

# Wylie City Council Regular Meeting Minutes

February 28, 2023 – 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 6:01 p.m. The following City Council members were present: Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, Councilman Timothy T. Wallis (6:06), and Councilman Garrett Mize. Councilman David R. Duke was absent.

City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Police Chief Anthony Henderson; Finance Director Melissa Brown; Fire Chief Brandon Blythe; Animal Control Manager Shelia Patton; Public Information Officer Craig Kelly; City Secretary Stephanie Storm; Public Works Director Tommy Weir; Library Director Ofilia Barrera; Purchasing Manager Glenna Hayes; City Engineer Tim Porter; Engineering Project Manager Jenneen Elkhaid; Police Lieutenant Matt Miller; Parks and Recreation Director Carmen Powlen; Wylie Economic Development Executive Director Jason Greiner; and various support staff.

## INVOCATION & PLEDGE OF ALLEGIANCE

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

## PRESENTATIONS & RECOGNITIONS

### **PR1. School Resource Officer Appreciation Day.**

Mayor Porter proclaimed February 28, 2023, as School Resource Officer Appreciation Day in Wylie, Texas. School Resource Officers Donald English, Jason Smith, Angie McIntosh, Marcus Barrera, Jose Serrato, Michael Stewart, and Charles Smith were present to accept the proclamation.

Councilman Wallis took his seat at the dais at 6:06 p.m.

### **PR2. Crossing Guard Appreciation Day.**

Mayor Porter proclaimed February 28, 2023, as Crossing Guard Appreciation Day in Wylie, Texas. Dian McCullough, Deborah Krom, Karen Ray, Kenneth Ray, John Bosley, Alan Shaffer, and Russell Lehr were present to accept the proclamation.

### **PR3. Shining the Wylie Way Students 3rd Term; Grades 1st - 6th.**

Mayor Porter, WISD School Board President Stacie Smith, and WISD Superintendent David Vinson presented medallions to students demonstrating "Shining the Wylie Way." Every nine weeks one student from each WISD campus is chosen as the "Wylie Way Student."

## 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 the February 14, 2023 Regular City Council Meeting minutes.**
- B. Review, and place on file, the 2022 Wylie Police Department Annual Racial Profiling Analysis.**
- C. Consider, and act upon, accepting a donation to the Smith Public Library in the amount of \$5,779.00 from the Catholic Foundation of the Estate of Rita and Truett Smith.**
- D. Consider, and act upon, the renewal of Interlocal Cooperative Purchasing Agreement #W2020-30-I between the Sheriffs' Association of Texas, Inc. (SAT) and the City of Wylie, and authorizing the City Manager to sign any and all documents.**
- E. Consider, and act upon, Resolution No. 2023-03(R) authorizing the restricted/sole source purchase of Knox® Rapid Access System from Knox Company for \$70,992.43, and authorizing the City Manager to execute any necessary documents.**
- F. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of January 31, 2023.**
- G. Consider, and act upon, a Preliminary Plat of 544 Gateway Addition, Lots 1-7, Block A, establishing seven commercial lots on 12.234 acres, generally located east of the intersection of Business Way and Commerce Drive.**
- H. Consider, and act upon, a Final Plat of 544 Gateway Addition, Lots 1-7, Block A, establishing seven commercial lots on 12.234 acres, generally located east of the intersection of Business Way and Commerce Drive.**
- I. Consider, and act upon, the signing of permanent and temporary easements for the Collin County Park Boulevard Project.**
- J. Consider, and act upon, Ordinance No. 2023-10, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 18 (Animals); providing a penalty clause, savings/repealing and severability clauses; providing for an effective date of this ordinance; and providing for the publication of the caption hereof.**
- K. Consider, and place on file, the Animal Shelter Advisory Board report to City Council.**
- L. Consider, and place on file, the City of Wylie Monthly Investment Report for January 31, 2023.**
- M. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for January 31, 2023.**

Mayor Porter requested Items E and J, and Mayor *pro tem* Forrester requested Item I be pulled from Consent Agenda and considered individually.

### **Council Action**

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to approve the Consent Agenda, except for Items E, J, and I, as presented. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

- E. Consider, and act upon, Resolution No. 2023-03(R) authorizing the restricted/sole source purchase of Knox® Rapid Access System from Knox Company for \$70,992.43, and authorizing the City Manager to execute any necessary documents.**

### **Council Comments**

Mayor Porter clarified that Section 1 of the Resolution included in the agenda packet changed from authorizing the Mayor to the City Manager.

### **Council Action**

A motion was made by Councilman Williams, seconded by Councilman Strang, to approve Item E with the amendment presented. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

- I. Consider, and act upon, the signing of permanent and temporary easements for the Collin County Park Boulevard Project.**

### **Council Comments**

Mayor *pro tem* Forrester confirmed the City has performed all of the duties that the City can up until this point to get this project underway. City Engineer Porter confirmed that is correct and added there will be two additional easements in the future with KCS, but the County wants the project to continue moving forward so they are pushing the documents through as they receive them. Porter stated he spoke with the County and at the latest, they anticipate having this project out for bid this summer. Forrester asked if there was an update from KCS on the remaining two easements. Porter replied the County said they have the initial language for the easements and they are currently going back and forth to determine the final language in the easements.

