

Wylie City Council Regular Meeting

June 11, 2024 – 6:00 PM

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



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS & RECOGNITIONS

PR1. Wylie Way Student - Oliver Hernandez.

PR2. Recognizing June 19, 2024 as Juneteenth 2024

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 May 28, 2024 Regular City Council Meeting minutes.
- B. Consider, and act upon, a Final Plat of Lot 1, Block A, of Texas Collision Addition establishing one commercial lot on 1.985 acres, located at 401 S. Westgate Way.
- C. Consider, and act upon, the award of a professional services project order (PSPO) #W2024-55-E for the Lead Copper Rule Revision Project (LCRR) to Freese and Nichols Inc (FNI) in the amount of \$72,820.00 and authorizing the City Manager to execute any necessary documents.

REGULAR AGENDA

- 1. Interview applicants for Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.
- 2. Consider, and act upon, the recommendations of the 2024 Boards and Commission Council Interview Panel for appointments to the Animal Shelter Advisory Board, Construction Code Board, Historic Review Commission, Library Board, Parks and Recreation Board, Parks and Recreation Facilities Development Corporation Board (4B), Planning and Zoning Commission, Public Arts Advisory Board, Wylie Economic Development Corporation, and the Zoning Board of Adjustments to fill board vacancies for a term to begin July 1, 2024 and end June 30, 2025/26/27.
- 3. Consider, and act upon, appointments to fill the Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.

4. **Tabled from 04-23-2024**
 Remove from table and consider

Continue a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Planned Development 2020-27 (PD 2020-27) to Planned Development (PD) on 20.433 acres. Property located from 2535-2701 S State Highway 78 (ZC 2023-20).

5. Consider, and act upon, Ordinance No. 2024-19, amending Wylie’s Code of Ordinances, Ordinance No. 2021-17, as amended, repealing and replacing in its entirety Appendix A (Comprehensive Fee Schedule), Article XI (Fire Department) adopting a new Fire Department fee schedule; providing a savings/repealing clause, severability clause, penalty clause and an effective date; and providing for the publication of the caption hereof.

EXECUTIVE SESSION

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 June 7, 2024 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.

Stephanie Storm, City Secretary

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.



Wylie City Council

AGENDA REPORT

Department: City Secretary
Prepared By: Stephanie Storm

Account Code: _____

Subject

Consider, and act upon, approval of May 28, 2024 Regular City Council Meeting minutes.

Recommendation

Motion to approve the Item as presented.

Discussion

The minutes are attached for your consideration.

Wylie City Council Regular Meeting Minutes

May 28, 2024 – 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 Amelia Hill, Councilman Dave Strang (6:58 p.m.), Mayor *pro tem* Jeff Forrester, Councilman Sid Hoover, Councilman Scott Williams, and Councilman Gino Mulliqi (6:04 p.m.). Councilman David R. Duke was absent.

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Fire Chief Brandon Blythe; Marketing and Communications Director Craig Kelly; City Secretary Stephanie Storm; Finance Director Melissa Brown; Public Works Director Tommy Weir; Assistant Police Chief Tommy Walters; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Forrester led the invocation and Junior Mayor Hill led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

Councilman Mulliqi took his seat at the dais at 6:04 p.m.

PR1. Junior Mayor - Amelia Hill.

Mayor Porter introduced Junior Mayor Amelia Hill, administered the oath of office, and presented a proclamation for “Mayor of the Day.”

PR2. Eagle Scout Project - Christopher Troncoso.

Mayor Porter presented a proclamation recognizing Christopher Troncoso for their achievement of the Eagle Scout Award. Troncoso was present to accept the proclamation and gave a brief description of his Eagle Scout project.

PR3. Presentation of Taste of Wylie proceeds to 5 Loaves Food Pantry, Amazing Grace, Christian Care Center, and Hope for the Cities.

Marketing and Communications Director Kelly thanked sponsors Farmers Electric Cooperative and Blue Star Plumbing, the many volunteers, and Special Events Coordinator Lillian Baker for a successful Taste of Wylie. Representatives from Amazing Grace Food Pantry, Wylie Christian Care Center, Hope for the Cities, and 5 Loaves Food Pantry were present to accept the check for \$30,000 of proceeds.

PR4. Wylie Way Students (K-12).

Mayor Porter, WISD Board President Jacob Day, and WISD Superintendent Dr. David Vinson presented a medallion to students demonstrating “Shining the Wylie Way.” Every nine weeks one student from each WISD campus is chosen as the “Wylie Way Student.”

PR5. Mental Health Awareness Month.

Mayor Porter presented a proclamation proclaiming the month of May as Mental Health Awareness Month. Haley Parker, Wylie Police Department Mental Health Coordinator, and Police Sergeant Billy McIntosh were present to accept the proclamation and gave a brief explanation of the role of the Mental Health Coordinator with the Police Department and their passion for providing support and resources to the community.

PR6. Police Department recruiting Video.

Sergeant Chad Hermes addressed the Council providing information and showing the new Police Department recruiting video.

PR7. Recognition of National Public Works Week.

Mayor Porter recognized the week of May 6-10, 2024 as National Public Works Week.

Mayor Porter recessed the Council into a break at 6:58 p.m.

Councilman Strang took his seat at the dais at 6:58 p.m.

Mayor Porter reconvened the Council into Regular Session at 7:07 p.m.

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.

No persons were 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 May 14, 2024 Regular City Council Meeting minutes.**
- B. Consider, and act upon, the approval of the purchase of a new fire training tower, to be located at the training field at Fire Station 2, in the estimated amount of \$508,601.65 through a cooperative purchasing contract with Sourcewell and authorizing the City Manager to execute any and all necessary documents.**
- C. Consider, and act upon, Resolution No. 2024-15(R), to ratify the emergency purchase of materials and labor for the temporary repairs, and the purchase of materials and labor for the installation of a new signal pole and appurtenances located at the intersection of FM 544 and State Highway 78 from Durable Specialties Inc., in the estimated amount of \$81,882.00, and authorizing the City Manager to execute any necessary documents.**
- D. Consider, and act upon, the approval of the purchase of three (3) Advanced Transportation Controller Traffic Cabinets and Hardware from Consolidated Traffic in the estimated amount of \$94,353.00 through a cooperative purchasing contract with Houston-Galveston Area Council (HGAC) and authorizing the City Manager to execute any and all necessary documents.**
- E. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for April 30, 2024.**

- F. Consider, and place on file, the City of Wylie Monthly Investment Report for April 30, 2024.
- G. Consider, and act upon, Ordinance No. 2024-15 amending Ordinance No. 2023-39, which established the budget for fiscal year 2023-2024; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.
- H. Consider, and act upon, Ordinance No. 2024-16 amending Ordinance No. 2023-39, which established the budget for fiscal year 2023-2024; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.
- I. Consider, and act upon, a Preliminary Plat of Lot 1, Block A of Kreymer Elementary School, establishing one lot on 10.120 acres. Property located at 1200 East Brown.
- J. Consider, and act upon, a Final Plat of Wyndham Estates Phase 3, being a Replat of Lots 25 and 26R, Block A, creating Lot 26R-1, Block A of Wyndham Estates on 0.706 acres, located at 1014 Squire Drive.
- K. Consider, and act upon, Ordinance No. 2024-17 for a change in zoning from Agricultural District (AG/30) to Planned Development (PD-MF) for an age-restricted condominium residential community on 47.374 acres. Property located on the west side of Country Club Road approximately 2000' south of Parker Road (ZC 2024-02).
- L. Consider, and act upon, Resolution No. 2024-16(R) authorizing the City Manager to execute a Project Specific Agreement RE: Striping type "B" and "E" Roadways made pursuant to Road & Bridge Master Interlocal Agreement Between Dallas County and the City of Wylie, Texas.
- M. Consider, and act upon, approval of the Hope Under the Stars fundraiser event at Olde City Park on October 5, 2024.

Council Action

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

REGULAR AGENDA

- 1. Interview applicants for Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.

Council Comments

No applicants were present to be interviewed by the City Council. Staff will reach out to the applicants to see if they can come to the June 11th City Council meeting for an interview.

Council Action

There was no action taken on this Item.

- 2. Consider, and act upon, nominations for a primary and an alternate member to serve on the North Central Texas Council of Governments (NCTCOG) Regional Transportation Council (RTC) of the Dallas/Fort Worth area for the cities of Allen, Rowlett, Sachse, Wylie, Murphy, Lucas, Parker, and Lavon.

Council Comments

Mayor Porter explained the current primary representative is Chris Schulmeister, Mayor *pro tem*, City of Allen, and the current alternate representative is Matthew Porter, Mayor, City of Wylie. The City of Allen has notified the City that with one year remaining in Mayor *pro tem* Schulmeister term of office, he has decided not to seek a new term; however, Allen Councilmember Michael Schaeffer has expressed a willingness to serve as the Primary

Representative to the RTC with Mayor Porter of the City of Wylie continuing as the Alternate Representative. Porter stated the City may choose to appoint a new primary representative and/or alternate representative.

Councilman Mulliqi recommended Mayor *pro tem* Forrester be nominated as the Primary Representative. Mayor *pro tem* Forrester replied with only one year left on his Council term, he would not want to accept the nomination to fill the two-year term at this time. Forrester recommended Mayor Porter as primary and Councilmember Schaeffer as alternate. Porter stated if he is chosen for both boards, NCTCOG and RTC, he would have to ask if he could serve on both Boards.

