it was a unanimous vote by the Parks Board, and asked if the Parks Board member serving on CPAC voted for the land use designation. Haskins replied there has not been an adoption vote yet but during the presentation, there were no dissenting remarks made about the land use. Haskins added there was an email between himself and the property owner regarding the land use. John Monroe, the property owner, addressed Council stating his dad bought that property, has taken care of the property, stated he did not hear about CPAC until it was over with, the park is going to be a big asset to Wylie, and Wylie needs more fields but not sure this property could be used for park field use because of the unevenness. Strang stated this is tough because it is impossible to please everyone, but does like the idea of commercial on the front and open space in the back.

Council Action

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to deny Item 2 as presented. A vote was taken and the motion passed 5-1-1 with Councilman Williams abstaining (with no conflict of interest on file and per the City Charter an abstaining vote is a yes vote) and Councilman Mize voting against.

2. **Hold a Public Hearing, consider, and act upon, a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a restaurant with drive-thru on 1.02 acres, property located at 2020 N. State Highway 78 (ZC 2022-07).**

Staff Comments

Planning Manager Haskins addressed Council stating the applicant is requesting a Special Use Permit (SUP) on 1.02 acres located at 2020 N. State Highway 78 for a restaurant with drive-through service. The proposal includes a new 2,490 square foot structure for a Hwy 55 Burgers, Shakes, and Fries. The site is not requesting any variances from City requirements, just the SUP is required by the Zoning Ordinance. The applicant has requested the SUP approval act as the Site Plan approval for the development. As proposed, the site plan, landscape plan, or elevations meet all the requirements of the Zoning Ordinance. There are three drive-thru restaurants within a half mile that have approved site plans (Panda Express, Taco Casa, and Fuel City), but none have begun construction. Seven notifications were mailed; with no responses returned in favor or in opposition of the request and the Planning and Zoning Commission voted 6-0 to recommend approval.

Council Comments

Councilman Williams asked if it changes ownership or they differ from what is proposed to be built, would they have to come back to Council. Haskins replied if the proposal changes up until the restaurant opens, yes the item would have to come back before Council.

Public Hearing

Mayor Porter opened the public hearing on Item 2 at 8:58 p.m. asking anyone present wishing to address Council to come forward.

There were no persons present to address Council.

Mayor Porter closed the public hearing at 8:58 p.m.

Council Action

A motion was made by Councilman Williams, seconded by Councilman Strang, to approve Item 2 as presented. A vote was taken and the motion passed 7-0.

3. **Hold a Public Hearing, consider, and act upon, a change in zoning from Commercial Corridor (CC) to Planned Development - Commercial Industrial (PD-CI) to allow for a Commercial and light**

industrial development on 7.789 acres generally located on SH 78 1000' east of Eubanks Lane (ZC 2022-08).

Staff Comments

Planning Manager Haskins addressed Council stating the applicant is requesting to rezone 7.789 acres located on the northside of State Highway 78 between Eubanks Lane and Spring Creek Parkway. The property is currently zoned Commercial Corridor. The applicant is requesting a Planned Development to allow for a combination of Light Industrial and Commercial uses. The proposal includes three commercial pads totaling 2.723 acres with a proposed 13,466 square feet of commercial and retail space. The commercial lots will be developed within current zoning ordinance design standards with the exception of parking which is set at 1:200 across the commercial properties with shared parking among all lots, including the industrial. Haskins stated the applicant is requesting the drive-thrus as part of the PD be allowed by right. The industrial lot includes a 72,645 square-foot structure on 5.066 acres on the north side of the property behind the commercial frontage and a landscape buffer. The modified design standards include 10% landscaping throughout the site and tilt-wall construction as normally allowed in LI districts. The properties adjacent to the subject property are zoned commercial to the south, west, and east and light industrial to the north. Notices were sent to eight property owners within 200 feet as required by state law. At the time of posting no responses were received in favor or opposed to the request. The Commission voiced concerns regarding automotive repair uses and overnight parking. The applicant agreed to amend the PD Conditions to remove those uses and prohibit overnight commercial truck parking. The Commission voted 6-0 to recommend approval with those amendments.

Applicant Comments

Sahil Kurji, representing Slate Land & Development Company, addressed Council giving a presentation on the management team, current and upcoming developments, site, and renderings.