### **Council Action**

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to approve Item I as presented. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

- J. Consider, and act upon, Ordinance No. 2023-10, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 18 (Animals); providing a penalty clause, savings/repealing and severability clauses; providing for an effective date of this ordinance; and providing for the publication of the caption hereof.**

### **Council Comments**

Mayor Porter stated he wanted to pull this item for individual consideration to allow any council members, who were not in attendance at the previous meeting when this item was discussed during the work session, the ability to ask any questions.

### **Council Action**

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Mize, to approve Item J as presented. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

## **WORK SESSION**

Mayor Porter convened the Council into Work Session at 6:49 p.m.

## **WS1. Discuss capital roadway projects.**

City Manager Parker stated this Work Session is to discuss options for Stone Road and funding for other road projects. Public Works Director Weir addressed Council giving a presentation on Stone Road including an overview; current conditions; roadway repair including five options: asphalt milling, full depth reclamation (FDR) of just the City maintained section, full depth reclamation (FDR) of the entire section, a 25-year design life road of just the City maintained section, or a 25-year design life road of the entire section; other considerations; current stormwater crossings; drainage repair costs; and a recap on possible roadway repairs.

Council comments, questions, and feedback regarding Stone Road included what is the purpose of the two layers of asphalt in the 25 year design; confirmed staff could do repairs with the 25 year design asphalt; would the county do their portion of the shared roadway; for improvements to the current roadway, ask the county for reimbursement or funds for their portion of the roadway we are taking over; would like to address some of the ponding and sitting water would assist with drainage concerns; how long does a full depth reclamation last; without fixing the drainage nothing would be fixed; confirmed the City looked at a concrete and curb option and that was not feasible; prefer option five with drainage improvements; take over the roadway long term and negotiate with the County to contribute on their portion one last time before turning it over; if the drainage is not fixed there are going to be problems later, and open to revisiting anything necessary if traffic needs necessitate that.

Parker stated staff's recommendation would be to release the County from Stone Road to allow the City to take it over and maintain it completely as the City is currently responsible for 80 percent of the roadway. The City would ask the County to participate to help get the roadway to a sound state before releasing it entirely to the City. Parker added staff's recommendation would be to do the full-depth reclamation down to the sub-base plus drainage improvements and would prefer the County to reimburse the City for their 20 percent portion and the City take over the project. Weir added the total projected cost would be roughly \$6 million, \$3 million to redo the road, and \$3 million to improve the drainage.

Parker stated the General Fund fund balance has \$16 million above the required 30 percent and staff's recommendation would be to use \$6 million for Stone Road and \$2 million for the shortage on the McMillen Road project. Parker stated staff proposes to use \$6 million for the shortage on the East FM 544 project from the ARPA funds.

Parker gave an update on the capital roadway projects which included Park Boulevard is in good shape; Sachse Road has to be a partnership with the City of Sachse and they currently do not have funding for that project; the signal light at Hensley Lane and Woodbridge Parkway is \$250,000 short of what was inputted in the budget so staff's recommendation would be to use that amount from the General Fund fund balance at mid-year; and the South Ballard Tower is \$3.2 million short and staff's recommendation would be to use that amount from the Utility Fund fund balance.

Council comments, questions, and feedback regarding the capital projects included there is a \$2 million shortage on the McMillen Road project and we have not even broken ground; confirmed the McMillen Road project is still an estimate and could change;

City Engineer Porter replied the McMillen Road plans are 100 percent complete if the Soil and Water Conservation approves them, and added the lengthening of the bridge increased the cost and there is also a fairly high contingency included. Porter added the upcoming potential bid dates for projects including Eubanks Lane project bid will go out tomorrow and look at a year to complete; put the bid out at the end of April for the McMillen Road project and bring it to Council for approval in June; put the bid out in July for the E. FM 544 project and bring it to Council for approval in August; put the bid out by the end of the calendar year for Park Boulevard; put the bid out March 15th for the Woodbridge/Hensley signal; and put the bid out at the end of March for the South Ballard water tower.

Finance Director Brown clarified on the water tower funding, the City is counting on impact fee money that will be collected during the current budget to help pay for this item and if the project moves forward quickly, General Fund fund balance may have to pledge money upfront and then be reimbursed later with the impact fee funding.

City Engineer Porter added TxDOT is working on a few intersections including McCreary Road and FM 544, Brown Street and Highway 78, and is supposed to start the work in March. Country Club Road and FM 544 is proposed to go out for bid in the summer.