Council Action

A motion was made by Councilman Mulliqi, seconded by Councilman Strang, to nominate Mayor Matthew Porter as the primary member and Allen Councilmember Michael Schaeffer as the alternate member to serve on the North Central Texas Council of Governments (NCTCOG) Regional Transportation Council (RTC) of the Dallas/Fort Worth area for the cities of Allen, Rowlett, Sachse, Wylie, Murphy, Lucas, Parker, and Lavon. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

3. **Consider, and act upon, Ordinance No. 2024-18, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 46 (Fire Prevention and Protection), Article III (Fire Code), repealing Ordinance No. 2022-21 and adopting the 2021 Edition of the International Fire Code including Appendices B, C, D, K, L, and N, save and except the deletions and amendments set forth herein; prescribing regulations governing, among other things conditions hazardous to the life and property from fire, hazardous materials or explosions; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof.**

Staff Comments

Fire Chief Blythe addressed the Council stating this item is readopting the 2021 Fire code that was previously adopted in 2021 as the Fire Department has started experiencing some issues with lithium-ion batteries, powerwall, and some other items. The 2024 Fire Code has the most comprehensive coverage of those items and as staff was reviewing the Fire Codes, they found some items that could be cleaned up. One of those items is that, per the Fire Code, the City is required to have a Fire Board of Appeals. Staff discussed and recommended utilizing the Zoning Board of Adjustments (ZBOA) for Fire Code-related items instead of creating a separate board.

Council Comments

Mayor *pro tem* Forrester confirmed that with the addition of fire-related items being added to the ZBOA duties, the Board would receive training and have a staff liaison from the Fire Department available if one of the issues comes before the Board to offer professional advice as the Board could render a decision that cannot be changed. Blythe replied they have never received a challenge to the Fire Codes, but if one is received, staff would provide information to the Board. Councilman Williams asked regarding lithium-ion batteries, does this ordinance address the cleanup, hazmat, and aftercare. Blythe replied it does not, it regulates what can and cannot be done such as charging systems or powerwalls in parking garages. Prevention Division Chief Claborn added the Code does not address the cleanup but this ordinance does require engineers to have a plan and is more for commercial not residential properties. Williams asked from the onset if there was a way to mitigate a future liability regarding lithium-ion batteries. Claborn replied from his understanding, that having the plans, shows the company is prepared. Councilman Strang confirmed the ZBOA will not have much if any, extra work related to Fire Codes. Blythe replied he does not anticipate many if any, issues as staff does a good job working with contractors and tries to be reasonable as long as it is safe and good for the occupants of the building and community. Forrester asked if a permit is required to install lithium-ion battery chargers and powerwalls, and asked if the Fire Department has a locator in their system to alert them of lithium-ion batteries. Blythe replied the prevention division is working on adding a note in the CAD system as they are conducting inspections to alert for lithium-ion batteries. Claborn clarified at this time, permits are not required for lithium-ion battery charging stations; however, if significant wiring would have to be done, an electrical permit would have to be pulled with Building Inspections. Currently, the Fire Department is only involved if it is related to solar permits and does track if there will be a powerwall, and at times a smoke or heat detector is required. Forrester asked if requiring a permit to be pulled would be helpful to alert staff when fighting a fire that a lithium-ion battery is involved. Blythe replied that staff has recently attended training and purchased equipment to

help detect lithium-ion fires, but added, that requiring a permit to be pulled to alert staff ahead of time would be helpful.

Council Action

A motion was made by Councilman Williams, seconded by Mayor *pro tem* Forrester, to approve Item 3 as presented. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

WORK SESSION

Mayor Porter convened the Council into a Work Session at 7:27 p.m.

WS1. Discuss the Five-Year Projections for the General Fund.

City Manager Parker addressed the Council stating as staff is continuing to work through the FY 2024-25 budget, he wanted to provide some early examples of the tax rate, which is based on assumptions and not on actual numbers. Parker stated staff has received the certified preliminary numbers from the appraisal district and the sales tax is expected to increase by 10 percent over the 2024 budget next year, and currently, we are at about seven percent. There is a million and a half dollars in EMS revenue and a million dollars from new construction revenue included in this budget, and from the expenditure side, personnel expenses are indexed at four percent, the step plan at a four percent increase, a five percent market adjustment if needed for the public safety step plan, and \$4.4 million for the pay plan increases implemented mid-year 2024. Other expenses are indexed at 3%, accounting for inflation. Parker stated this does not include any vehicles or personnel requests; however, staff recommends moving some employees from the Parks Department out of the General Fund into the 4B Fund which is about \$750,000. The City is currently at about 103 percent of our usage for health insurance.

The City is capped by three and a half percent based on legislation that equals about a penny and a half and then the incremental rate that the City has available is about three cents which results in about four and a half cents total. The City's current tax rate is at .53882 per \$100 and one option for next year is factoring in a three-and-a-half percent revenue increase, estimating the rate to be .549979 per \$100 which results in two million dollars short of a balanced budget. The other option is adopting the full voter approval rate at \$0.58 per \$100 which results in a balanced budget with an excess of \$289,000.

Council comments and questions included clarification on how the no new revenue rate can be higher than the previous year, reviewed the included expense assumptions, confirmed the City would still have a healthy fund balance and could use those funds for some one-time expenses, and asked what the tax increase would be for the average household.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 7:41 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 captions of Ordinance Nos. 2024-15, 2024-16, 2024-17, and 2024-18 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Mulliqi, to adjourn the meeting at 7:44 p.m. A vote was taken and the motion passed 6-0 with Councilman Duke absent.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary



Wylie City Council

AGENDA REPORT

Department: Planning
 Prepared By: Jasen Haskins

Account Code: _____

Subject

Consider, and act upon, a Final Plat of Lot 1, Block A, of Texas Collision Addition establishing one commercial lot on 1.985 acres, located at 401 S. Westgate Way.

Recommendation

Motion to approve the Item as presented.

Discussion

OWNER: LMB Realty LLC

APPLICANT: Odyssey Services Group

The applicant has submitted a Final Plat to create Lot 1, Block A of Texas Collision Addition on 1.985 acres, located at 401 S. Westgate Way. The property is zoned Commercial Corridor with a Special Use Permit for an Automotive Repair, Major Use (Ordinance No. 2023-46). The preliminary plat and site plan for the development were approved in November 2023.

The purpose of the final plat is to finalize the creation of one commercial lot and dedicate fire lane and utility easements for the development.

The plat provides access to Westgate Way via a 26' wide fire lane.

The plat is technically correct and abides by all aspects of the City of Wylie Subdivision Regulations. Approval is subject to additions and alterations as required by the City Engineering Department.

The City Council must provide a written statement of the reasons for conditional approval or disapproval to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Government Code.

P&Z Recommendation

The Commission voted 7-0 to recommend approval.





Wylie City Council

AGENDA REPORT

Department: Purchasing

Prepared By: Christopher Rodriguez

Account Code: 611-5712-56040

Subject

Consider, and act upon, the award of a professional services project order (PSPO) #W2024-55-E for the Lead Copper Rule Revision Project (LCRR) to Freese and Nichols Inc (FNI) in the amount of \$72,820.00 and authorizing the City Manager to execute any necessary documents.

Recommendation

Motion to approve the Item as presented.

Discussion

The U.S. Environmental Protection Agency (EPA) introduced Lead and Copper Rule Revisions (LCRR) on January 15, 2021, establishing new standards to eliminate harmful levels of lead and copper from drinking water. The LCRR was given an effective date of December 16, 2021, with a compliance date of October 16, 2024.

In 2023-24, FNI completed Phases 1 and 2, which provided an initial service line inventory, compliance schedule, and planning-level budget for future phases. Phase 3 focuses on incorporating the final section of regulation, the Lead and Copper Rule Improvements (LCRI), which were proposed on November 30, 2023, preparing the compliance items required for the October 2024 LCRR Compliance Date.

Staff recommends the award of this PSPO to FNI as the most qualified firm to provide professional and consulting services for the Lead Copper Rule Revision Project. This PSPO is issued under Master Agreement for Professional and Engineering Services (MAPES) #W2021-8-E. City Staff has determined FNI to be the most qualified firm for this project in Category M General Consulting, Analysis and/or Engineering Studies, in accordance with Government Code 2254.



Wylie City Council

AGENDA REPORT

Department: City Manager
 Prepared By: City Secretary

Account Code: _____

Subject

Interview applicants for Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.

Recommendation

No action taken.

Discussion

Per Ordinance No. 2022-01, prospective Board of Review applicants will be interviewed by the entire City Council.

Applicants:

Jack Craig

Jon Ennis (recommended for Construction Code Board)

Ronald Frantom (recommended for Construction Code Board and Planning and Zoning Board Replacement)

Fernando Martinez

Luca Pareti (recommended for Zoning Board of Adjustment Alternate)

Syed Shah

Krishna Upadyaya

Board of Review Application

Personal Information

First Name*

Jack

Last Name*

Craig

Residency

You must be a Wylie resident to serve on this board.

Wylie resident*

☒ Yes ☐ No

Length of Residency

Years*

6

Months*

4

Voter Status

Registered Voter*

☒ Yes ☐ No

Voter Registration County*

Collin

Employment Information

Occupation

Bank manager

Work experience that may be beneficial to the board you are applying for.

Board/Commission Service

Currently serve on a board/commission*

☒ Yes ☐ No

Board/commission currently serving on*

Board of Review

Length of service on board/commission*

2 years

Why you would like to serve as a Board of Review member:*

I would like to continue the service I have provided to the city I live in.