Council Comments

Mayor *pro tem* Forrester asked if the elevations are what the building will look like. Kurji replied they are proposed elevations and they will come back with the final elevations, and added the industrial will look similar to the renderings and they try to bring character to the buildings. Councilman Strang asked about potential drive-thru users. Kurji replied a lot of users are changing how their operations work and the demand in the market will dictate what occupies the space. Councilman Williams confirmed regarding the SUP allowed by right, if the PD is approved as presented, the drive-thru will not come back through Council until the site plan comes for approval. Haskins replied that is correct; however, the site plan goes to the Planning and Zoning Commission for approval but not Council. Williams asked if there was a way to approve the presented plan this evening without the SUP being approved by right. Haskins said it could be removed.

Public Hearing

Mayor Porter opened the public hearing on Item 3 at 9:13 p.m. asking anyone present wishing to address Council to come forward.

There were no persons present to address Council.

Mayor Porter closed the public hearing at 9:13 p.m.

Council Comments

Strang asked if Council wants to approve without the by-right uses for drive-thru restaurants, how would the motion need to read. Kurji added the amount of daytime population coming, they felt that this was the perfect spot for drive-thrus, and humbly request that the drive-thrus remain in place with the PD to complete the project quicker. Porter added with it being a mid-block location, there will be different individuals looking at this property, and if someone is looking, they may pass if it has to go back through the Planning and Zoning Commission and Council for review.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 3 as presented. A vote was taken and the motion passed 7-0.

Mayor Porter recessed the Council into a break at 9:17 p.m.

Mayor Porter reconvened the Council into Regular Session at 9:28 p.m.

4. **Consider, and act upon, Ordinance No. 2022-36 approving the terms and conditions of a Boundary Adjustment Agreement between the City of Wylie and the City of Lavon; authorizing the Mayor to execute the Boundary Adjustment Agreement on behalf of the City of Wylie; clarifying that the property as described in the Boundary Adjustment Agreement released from Wylie's extraterritorial jurisdiction and incorporated into Lavon's extraterritorial jurisdiction; providing a repealing/savings clause, severability clause, and an effective date.**

Staff Comments

Planning Manager Haskins addressed Council stating the City of Lavon and representatives of property known as Boyd Farm have requested that the City of Wylie release Boyd Farm from the City of Wylie's Extraterritorial Jurisdiction (ETJ). The property is a single 40-acre lot located on State Highway 205 approximately a half mile south of State Highway 78 as depicted in the Boundary Exhibit. If approved for release from Wylie's ETJ, the City of Lavon intends to annex the property into its City limits at the request of the property owner. For municipalities to exchange or amend ETJ boundaries, the Texas Local Government Code (LGC) requires both cities to sign a Boundary Agreement, with the agreement being approved by Ordinance by the releasing City. This item includes both the Boundary Agreement and the Ordinance authorizing the Mayor to execute the agreement. City staff has reviewed the Agreement and the ETJ release and recommends approval. Annexation of this area by the City of Wylie would be challenging. The property under consideration is not in Wylie's service area for water or sewer and is over one and a half miles from Wylie City limits, making utility and solid waste service cumbersome and cost prohibitive.

Council Comments

Mayor Porter confirmed the City does not currently collect sales tax or other revenues for this property. Haskins confirmed that was correct.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to approve Item 4 as presented. A vote was taken and motion passed 7-0.

5. **Consider, and act upon, the appointment of a board member to the North Texas Municipal Water District (NTMWD) Board to fill an expired term of June 1, 2022 to May 31, 2024.**

Council Comments

Mayor Porter addressed Council stating Mr. Marvin Fuller is currently serving on the NTMWD Board, has served as the president of the board in the past, and is currently serving as the chair of several committees. Porter stated Fuller is willing to continue serving on the Board.

Council Action

A motion was made by Mayor Porter, seconded by Mayor *pro tem* Forrester, to appoint Marvin Fuller to the North Texas Municipal Water District (NTMWD) Board of Directors for a term to begin June 1, 2022 and end May 31, 2024. A vote was taken and motion passed 7-0.