Parker asked Council as we move forward and approach budget season to keep in mind the Muddy Creek expansion as it is about \$95 million. The City is currently reviewing the calculations and metrics from Inspiration as the City has an agreement with Inspiration to provide services via Muddy Creek which is split with the City of Murphy with the larger entity, City of Wylie, shouldering the burden of the expansion cost.

Council direction was to utilize fund balance and ARPA funds for the projects discussed, and complete option five with drainage improvements for Stone Road and discuss with the County regarding their 20 percent share to ensure the roadways are completed. Council requested if the estimated contract values change from what was discussed tonight, staff bring those back to Council for further discussion.

Brown updated Council stating the City is intending to issue debt for \$17 million of the approved 2021 bond election money, in which \$2 million will be used for street and alley repairs, \$10 million will be used for McMillen Road, and \$5 million for Park Boulevard. City Engineer Porter would like to have this money to use by June. For the cost estimate, staff is assuming a 10 percent property growth and around \$150 million in new construction and based on that information the estimated no new revenue rate would be .524 cents, which is about four cents less than our current tax rate. The \$17 million plus the annual payment that we absorbed last year in the M&O, which has to be taken into consideration this year, the debt would cost about three cents. Brown stated they calculated a penny is worth about \$600,000 so a three-cent increase would cost a citizen about \$114.00 annually and a four-cent increase would cost about \$150.00 annually. Parker stated the intent would be to issue debt once a year.

Council comments and questions regarding the issuance of bonds included when would the remainder of the debt be issued, how much is the remainder for the McMillen Road project, what is the term on bonds, we have bonds that will fall off five to six years and our I&S rate will drop considerably; will issuing this debt cause an I&S swell over the next three years, and what call schedule would be on the 20 year bond.

Council direction was to proceed with issuing the bonds for the projects.

Mayor Porter convened the Council into a break at 7:53 p.m.

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

## **WS2. Discussion of potential trail project with the cities of Sachse and Murphy.**

City Manager Parker addressed Council regarding a potential partnership with the City of Sachse for a trail. The intent is to connect the trail to Founders Park through Murphy to the Encore Trail which connects to Breckinridge Park. The City's portion is very small and Sachse is applying for a TxDOT grant and Collin County Open Space Grant. Parker gave two options, option one to come across old Hensley Road and then put a sidewalk in front of the schools, and option two would be to stay on the same side of the road as there is already a sidewalk along the neighborhood and the City of Wylie add two small connection pieces at the intersection of Woodbridge Parkway and Hensley Lane. Staff would recommend going down Hensley Lane and not down old Hensley Lane. Parker added Parks and Recreation Director Powlen is currently getting estimates on two options.

Council comments, questions, and feedback included how much money would the City need to spend on this project; like the utilization of current sidewalks instead of constructing new ones; like the option that Wylie ISD has to install the sidewalk in front of the schools; questioned if there is a requirement, or can one be implemented, that requires the ISD to construct sidewalks around new school facilities; would prefer the ISD to pay for sidewalks in front of the schools; for safety reasons have a concern with adding a crossing at Woodbridge Parkway and old Hensley Lane without an intersection; would prefer the crossing at the intersection of Woodbridge Parkway and Hensley Lane; if the ISD cannot fund the entire sidewalk project in front of the schools then assist with paying for a small percentage; understand the concern with safety at the crossing at Woodbridge Parkway and Old Hensley

Lane and added this would be a good opportunity for a pedestrian controlled crossing; want to work collaboratively with the ISD; and like the trail crossing at the light at Woodbridge Parkway and Hensley Lane but would still like the ISD to add sidewalks in front of the schools.

## **RECONVENE INTO REGULAR SESSION**

Mayor Porter convened the Council into Regular Session at 8:17 p.m.

## **EXECUTIVE SESSION**

Mayor Porter convened the Council into Executive Session at 8:18 p.m.

### **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. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, FM 1378/Parker, Jackson/Oak, Regency/Steel, State Hwy 78/Alanis, State Hwy 78/Ballard, and State Hwy 78/Brown.**

**ES2. Discuss property located near Oak Street and 5th Street.**

### **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).

**ES3. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2013-9a, 2017-6a, 2021-2d, 2021-5a, 2021-6a, 2021-6c, 2021-8a, 2021-9a, 2021-9b, 2021-9f, 2022-9i, 2022-1b, 2022-4d, 2022-7b, 2022-8b, 2022-9f, 2022-10d, 2022-11a, 2022-12a, 2023-1a, 2023-1b, 2023-1c, 2023-2a, and 2023-2b.**

## **RECONVENE INTO OPEN SESSION**

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

Mayor Porter reconvened the Council into Open Session at 9:15 p.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 caption to Ordinance No. 2023-10 into the official record.

## **ADJOURNMENT**

A motion was made by Councilman Strang, seconded by Mayor *pro tem* Forrester, to adjourn the meeting at 9:16 p.m. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

ATTEST:

Stephanie Storm  
Stephanie Storm, City Secretary



Matthew O. Porter  
Matthew Porter, Mayor