Board of Review Application

Personal Information

First Name *

Fernando

Last Name *

Martinez

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

6

Months *

1

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Student

Work experience that may be beneficial to the board you are applying for.

Equal Opportunity Specialist with U.S. Dept. Of HUD, General Counsel Intern for IRS Office of General Counsel, Board Intern for National Labor Relations Board.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

As an Army veteran, I would like to be part of the city that I live in and give back to the community any way I can.

Board of Review Application

Personal Information

First Name *

Syed

Last Name *

Shah

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

0

Months *

3

Voter Status

Registered Voter *

☐ Yes ☒ No

Employment Information

Occupation

Work experience that may be beneficial to the board you are applying for.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

As a new resident of the City, I'm interested in the development and growth of the city. I can help being part of review board.

Board of Review Application

Personal Information

First Name *

Krishna

Last Name *

Upadhyaya

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

5

Months *

5

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Realtor

Work experience that may be beneficial to the board you are applying for.

I am involved with Government Affairs at Collin County Area of Realtors. I have also served on the board at different organizations including PTA, Realtor Associations and I have completed Leadership Training.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I have always believed that in order to understand the ins and outs of a system its important to be involved or serve. Wylie is a wonderful City with much growth and its important for residents to be invested with the City.

Board of Review Application

Personal Information

First Name *

Jon

Last Name *

Ennis

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

9

Months *

4

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Residential contractor and property Investor

Work experience that may be beneficial to the board you are applying for.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I have a deep respect for our community. I would like to help in anyway possible to serve for the better of all the residence. I grew up in Richardson when wylie was all feilds. Wylie has grown so much since I was a young boy and I would like to be a part of the future growth.

Board of Review Application

Personal Information

First Name *

Ronald

Last Name *

Frantom

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

2

Months *

1

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Certified Professional Building Designer

Work experience that may be beneficial to the board you are applying for.

I design production homes, luxury custom homes and Commercial architecture.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I would like to help and give back to the community I live in.

Board of Review Application

Personal Information

First Name *

Luca

Last Name *

Pareti

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

1

Months *

10

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Business consultant

Work experience that may be beneficial to the board you are applying for.

Business growth consulting, restoration, manufacturing, property management

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I love Wylie and I'd be happy to give back to the community by serving on a board, as a father of 3 I have the best interest in having a thriving and healthy community around my family.

Recommended to serve on other Boards



Wylie City Council

AGENDA REPORT

Department: City Secretary

Prepared By: City Secretary

Account Code: _____

Subject

Consider, and act upon, the recommendations of the 2024 Boards and Commission Council Interview Panel for appointments to the Animal Shelter Advisory Board, Construction Code Board, Historic Review Commission, Library Board, Parks and Recreation Board, Parks and Recreation Facilities Development Corporation Board (4B), Planning and Zoning Commission, Public Arts Advisory Board, Wylie Economic Development Corporation, and the Zoning Board of Adjustments to fill board vacancies for a term to begin July 1, 2024 and end June 30, 2025/26/27.

Recommendation

Motion to approve the recommendations as presented.

Discussion

Article 8, Section 1A of the City Charter authorizes the City Council to appoint members to serve on boards, commissions and committees to help carry out the functions and obligations of the City and to make recommendations to the City Council. The City Council has prescribed the purpose, composition, function, duties, accountability, and the tenure of each board, commission, and committee.

An interview panel, consisting of three council members, conducted interviews of all applicants. All applicants were contacted to schedule an informal meeting, in open session with the Boards and Commission Council Interview Panel. Council members appointed by the Wylie City Council for 2024 are Mayor *pro tem* Jeff Forrester, Chair; Councilman David R. Duke, and Councilman Dave Strang. The Panel met with applicants on Wednesday, May 29, 2024 and Thursday, May 30, 2024 to conduct interviews and deliberate their choices to recommend to the full council.

The 2024 Boards and Commission Council Interview Panel have attached their recommendations for Council consideration and action.

In addition to the applicant positions recommended, the panel has recommended replacements should a vacancy occur for some of the positions. Vacant positions during the year will be filled with current applicants as those vacancies occur.

| PLACE | NAME | SEEKING RE-APPOINTMENT | APPLICANT AWARDED POSITION |
|--|-------------------|------------------------|----------------------------|
| ANIMAL SHELTER ADVISORY BOARD | | | |
| 3 | Brad Abraham, DVM | N | Priscilla Muhoho |
| 5 | Susan Cranford | Y | Susan Cranford |
| R1 | | | David Brown |
| R2 | | | David Brignac |
| CONSTRUCTION CODE BOARD | | | |
| 1 | Todd Cranford | Y | Todd Cranford |
| 2 | John Straube Jr | N | Jon Ennis |
| 3 | Sarah Kewak | N | Ronald Frantom |
| Alt 1 | Michael Sutera | N | Franklin McMurrian |
| Alt 3 | Amanda Cooper | N | Akbar Shaik |
| HISTORIC REVIEW COMMISSION | | | |
| 4 | Laurie Sargent | N | Tommy Todd |
| 5 | Allison Stowe | Y | Allison Stowe |
| 6 | Anita Jones | N | Edwin Caffrey |
| R1 | | | James Byrne |
| R2 | | | Jami Lindquist |
| LIBRARY BOARD | | | |
| 5 | Brian Ortiz | Y | Brian Ortiz |
| 6 | Toshia Kimball | Y | Toshia Kimball |
| 7 | Justin Strauch | Y | Justin Strauch |
| R1 | | | Jami Lindquist |
| R2 | | | Allison Stowe |
| PARKS & RECREATION BOARD | | | |
| 1 | Craig Allen | N | C'Ne Turner |
| 4 | Gerald Dyson | Y | Gerald Dyson |
| 6 | Nicholas Puente | Y | Nicholas Puente |
| 7 (1-yr. term) | Kim Mullis | N | Tarah Harrison |
| R1 | | | Farhan Khan |
| R2 | | | Ramona Kopchenko |
| PARKS & RECREATION 4B BOARD | | | |
| 3 | Sid Hoover | | |

| | | | |
|---|-------------------|--------------|---------------------|
| 4 | Matthew Porter | | |
| 5 | Auston Foster | Y | Auston Foster |
| 6 | Whitney McDougall | Y | Whitney McDougall |
| R1 | | | Cindy Nguyen |
| R2 | | | Nadeem Parvez |
| PLANNING & ZONING COMMISSION | | | |
| 1 | James Byrne | Y | Franklin McMurrian |
| 4 | Jennifer Grieser | N | Zewge Kagnev |
| 5 | Keith Scruggs | Y | Keith Scruggs |
| 7 | Harold Gouge | Y | Harold Gouge |
| R1 | | | Ronald Frantom |
| R2 | | | Ramona Kopchenko |
| PUBLIC ARTS ADVISORY BOARD | | | |
| 4 | Joseph Murdock | N | Manoj Padhi |
| 5 | Anita Jones | N | Chantelle McMurrian |
| 3 (1 yr. term) | John Treadwell | N | Afshan Khan |
| 6 | Gloria Suarez | Y | Gloria Suarez |
| 7 | Steven Shank | Y | Steven Shank |
| R1 | | | Randi Jackson |
| R2 | | | Danish Aftab |
| WYLIE ECONOMIC DEVELOPMENT BOARD | | | |
| 3 | Demond Dawkins | Y | Demond Dawkins |
| 4 | Blake Brininstool | Y | Blake Brininstool |
| 5 (2 yr. term) | Aaron Jameson | N | Harold Smith |
| ZONING BOARD OF ADJUSTMENTS | | | |
| 2 | Richard Covington | Y | Richard Covington |
| 3 (1 yr. term) | Jennifer Grieser | N | I-isha Hudson |
| 4 | Byron Betler | N (term out) | Gordon Hikel |
| 5 | Harold Smith | Y | Hamza Fraz |
| Alt 1 | Hamza Fraz | Y | Luca Pareti |

RESOLUTION NO. 2006-17(R)**A RESOLUTION OF THE CITY OF WYLIE, TEXAS ADOPTING PROCEDURES FOR THE WYLIE BOARDS AND COMMISSION INTERVIEW PROCESS AND THE APPOINTMENT OF THE 2006-07 BOARDS AND COMMISSION INTERVIEW PANEL.**

WHEREAS, the City of Wylie has nine boards and commissions comprised of a total of 54 members serving staggered two year terms; and

WHEREAS, each year the City of Wylie receives applications from residents for consideration of appointment to City of Wylie Boards and Commissions; and

WHEREAS, applicants for the board and commission members are interviewed by a Selection Panel consisting of three council members; and

WHEREAS, it has been deemed that guidelines be set for the Selection Panel, the application process, the interview process, and the appointment process of the City of Wylie Boards and Commissions.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYLIE:

SECTION 1: That the City Council of the City of Wylie will appoint a three (3) member Selection Panel each year comprised of three (3) Council Members.

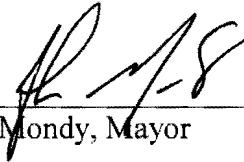
SECTION 2: That applications and scheduling of applicants to be interviewed by the Selection Panel will be completed by the City Secretary and provided to the City Council.

SECTION 3: That the interview process will be held in the City of Wylie Council Chambers and notifications of the interview dates will be posted for the public to attend.

SECTION 4: That City Council can provide a series of questions to the Selection Panel for the applicants to address during their interview.

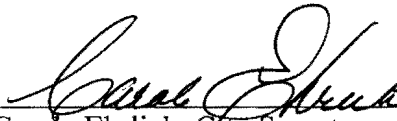
SECTION 5: Recommendations by the Selection Panel will be made in open session and the recommendations will be presented to Council for discussion and approval.