6. **Consider, and act upon, Resolution No. 2022-13(R) casting a nomination for a candidate for the Board of Directors of the Collin Central Appraisal District.**

Council Comments

Mayor Porter stated a vacancy has occurred on the Collin Central Appraisal District Board of Directors. City Secretary Storm added there is not a list of candidates for this portion of the Board of Directors election; therefore, Council can nominate who they think would be best. Mayor Porter put forth Zewge Kagnew as a nomination as he is the last nomination Council put forth for a previous vacancy.

Council Action

A motion was made by Mayor Porter, seconded by Mayor *pro tem* Forrester, to approve Resolution No. 2022-13(R) casting a nomination for Zewge Kagnew as a candidate for the Board of Directors of the Collin Central Appraisal District. A vote was taken and motion passed 7-0.

7. **Consider, and act upon, Resolution No. 2022-14(R) authorizing the Interim City Manager of the City of Wylie, Texas, or his designee, to execute an Advance Funding Agreement between the State of Texas and the City of Wylie, and to take any and all other actions necessary to effectuate the same; and providing for an effective date hereof.**

Staff Comments

City Engineer Porter addressed Council this item is for an Advance Funding Agreement (AFA) with Texas Department of Transportation (TxDOT) for continuing projects for improvements to the intersections of FM 544 and McCreary Road and Hwy 78 and E. Brown Street. The total amount for the improvements at both intersections is less than \$1.5 million. Staff is recommending the Council's approval to move forward with the AFA agreement to provide TxDOT with the remaining direct costs of \$112,510 that are still owed on this project to start construction. Staff has reached out to the City of Murphy to participate and is working on language for an Interlocal Agreement regarding the estimated \$59,000 match, which includes engineering design. Funds for this project will be from General Funds-Streets as outlined in the budget and carried forward from Fiscal Year 2020- 2021. Since TxDOT requires that only the lead local entity enters into the AFA, Wylie must execute this contract directly with the State.

Council Action

A motion was made by Councilman Williams, seconded by Councilman Strang, to approve Item 7 as presented. A vote was taken and motion passed 7-0.

WORK SESSION

Mayor Porter convened the Council into Work Session at 9:40 p.m.

WS1. Discussion regarding dog park and splash pad site evaluation - Joint Work Session with Parks and Recreation Board.

Parks Manager Brent Stowers addressed Council stating Dunaway Consultants are present as well as board member Gloria Suarez. Stowers gave a presentation including the project schedule, dog park locations with a recommended location, splash pad locations with recommended locations, and next steps.

Council questions included speaking and coordinating with the Public Art Board, additional parking near the splash pad in east meadow, asked about the basketball court usage at Community Park, and the shade from the pavilion at Community Park is good.

Parks and Recreation Board member Gloria Suarez addressed Council in favor of the dog park location, parking concerns with location B, and splash pad location at Community Park.

Council direction was in favor of the recommended locations for the dog park, the splash pad location in the east meadow, and the splash pad location at Community Park.

WS2. Discuss results of the Geotechnical Engineering Report provided for Stone Road.

City Engineer Porter addressed Council stating with Council direction, staff reached out to an engineering firm to provide a Geotechnical Study of the subsurface of Stone Road. The analysis had 23 different borings and was over 11,500 feet of roadway. The analysis showed the existing road has two to three inches of asphalt and sand, gravel underneath, and moderate to highly expansive soil. Porter provided information on two different time cycles for road replacement, 25 years and 40 years for a three-lane roadway. The 25-year life has two options which are either

nine inches of asphalt over eight inches of the base or utilizing an eight-inch concrete pavement with an eight-inch base underneath. The 40-year life has one additional inch thick of concrete pavement nine-inch section with an eight-inch subbase. Porter gave rough estimates which included: the 25-year life utilizing the nine inches of asphalt would cost about \$4.7 million and the 40-year life that uses nine inches of concrete with the eight-inch sub base would cost about \$8.6 million. Porter stated an estimated two million dollars would need to be added for design and culvert work for storm drainage. The asphalt roadway would not have a curb and gutter; however, the concrete would have a curb and gutter. Porter stated he currently has about \$550,000 allocated for this project, and some impact fees could be utilized; however, there is only about \$1.2 million in the account. Porter gave some history regarding the ownership and maintenance of the roadway between the county and the City.

Council comments and questions included would the current roadway be removed altogether and redone, did the quotes include curb and gutter, do both options given have three lanes, does the City have the necessary ROW for three lanes, and is there another option for an asphalt roadway with concrete curb and gutter.