DULY PASSED AND APPROVED by the Wylie City Council on this 23rd day of May 2006.



John Mondy, Mayor

ATTEST:



Carole Ehrlich, City Secretary





Wylie City Council

AGENDA REPORT

Department: City Manager
 Prepared By: City Secretary

Account Code: _____

Subject

Consider, and act upon, appointments to fill the Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.

Recommendation

Motion to approve, _____, _____, and _____ for the Board of Review vacancies for a term to begin July 1, 2024 and end June 30, 2026.

Discussion

Per Ordinance No. 2022-01, prospective Board of Review applicants will be interviewed by the entire City Council.

Applicants:

- Jack Craig
- Jon Ennis (recommended for Construction Code Board)
- Ronald Frantom (recommended for Construction Code Board and Planning and Zoning Board Replacement)
- Fernando Martinez
- Luca Pareti (recommended for Zoning Board of Adjustment Alternate)
- Syed Shah
- Krishna Upadyaya

Board of Review Application

Personal Information

First Name*

Jack

Last Name*

Craig

Residency

You must be a Wylie resident to serve on this board.

Wylie resident*

☒ Yes ☐ No

Length of Residency

Years*

6

Months*

4

Voter Status

Registered Voter*

☒ Yes ☐ No

Voter Registration County*

Collin

Employment Information

Occupation

Bank manager

Work experience that may be beneficial to the board you are applying for.

Board/Commission Service

Currently serve on a board/commission*

☒ Yes ☐ No

Board/commission currently serving on*

Board of Review

Length of service on board/commission*

2 years

Why you would like to serve as a Board of Review member:*

I would like to continue the service I have provided to the city I live in.

Board of Review Application

Personal Information

First Name *

Fernando

Last Name *

Martinez

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

6

Months *

1

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Student

Work experience that may be beneficial to the board you are applying for.

Equal Opportunity Specialist with U.S. Dept. Of HUD, General Counsel Intern for IRS Office of General Counsel, Board Intern for National Labor Relations Board.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

As an Army veteran, I would like to be part of the city that I live in and give back to the community any way I can.

Board of Review Application

Personal Information

First Name *

Syed

Last Name *

Shah

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

0

Months *

3

Voter Status

Registered Voter *

☐ Yes ☒ No

Employment Information

Occupation

Work experience that may be beneficial to the board you are applying for.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

As a new resident of the City, I'm interested in the development and growth of the city. I can help being part of review board.

Board of Review Application

Personal Information

First Name *

Krishna

Last Name *

Upadhyaya

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

5

Months *

5

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Realtor

Work experience that may be beneficial to the board you are applying for.

I am involved with Government Affairs at Collin County Area of Realtors. I have also served on the board at different organizations including PTA, Realtor Associations and I have completed Leadership Training.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I have always believed that in order to understand the ins and outs of a system its important to be involved or serve. Wylie is a wonderful City with much growth and its important for residents to be invested with the City.

Board of Review Application

Personal Information

First Name *

Jon

Last Name *

Ennis

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

9

Months *

4

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Residential contractor and property Investor

Work experience that may be beneficial to the board you are applying for.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I have a deep respect for our community. I would like to help in anyway possible to serve for the better of all the residence. I grew up in Richardson when wylie was all feilds. Wylie has grown so much since I was a young boy and I would like to be a part of the future growth.

Board of Review Application

Personal Information

First Name *

Ronald

Last Name *

Frantom

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

2

Months *

1

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Certified Professional Building Designer

Work experience that may be beneficial to the board you are applying for.

I design production homes, luxury custom homes and Commercial architecture.

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I would like to help and give back to the community I live in.

Board of Review Application

Personal Information

First Name *

Luca

Last Name *

Pareti

Residency

You must be a Wylie resident to serve on this board.

Wylie resident *

☒ Yes ☐ No

Length of Residency

Years *

1

Months *

10

Voter Status

Registered Voter *

☒ Yes ☐ No

Voter Registration County *

Collin

Employment Information

Occupation

Business consultant

Work experience that may be beneficial to the board you are applying for.

Business growth consulting, restoration, manufacturing, property management

Board/Commission Service

Currently serve on a board/commission *

☐ Yes ☒ No

Why you would like to serve as a Board of Review member: *

I love Wylie and I'd be happy to give back to the community by serving on a board, as a father of 3 I have the best interest in having a thriving and healthy community around my family.

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, REPEALING ORDINANCE NO. 2014-19, CREATING A CODE OF CONDUCT; 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.

WHEREAS, the City of Wylie ("City" or "Wylie") desires for all of its citizens to have confidence in integrity, independence, and impartiality of those who act on their behalf in government;

WHEREAS, the City of Wylie previously adopted Ordinance No. 2014-19, establishing a Code of Ethics; and

WHEREAS, the City of Wylie desires to create a Code of Conduct and repeal Ordinance No. 2014-19, as of the Effective Date of this Ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS that:

Section 1. Creation of Code of Conduct

The City of Wylie creates this Code of Conduct (the "Code") and repeals Ordinance No. 2014-19, as of the Effective Date of this Ordinance.

Section 2. Policy

The proper operation of democratic local government requires that City Officials be independent, impartial and responsible to the people; that local government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its City Officials. It is the policy of the City of Wylie that its City Officials meet the standards of conduct established in this Ordinance. Conduct not regulated herein is not subject to this Code.

Section 3. Definitions

Administrative Board means any board, commission, or other organized body: (1) that has, by law, final decision-making authority on matters within its jurisdiction and that is either: (a) established under the City Charter, by City ordinance, or by appointment by the City Council or the Mayor; or (b) whose members are all council members or are appointed or confirmed by the City Council; or, (2) created as a non-profit economic development corporation by the City Council under the authority of the Development Corporation Act of 1979, as amended.

Advisory Board means a board, commission, or other organized body other than an Administrative Board, that was created by an act of the City Council whose members are appointed or confirmed by the City Council or by an act of the Mayor and are charged with making recommendations to the City Council on matters within its jurisdiction.

Board of Review means the body charged with reviewing and acting on Complaints under this Ordinance.

City Official or Official means the Mayor; a member of the City Council, members of Administrative Boards, and Advisory Boards, appointed by the Mayor or City Council.

Code of Conduct means this Code of Conduct ("Code"). Only a City Official may be held responsible for violations of the Code.

Economic Interest means a legal or equitable property interest in land, chattels, and intangibles, and contractual rights having a value of more than fifty thousand dollars (\$50,000.00). Service by a City Official as an Officer, director, advisor, or otherwise active participant in an educational, religious, charitable, fraternal, or civic organization does not create for that City Official an "Economic Interest" in the property of the organization.

Official Action means:

- (1) Any affirmative act (including the making of a recommendation) within the scope of, or in violation of, an Official's duties; or
- (2) Any failure to act, if the Official is under a duty to act.

Section 4. Covered officials

The rules of conduct contained below apply generally to City Officials unless otherwise specified.

Section 5. City Officials required to comply with both state and local law

When a City Official's conduct is regulated by a provision of this Ordinance and a similar provision of state law, and it is possible to comply with the requirements of both, a City Official shall comply with both.

Section 6. Education

The City shall provide training and educational materials to City Officials on their obligations under state law and this Ordinance. Such training shall include at least one formal classroom session in each calendar year. All City Officials shall annually attend the formal training session offered by the City or equivalent training sessions conducted by the City Attorney, the Texas Municipal League, or similar organizations. The City also shall prepare and distribute written materials on the subject to each City Official at the time of his or her election or appointment to office.

Section 7. Standards of Conduct for City Officials

(A) Appearance on behalf of private interests of others

- (1) A member of the City Council shall not appear before the City Council, an Administrative Board or an Advisory Board for the purpose of representing the interests of another person or entity. However, a member of the City Council may, to the extent as otherwise permitted by law, appear before any such body to represent the member's own interests or the interests of the member's spouse or minor children.
- (2) A City Official who is not a member of the City Council shall not appear before the body on which he or she serves for the purpose of representing the interests of another person or entity, and shall not appear before any other body for the purpose of representing the interests of another person or entity in connection with an appeal from a decision of the

body on which the City Official serves. However, the City Official may, to the extent as otherwise permitted by law, appear before any such body to represent the City Official's own interests or the interests of the City Official's spouse or minor children.

(B) Misuse and disclosure of confidential information

- (1) It is a violation of this Code for a City Official to violate Texas Penal Code § 39.06 (Misuse of Official Information).
- (2) A City Official shall not disclose to the public any information that is deemed confidential and/or privileged under any federal, state, local law, or Council rules, unless authorized by law.

(C) Restrictions on political activity and political contributions

- (1) No City Official shall use state or local funds or other resources of the City to electioneer for or against any candidate, measure, or political party.
- (2) A City Official shall not directly or indirectly induce, or attempt to induce, any City employee:
 - a. To participate in an election campaign (beyond merely encouraging another to vote), to participate in a political fundraising activity, or to contribute to a political candidate or political committee;
 - b. To engage in any other activity relating to a particular candidate, party or issue that is not directly related to a legitimate function of City government; or
 - c. To refrain from engaging in any lawful political activity after working hours.

(D) Use of cell phones or electronic devices by appointed or elected officials during meetings of Administrative Boards and Advisory Boards, of which they are a member

City Officials shall refrain from communicating on cell phones or electronic devices during a City meeting at which the City Official is attending as a member of that Administrative Board or Advisory Board, except as provided below. However, City Officials may access agendas and information relevant to a past, current, and/or future agenda. Cell phones shall be turned off or put on vibrate during meetings. Should it be necessary to use a cell phone, City Officials shall step down from the dais. Text messaging, emails, and other electronic or written communications shall not be sent during a meeting unless it is an emergency.

(E) Conflicts of Interest

A City Official must not use, or attempt to use, his or her official position or office, or take or fail to take any action, or influence, or attempt to influence, others to take or fail to take any action, in a manner which he or she knows, or has reason to believe, may result in a personal, financial benefit, or Economic Interest not shared with a substantial segment of the City's population, for any of the following persons or entities:

- (1) The Official;
- (2) The Official's relative, or the employer or business of the relative;
- (3) A person with which the Official has a financial or business relationship, including but not limited to:
 - a. A business of the Official, or the Official's spouse or domestic partner, or someone who works for such outside employer or business; or
 - b. A client or substantial customer.

- (4) A nongovernmental civic group, social, charitable, or religious organization of which the Official, or the Official's spouse or domestic partner, is an officer or director; or
- (5) A public or private business entity for which the Official, or his or her relative serves as a director, general partner, or officer, or in any other policy-making position except when so appointed to the position by the City.

(F) Compliance with Texas Local Government Code Chapters 171 and 176

It is a violation of this Code for a City Official to violate Texas Local Government Code, §§ 171 and 176 and Texas Penal Code § 36.08

(G) Prohibitions - Granting Special Privileges and Use of City Supplies and Equipment

It is a violation of this Code for a City Official:

- (1) To use his official position to secure special privileges or exemptions for himself or others;
- (2) To grant any special consideration, treatment or advantage to any citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group. This shall not prevent the granting of fringe benefits to City employees as a part of their contract of employment or as an added incentive to the securing or retaining of employees; or
- (3) To use City supplies, equipment or facilities for any purpose other than the conduct of official City business, unless otherwise provided for by law, ordinance or City policy.

Section 8. Board of Review

(A) Creation and appointment

There is hereby created a Board of Review ("BOR") to consist of five (5) members and two (2) alternates.

- (1) The BOR shall review Complaints regarding alleged violation(s) of the Code ("Complaints"), review applicable waivers regarding the alleged violation(s), and determine if a Complaint should be dismissed under the criteria, as outlined herein.
- (2) Prospective BOR members shall be interviewed and appointed by a majority of the City Council present at a duly called meeting.

(B) Qualifications

- (1) All members must live within the City of Wylie city limits and be at least 18 years of age;
- (2) BOR members may not be:
 - a. The spouse or the domestic partner of the individual filing the Complaint ("Complainant") or the individual who is the subject of the Complaint ("Respondent") is the spouse or domestic partner.
 - b. Serving on any other Council appointed Board or Commission during their term on the BOR;
 - c. A City Council member or City of Wylie employee, or the spouse or domestic partner of a City Council member or City of Wylie employee;
 - d. An elected public official; or
 - e. A candidate for elected public office at the time of their term on the BOR.

(C) Terms of appointment / Limitations

- (1) BOR members may serve only one (1) term of two (2) consecutive years.
- (2) BOR members shall serve until any Complaints pending during their appointed term have been fully adjudicated by the BOR.
- (3) If a person selected to serve on the BOR pursuant to this subsection cannot fulfill his or her duties as a member of the BOR due to illness, travel, disqualification under the terms outlined above, or another bona fide reason, or otherwise refuses to serve on the BOR, that person shall be requested to confirm that fact with the City Secretary in writing within 15 calendar days of receipt of the service notification. In this event, the City Secretary shall repeat the process outlined herein until a substitute has been selected.

(D) Training / Removal

- (1) BOR members must attend training regarding the role and responsibilities of service on the BOR prior to handling a Complaint. The unexcused absence of any member of the BOR from three (3) consecutive meetings, unless the BOR has excused the absence for good and sufficient reasons, as determined by the BOR, shall constitute a resignation from the BOR.
- (2) A BOR member serves at the pleasure of the City Council and may be removed before the expiration of the member's term by the City Council in its sole discretion. Before removing a member, the BOR shall specify the cause for a recommendation of removal and shall give the BOR member the opportunity to present the member's defense to removal. The recommendation for the City Council to remove a BOR member shall be brought to the City Council for an official vote.

(E) Consultation with City Attorney

The City Attorney is authorized to issue to any City Official, upon reasonable request, formal written opinions regarding the applicability of the provisions of the conduct laws to an action the City Official is considering taking in the future. The BOR and/or the City Council may consult with the City Attorney or a designee of the City Attorney regarding legal issues which may arise in connection with this section and may request advisory assistance from the City Attorney in conducting hearings during any stage of the process. The City Attorney serves as legal counsel for the City Council and not any individual City Council member.

(F) Reviewing Attorney

- (1) The City Council shall approve a list of three (3) independent private attorneys recommended by the City Attorney who may individually serve as a "Reviewing Attorney" for Complaints filed under this section. The Reviewing Attorney shall be chosen by the City Manager by lot.
- (2) To be qualified, the Reviewing Attorney must be an attorney in good standing with the State Bar of Texas, have been licensed to practice in the State of Texas for at least ten (10) consecutive years, and have at least five (5) years of experience working with municipalities in Texas. The Reviewing Attorney may not be:
 - a. A City Council member or City of Wylie employee, or the spouse or domestic partner of a City Council member, Board member or City of Wylie employee;
 - b. An elected public official; or
 - c. A candidate for elected public office at the time of their service.

(G) Complaint Process

- (1) **Filing Complaints.** Any citizen of Wylie who believes that there has been a violation of the Code may file a sworn Complaint with the City Secretary. The Complaint shall:
 - a. Identify the person or persons who allegedly committed the violation;
 - b. Provide a statement of the facts on which the Complaint is based;
 - c. To the extent possible, identify the rule or rules allegedly violated; and
 - d. Be sworn to in the form of an affidavit and be based on personal knowledge of the affiant and be subject to the laws of perjury.
 - e. The Complainant may also recommend other sources of evidence that the Reviewing Attorney should consider and may request a hearing.
 - f. Complaints arising out of an event or a series of related events shall be addressed in one complaint. Complainants shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous Complaint. When two or more Complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the City may consolidate the complaints.
- (2) **Confidentiality.** No City Official shall reveal information relating to the filing or processing of a Complaint, except as required for the performance of Official duties. Documents relating to a Complaint will be maintained by the City Secretary in accordance with applicable records retention laws and are confidential, to the extent permitted by law.
- (3) **Notice / Timelines / Representation**
 - a. Days, as used herein, is defined as City business days.
 - b. All timelines provided herein must be followed, subject only to extensions approved in writing by the City Manager based on the individual circumstances surrounding the review of the Complaint.
 - c. A Complaint must be filed with the City Secretary within six (6) months of the date the Complainant knew, or with reasonable diligence should have known, of the events or series of events giving rise to the Complaint. The City Secretary shall not accept or process any Complaint that is filed more than six (6) months after the date of the violation alleged in the Complaint. Complaints not filed within this timeframe are barred and will be dismissed as untimely.
 - d. Within three (3) business days of receiving a Complaint, the City Secretary shall provide a copy of the full Complaint to the City Official who is the subject of the Complaint ("Respondent"), the City Attorney, the City Manager, and the Reviewing Attorney.
 - e. If the City Manager is not available or is implicated, the City Secretary will provide copies, as outlined herein.
 - f. The Reviewing Attorney, BOR, and/or City Council shall allow any person who is the subject of a Complaint to designate a representative if he or she wishes to be represented by someone *else* and to present evidence, according to rules adopted by the City Council.
- (4) **Frivolous Complaint**
 - a. For purposes of this section, a "frivolous complaint" is a sworn Complaint that is groundless and brought in bad faith or groundless and brought for the purpose of harassment.
 - b. By a vote of at least two-thirds of those present, the City Council may order a Complainant to show cause why the Complaint filed by the Complainant is not frivolous.
 - c. In deciding if a Complaint is frivolous, the City Council will be guided by Rule 13 of the Texas Rules Civil Procedure, and may also consider:

- i. The timing of the sworn Complaint with respect to when the facts supporting the alleged violation became known or should have become known to the Complainant, and with respect to the date of any pending election in which the Respondent is a candidate or is involved with a candidacy, if any;
 - ii. The nature and type of any publicity surrounding the filing of the sworn Complaint, and the degree of participation by the Complainant in publicizing the fact that a sworn Complaint was filed;
 - iii. The existence and nature of any relationship between the Respondent and the Complainant before the Complaint was filed;
 - iv. If Respondent is a candidate for election to office, the existence and nature of any relationship between the Complainant and any candidate or group opposing the Respondent;
 - v. Any evidence that the Complainant knew or reasonably should have known that the allegations in the Complaint were groundless; and
 - vi. Any evidence of the Complainant's motives in filing the Complaint.
 - d. Notice of an order to show cause shall be given to the Complainant, with a copy to the Respondent, and shall include:
 - i. An explanation of why the Complaint against a Respondent appears to be frivolous; and
 - ii. The date, time, and place of the hearing to be held under this section.
 - e. Before making a determination that a sworn Complaint against a Respondent is frivolous, the City Council shall hold a hearing at which the Complainant may be heard and accompanied by his or her retained counsel.
 - f. By a record vote of at least a simple majority of those present after the hearing under this section, the City Council may determine that a Complainant filed a frivolous Complaint and may recommend sanctions against that Complainant.
 - g. Before imposing a sanction for filing a frivolous Complaint, the City Council shall consider the following factors:
 - i. The seriousness of the violation, including the nature, circumstances, consequences, extent, and gravity of the violation;
 - ii. The sanction necessary to deter future violations; and
 - iii. Any other matters that justice may require.
 - h. The City Council may impose the following sanctions:
 - i. A civil penalty of not more than \$500;
 - ii. Imposition of attorneys' fees incurred by Respondent;
 - iii. Any other sanction permitted by law; and/or
 - iv. The City Council may notify the appropriate regulatory or supervisory agency for their appropriate action. This may include a referral for criminal prosecution if the facts so warrant.
- (5) Review of Complaint
- a. Within seven (7) business days of receiving the Complaint from the City Secretary, the Reviewing Attorney shall issue a written advisory opinion, dismissing or referring the Complaint to the BOR:
 - i. Dismiss the Complaint if:
 - 1. The deadline for filing a Complaint has passed;
 - 2. The accused is not subject to the Code;
 - 3. The conduct alleged is not regulated under the Code;
 - 4. The Complaint is not completed as defined herein or signed and sworn to by the person filing the Complaint in the form of an affidavit; or