Citizen Comments

Bob Ollry addressed Council stating his main concern was regarding replacing his fence and the easement and asked how he is notified of updates related to this project.

Council Comments

Council feedback included what type of existing right-of-way space does the City have, is the information based on current and potential traffic usage, how big does this road need to be, and would like to see a general view of the cost and recommendations.

WS3. Discuss options of the YMCA partnering with the City to operate the Recreation Center.

Mayor Porter stated a discussion is planned for the May meeting to give staff direction; however, tonight the YMCA representative is present to give their proposal.

Interim City Manager Parker addressed Council stating a few months back there was some discussion about the City and YMCA partnering together to operate the Wylie Recreation Center.

Brandy Perryman, representing the YMCA, addressed Council giving a presentation on the current surface area, sustainable YMCA, partnership information, partnership costs with ideal, start-up, and pool scenarios, typical contract duration, pricing sample, staffing levels, YMCA member benefits, aquatic feature details, examples of partnerships, and next steps and timeline.

Citizen Comments

Richard Foley addressed Council stating he did a survey in the form of a petition to try to come to a conclusion as what the issues are, and some feedback he received included the employees that currently work at the facility relate very well to the users of the facility, and they do not like the idea of the YMCA taking over with a system that is currently working well.

Damir Nozinovic addressed Council asking can the City do what the YMCA is proposing ourselves, stated citizens paid for the building, spoke about increasing the fees, and added the proposed YMCA rates are not affordable.

Carl DuLac addressed Council stating we have a difference between good and bad marketing, need to hire a marketing person, the proposed YMCA rates are too high, YMCA should put a bond up on the building if they operate it, other gyms and facilities should be given the same opportunity to evaluate taking over operations just as the YMCA has been given, the conversations regarding the operations causes instability amongst employees and citizens, and ownership of the Wylie Recreation Center should remain with City.

Darnell Marshall addressed Council stating he has seen great development and opportunities for young people in athletics at the Wylie Recreation Center, he served on the Ft. Worth Metropolitan YMCA board for four years, the YMCA has a great plan; however, it is not a fix all, there is not the same interpersonal investment that the patrons currently have, the people are the lifeblood, any increase in rates will have a ripple effect, and would not like to see the partnership with the YMCA but find solutions that would allow the City to continue the operation of the Wylie Recreation Center.

Council Comments

Council questions and comments included asking about the City's responsibility for damage or incidents at the center, sample rates included in presentation, access to pools at other YMCA facilities, part-time and full-time staff, senior citizen rate, information on Medigap, maintenance concerns, electrical costs, and is the subsidy negotiable.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 11:17 p.m.

EXECUTIVE SESSION

Mayor Porter reconvened the Council into Executive Session at 11:18 p.m.

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).

ES2. 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, 2021-2d, 2021-4a, 2021-4b, 2021-5a, 2021-6a, 2021-6c, 2021-7a, 2021-8a, 2021-9e, 2021-9f, 2021-11a, 2021-12a, 2021-12b, 2022-1a, 2022-2a, 2022-2b, 2022-4a, and 2022-4b.

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.

ES3. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, State Hwy 78/Alanis, State Hwy 78/Ballard, State Hwy 78/Birmingham, and State Hwy 78/Brown.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 12:19 a.m.

READING OF ORDINANCES

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

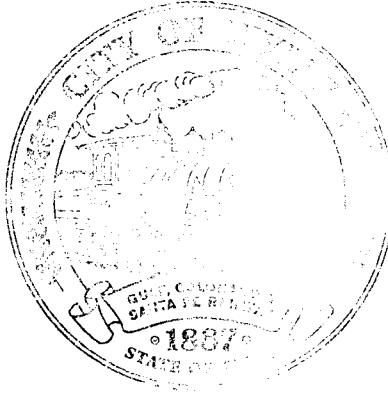
City Secretary Storm read the captions to Ordinance Nos. 2022-32, 2022-33, 2022-34, 2022-35, and 2022-36 into the official record.

ADJOURNMENT

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to adjourn the meeting at 12:23 a.m. A vote was taken and motion passed 7-0.

ATTEST:

Stephanie Storm
Stephanie Storm, City Secretary



Matthew D. Porter
Matthew Porter, Mayor