5. The person who is the subject of the Complaint had obtained a waiver permitting the conduct.
 - ii. Dismissal of a Complaint under this provision is final and non-appealable.
 - iii. If the Reviewing Attorney dismisses the Complaint, the Reviewing Attorney shall forward a copy of the dismissal to the Complainant, Respondent, City Council, and the Board on which the Respondent is a member, if applicable.
 - b. If the Reviewing Attorney does not dismiss the Complaint, as provided herein, the Reviewing Attorney shall refer the Complaint and the advisory opinion to the BOR for review under this provision. The Reviewing Attorney's referral of the Complaint and advisory opinion to the BOR does not mean that any of the allegations of the Complaint are true or false or that any current City Official has or has not violated the Code.
 - c. If the Complaint is referred to the BOR for review, the Reviewing Attorney shall also copy his or her advisory opinion to the Complainant, the City Manager, and the City Attorney within seven (7) business days of receipt of the Complaint. For Complaints not dismissed by the Reviewing Attorney, and subsequently referred to the BOR, the notice to the Respondent will include notice of the Respondent's option to file a written response to the advisory opinion with the City Secretary within seven (7) business days of receipt of the opinion from the Reviewing Attorney. The City Secretary will forward the Respondent's written response to the BOR with the Complaint and the Reviewing Attorney's advisory opinion.
- (6) Board of Review Process.
- a. The BOR shall meet within forty-five (45) days of receiving a referral of a Complaint from the Reviewing Attorney, unless extended by the City Council. The BOR will review the Complaint, the Reviewing Attorney's advisory opinion, the Respondent's response (if any), and applicable City policies, ordinances, and/or other related information (the "BOR Record").
 - b. The BOR may dismiss a Complaint as provided below or, if not dismissed, refer the Complaint to the City Council for consideration as outlined herein.
- (7) The BOR Review and City Council Review / Hearing
- a. The BOR may dismiss a Complaint if:
 - i. The alleged violation is a minor or de minimis violation;
 - ii. The Complaint *is*, on its *face*, frivolous, groundless, or brought for purposes of harassment;
 - iii. The matter has become moot because the Respondent is no longer an elected official or Administrative Board or Advisory Board member; or
 - iv. The Respondent came into voluntary compliance.
 - c. The determination regarding whether a complaint is frivolous and subject to sanctions will be addressed by the City Council as outlined in Section 8(G)(3) herein.
 - d. The BOR will conduct its review of a Complaint not dismissed pursuant to paragraph 3.a.i. of this section at meetings which are open to the public.
 - e. The rules shall require the dismissal and the reason for dismissal to be submitted by the BOR in writing and available to the public within forty-five (45) days of considering the Complaint under paragraph 4.b. above, unless extended by the City Council. A dismissal under this provision by the BOR is final and non-appealable.
 - f. If the BOR does not dismiss the Complaint, the BOR will refer the Complaint, BOR Record to the City Council within forty-five (45) business days of considering the Complaint, unless extended by the City Council.

(7) City Council Review / Hearing

- a. Not later than 15 business days after the BOR forwards a Complaint to the City Council for consideration, or 15 business days after the BOR's deadline to issue a decision, the City Secretary shall notify in writing the City Council, the Complainant and the Respondent of the date, time and location of a hearing on the Complaint. Such written notice shall be sent to the Complainant and the Respondent by email, mail, and/or certified mail, return receipt requested. If the hearing is not held within 45 business days after receipt of the Complaint, the City Secretary shall notify both the Complainant and the Respondent of the reasons for the delay.
- b. All hearings shall be conducted in accordance with the Texas Open Meetings Act, Tex. Government Code Chapter 551. The City Council shall have the right to hold the hearing in open or closed session as permitted by applicable laws and regulations. Additionally, the City Council shall establish time limits and other rules of procedure for a hearing and relating to the participation of any person in the hearing. Subject to the rules of procedure established by the City Council for the hearing:
 - i. Both the Complainant and the Respondent shall have the right to a full and complete hearing with the opportunity to call witnesses and present evidence on his/her behalf.
 - ii. All proceedings of the hearing shall be recorded by audio recording if a court reporter is not used, or reduced to writing by a court reporter if present for the hearing. If a court reporter is not used, the audio recording shall be filed with the City Secretary within such time as specified by the City Council. If a court reporter is used, the court reporter's transcript of the hearing shall be filed with the City Secretary within such time as is specified by the City Council.
 - iii. The procedures established by the City Council shall allow the Complainant and the Respondent sufficient time to examine and respond to any evidence not presented to them in advance of the hearing.
 - iv. The rules shall require the City Council to schedule the hearing at a time that is reasonably convenient to both the person who submitted the Complaint and the subject of the Complaint.
- g. The City Council shall consider the BOR Record, the Complaint, the Respondent's response (if any), and the advisory opinion of the Reviewing Attorney, and evidence submitted in the course of the hearing. The final action, decision, or vote of the council with regard to the Complaint shall be taken or made only in a meeting that is open to the public. The City Council shall base its finding of whether a violation occurred on a preponderance of the evidence. Only members of the City Council present for the hearing may participate in its decision.
- h. The City Council shall consider, when it makes findings and recommendations, the severity of offense; the presence or absence of any intention to conceal, deceive, or mislead; whether the violation was deliberate, negligent, or inadvertent; and whether the incident was isolated or part of a pattern.
- i. The City Council shall dismiss a Complaint if the Complainant does not appear at the hearing and if, in the opinion of the City Council, it would be unfair to the Respondent to proceed without the Respondent having the opportunity to question and address the issues raised in the Complaint.
- j. A City Council member may not participate in the Complaint review process and/or hearing if the member is the subject of the Complaint or is the Complainant, or if the Respondent or Complainant is related to the City Council member within a prohibited level of affinity or consanguinity.

- k. The decision of the City Council is final and non-appealable.

(H) Findings / Consequences

- (1) City Officials deemed to be in violation of the Code are subject to consequences, including but not limited to the following:
 - a. Censure - If the violation did not involve a matter of public concern and the City Council finds that a violation of this Code occurred, the City Council may issue a censure of the City Official, to the extent permitted by law.
 - b. Letter of Notification - The City Council may issue a letter of notification if the City Council finds that a violation of this Code was clearly unintentional. A letter of notification must advise the City Official of any steps to be taken to avoid future violations.
 - c. Letter of Admonition - The City Council may issue a letter of admonition if the City Council finds that a violation of this Code was minor, but where the circumstances call for a more substantial response than a letter of notification.
 - d. Reprimand - To the extent permitted by law, City Council may issue a reprimand if the City Council finds that a violation of this Code was not minor and was committed intentionally or through reckless disregard.
 - e. Removal from Leadership Position - In addition to, or in place of, the consequences outlined above, the City Council may remove a City Official from any leadership position held by that City Official as a member of the body in which the City Official serves.
 - f. Removal from Administrative Boards and Advisory Boards - In addition to, or in place of, the consequences outlined above, the City Council may remove an appointed City Official from Administrative Boards and Advisory Boards.

Section 9. Other Obligations

This Code is cumulative of, and supplemental to, applicable state and federal laws and regulations. Compliance with the provisions of this Code shall not excuse or relieve any person from any obligation imposed by state or federal law regarding conduct, financial reporting, lobbying activities, or any other issue addressed herein.

Even if a City Official is not prohibited from taking official action by this Code, action may be prohibited by duly promulgated personnel rules, which may be more stringent.

Section 10. Effective Date

This Code shall take effect on January, 11, 2022, following its adoption and publication as required by law (the "Effective Date").

Section 11. Distribution and Training

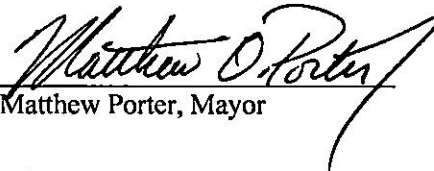
- (A) Every person shall be provided reasonable opportunity to review this Code as a condition of their candidacy and/or application to be a City Official. At the time of application for a position of City Official, every applicant shall be furnished with a copy of this Code.
- (B) Individuals seated as City Officials on the Effective Date of this Ordinance shall be bound by it and shall sign a written acknowledgement of receipt and understanding of this Code within 30 days of the Effective Date. All City Officials elected, appointed or retained following the Effective Date of this Code shall sign a written acknowledgement of receipt and understanding of this Code before

- performing any of the duties or functions of the City Official's position.
- (C) The City Attorney or City Manager as designated by the City Council shall develop educational materials and conduct educational programs for the City Officials on the provisions of this Code, the City Charter, and Chapters 171 and 176 of the Texas Local Government Code. Such materials and programs shall be designed to maximize understanding of the obligations imposed by these conduct laws.

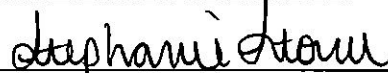
Section 12. Severability

If any provision of this Code is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application of this Code to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Code which can be given effect without the invalid or unconstitutional provision or application.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 11th day of January, 2022.


Matthew Porter, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**


Stephanie Storm



Date of publication in *The Wylie News* – January 19, 2022



The Farmersville Times • Murphy Monitor • The Princeton Herald • The Sachse News • THE WYLIE NEWS

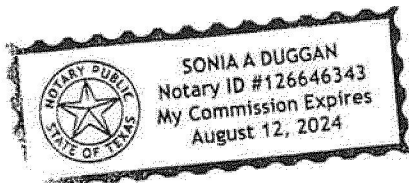
STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C & S Media, dba *The Wylie News*, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:

City of Wylie
Legal Notice – Ordinance No. 2022-01 & Ordinance No. 2021-55
was published in said newspaper on the following date(s), to-wit:
January 19, 2022

Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 20th day of January, 2022, to certify which witness my hand and seal of office.



Notary Public in and for
The State of Texas

My commission expires 08/12/2024.

**Ordinance
No. 2021-55**

An Ordinance Of The City Of Wylie, Texas, Amending Chapter 110 (Traffic And Vehicles) Of Article Vi. (Stopping, Standing, And Parking) Of Section 110-173 (Stopping, Standing, Or Parking Prohibited In Certain Places) Of The Wylie Code Of Ordinances; Creating Section 110-173 (G) Prohibiting The Stopping, Standing, Or Parking Of A Vehicle Along The North Side Of Cloudcroft Dr. From S. Ballard Ave. East To The West Property Line Of 115 Cloudcroft (Approximately 582 Feet) And The South Side Of Cloudcroft Dr. From S. Ballard Ave. East To The Point Of Intersection With Vail Ln. (Approximately 560 Feet) And On Both Sides Of Stoneybrook Dr. From S. Ballard Ave. West To The Point Of Intersection With Willow Way (Approximately 360 Feet) 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.

38-1t-86li

CITY OF WYLIE**Ordinance
No. 2022-01**

An Ordinance Of The City Of Wylie, Texas, Repealing Ordinance No. 2014-19, Creating A Code Of Conduct; 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.



Wylie City Council

AGENDA REPORT

Department: Planning

Prepared By: Jasen Haskins

Account Code: _____

Subject

Tabled from 04-23-2024

Remove from Table and consider

Continue a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Planned Development 2020-27 (PD 2020-27) to Planned Development (PD) on 20.433 acres. Property located from 2535-2701 S. State Highway 78 (ZC 2023-20).

Recommendation

Motion to approve the Item to be tabled as requested.

Discussion

OWNER: CL Blackbeard Holdco LLC

APPLICANT: Wild Land Development Consulting

The applicant is requesting this item be re-tabled as they continue to work toward addressing Council comments and concerns.

Council can choose to either accept the applicants request or accept/deny/deny with prejudice, the application as presented.

PREVIOUS REPORT

The applicant is requesting to amend Planned Development 2020-27 on 20.433 acres to allow for modified development standards for a commercial and multi-family development. The property is located from 2535-2701 S. State Highway 78. The current zoning is Planned Development 2020-27.

The original Planned Development was approved by the City Council in April 2020. The purpose of this Planned Development is to amend the development conditions and zoning exhibit. This proposal is being requested by the new property owners of the commercial and multifamily tract. As part of the proposal, the new owners are requesting that the commercial space be amended to just include the land with visible frontage along SH 78. Additionally, the multi-family tract has been amended to remove such components as the multi-story parking garage, helicopter pad, and rooftop restaurants.

Due to these requested amendments, the Planned Development amendment allows for 250 multi-family units, an increase of 100 units from the originally approved Planned Development. The new unit count represents a density of approximately 21.5 units per acre. Due to the open space for amenities, such as the dog park, the requested density is less than other 3-story suburban style complexes that typically run 24-30 units per acre. The Zoning Ordinance limits units per acre to 15, based on a 2-story garden style complex. Of the 250 requested unit maximum, the number of 3-bedroom units is limited to eight (8).

The maximum height allowed for the multi family development shall be 60' (3 stories). Two parking spaces shall be required per unit. The applicant is requesting that tandem parking be allowed and shall count as ½ space if the space is 10' wide by 20' long.

The development standards shall require for the property owner of the Commercial and Multi-Family development to complete all necessary construction for the commercial lots prior or concurrently with the Multi-Family Development. Necessary infrastructure shall include required utilities, access drives, fire lanes, perimeter landscaping/sidewalks, including a pedestrian bridge along SH 78 and Maxwell Creek.

In this revised PD, the concurrency requirements for the Townhome tract are separated from the rest of the development as the tracts are no longer owned by the same companies. However, there are still requirements for the groundwork of the commercial construction to be completed before the apartments are completed.

The adjacent property to the east contains apartments within the city of Sachse. The property to the south contains a golf course. The property to the north is undeveloped and is zoned Agricultural. The property to the west is undeveloped and is zoned Multi-Family. The subject property lies within the Regional Commercial sector of the Comprehensive Land Use Plan. The proposed zoning is compatible with the Plan.

Notices were sent to four property owners within 200 feet as required by state law. At the time of posting, no responses were received in favor or in protest of the request.

If zoning is approved, preliminary plats, final plats and site plans shall be required for the entire development.

P&Z Recommendation

The Commissioners discussed the apartment density being more. Staff noted that it's more than the Ordinance currently allows (15/acre), but with the proposed open space within the development, the 21 units per acre is under the 24-30/acre usually asked for in these types of developments. The Commissioners also asked about the commercial tenants and the developer stated they were working with the EDC to fill the spaces as quickly as possible. Lastly, the Commissioners asked for clarification on the concurrency requirements, which are explained above.

The Commission voted 6-0 to recommend approval.

Locator Map



ZONING CASE:
ZC 2023-20

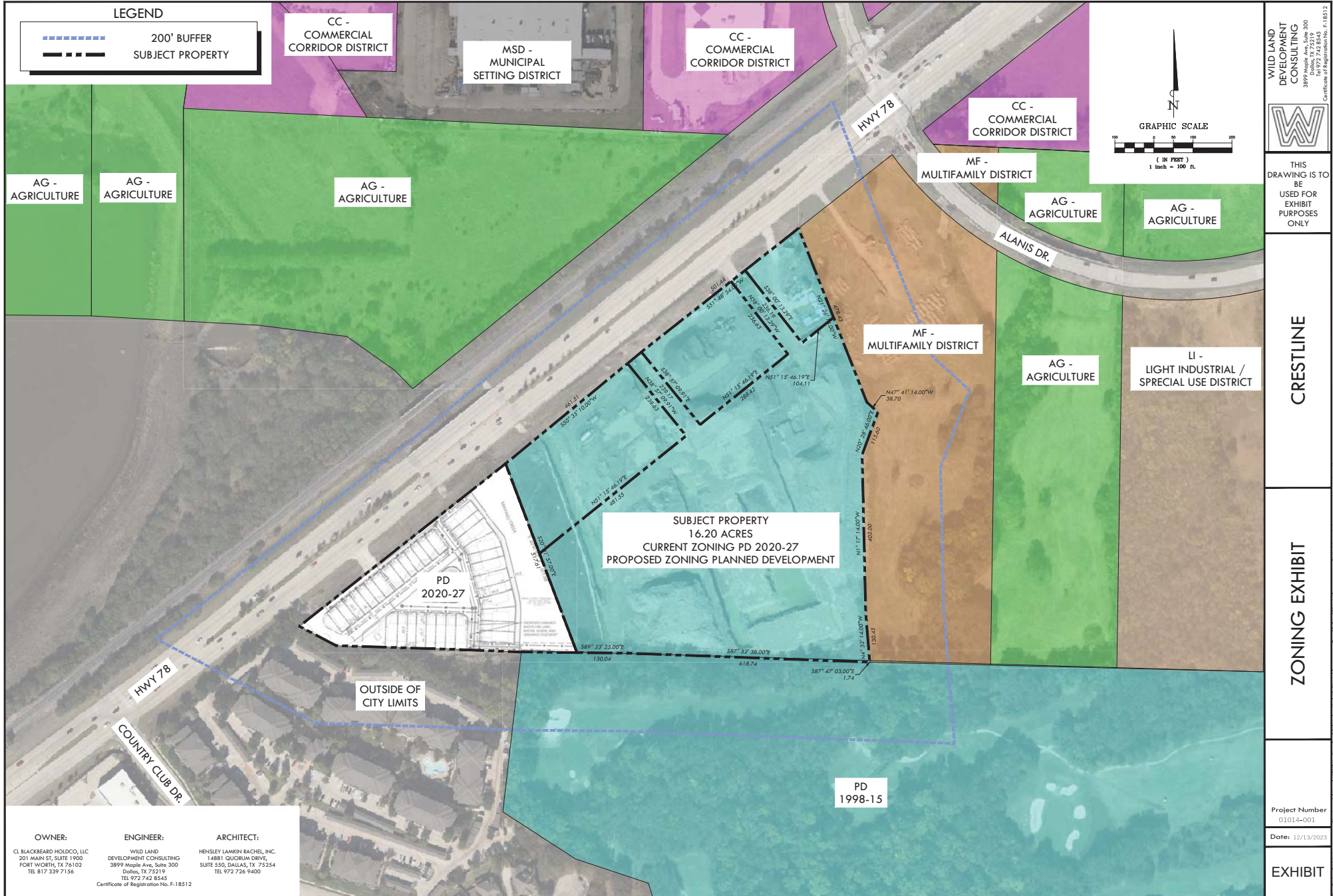
 SUBJECT property

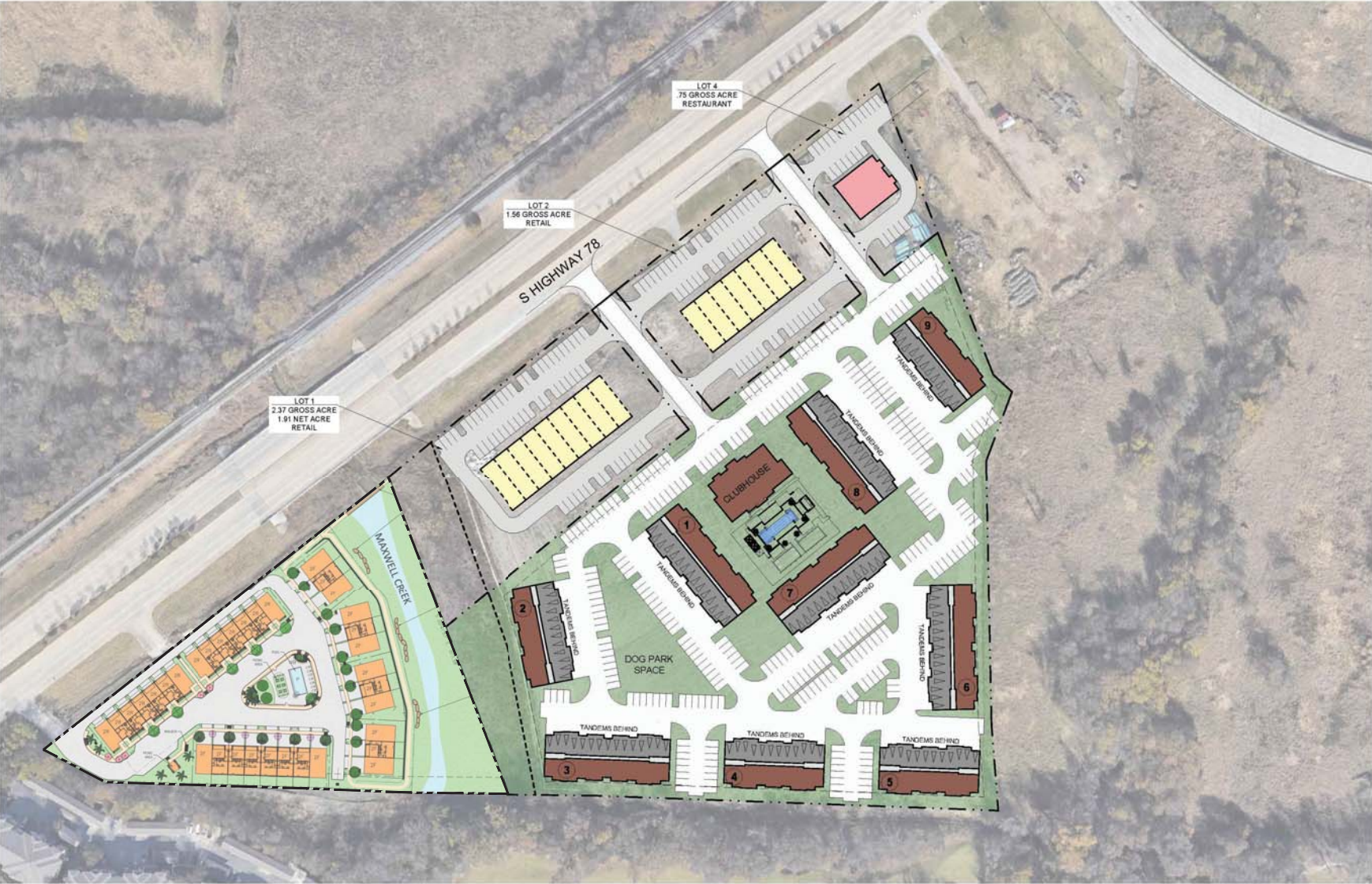
0 0.1 0.2 0.3 0.4 0.5 Miles



Date: 1/25/2024







SITE DATA

SITE LOCATION
WYLIE, TX

STRUCTURE
3 STORY GARDEN APARTMENTS

SITE DENSITY
GROSS SITE AREA +/- 11.59 GROSS ACRES
TOTAL UNITS 250
PROPOSED DENSITY +/- 21.57 UNITS/GROSS AC

| UNIT MIX | | |
|--------------|------------|---------|
| TYPE OF UNIT | # OF UNITS | TOTAL % |
| ONE BEDROOM | 135 | 54% |
| TWO BEDROOM | 115 | 46% |

| | | |
|-------------------|------|------|
| TOTAL | 250 | 100% |
| NUMBER OF BEDS | 365 | |
| ONE BED SF AVG | 805 | |
| TWO BED SF AVG | 1190 | |
| TOTAL UNIT SF AVG | 982 | |

| MINIMUM PARKING REQUIRED | | |
|--------------------------|-------------|-------|
| TYPE OF UNIT | SPACES/UNIT | TOTAL |
| ONE BEDROOM | 2 | 270 |
| TWO BEDROOM | 2 | 230 |

TOTAL 500

| PARKING PROVIDED | | |
|------------------|------------------------|-----|
| SURFACE | | 315 |
| TANDEMS | (123 TOTAL) 62 COUNTED | |
| GARAGES | | 123 |
| TOTAL | 2 SP/UN | 500 |

| COMMERCIAL | | |
|---------------------|-------------|--------|
| LOT 1 RETAIL SF | | 18,500 |
| REQ. PARKING | 1/400 SP/SF | 46 SP |
| PARKING PROVIDED | | 60 SP |
| LOT 3 RETAIL SF | | 14,400 |
| REQ. PARKING | 1/400 SP/SF | 36 SP |
| PARKING PROVIDED | | 51 SP |
| LOT 4 RESTAURANT SF | | 4950 |
| REQ. PARKING | 1/150 SP/SF | 33 SP |
| PARKING PROVIDED | | 26 SP |

NOTE:
THIS PLAN IS CONCEPTUAL IN NATURE
AND MAY HAVE BEEN PRODUCED
WITHOUT THE USE OF A SURVEY, OR
CONTACT WITH THE CITY OR COUNTY,

PLANNED DEVELOPMENT STANDARDS

EXHIBIT “C”

SILVERLAKE STATION

I. PURPOSE:

The purpose of this Planned Development is to provide development standards for a mixed use development that will provide concurrent development of commercial and residential uses.

II. DEVELOPMENT SCHEDULE:

The owner of Tract 2 property shall complete or cause completion of construction of all necessary infrastructure on Lots 1, 2, and 4 prior to or concurrently with any multi-family development on Lot 3. Necessary infrastructure shall include required utilities, access drives, fire lanes, perimeter landscaping/sidewalks, including a pedestrian bridge along SH 78 over Maxwell Creek. Parking, permanent signage and interior landscaping shall be constructed in conjunction with vertical construction on the commercial lots.

III. GENERAL CONDITIONS:

1. This Planned Development District shall not affect any rules or regulations within the City of Wylie Zoning Ordinance, Subdivision Regulations, or Code of Ordinances, as of February 29, 2024, except as specifically provided herein.
2. The development shall be in general conformance with Exhibit “B” (Zoning Exhibit). Should the City Planner, through their sole decision, or the Planning and Zoning Commission, through a majority vote, decide that any other plans, including but limited to, site plans, plats, or civil plans, do not generally conform with the Zoning Exhibit, those plans shall constitute a new zoning case.
3. The landscaping shall be a cumulative minimum 25% landscape coverage of all lots (excluding Maxwell Creek green space measured between the retaining walls).

IV. COMMERCIAL SPECIAL CONDITIONS:

1. The following uses as defined in the Comprehensive Zoning Ordinance as of the date of Planned Development adoption shall be prohibited:
 - a. Sexually Oriented Business
 - b. Equipment Rental
 - c. Automobile Rental
 - d. Automobile Repair Minor
 - e. Car Wash
 - f. Vehicle Display, Sales or Service
 - g. Smoke Shop
 - h. Smoking Establishments

- i. Any and all uses listed under Sections 5.2.H and 5.2.I of the Zoning Ordinance.
2. Lots 1, 2, and 4 shall allow drive-thru restaurants by-right. The commercial development may have drive-through speakers within 75' of multi-family use.

V. MULTI-FAMILY SPECIAL CONDITIONS:

1. The maximum height allowed for the multi-family development shall be 60' (3 stories).
2. The maximum number of multi-family units shall not exceed 250 units.
3. Two parking spaces per unit shall be required. Tandem Parking (the apron in front of a garage door of a tuck under garage in a multi-family building) shall count for ½ space if the space is 10' wide by 20' long.

VI. RESIDENTIAL TOWNHOME DESIGN STANDARDS:

1. The 4.165 acres called out as Tract 1 of Planned Development Ordinance 2020-27 shall be amended to remove the development schedule requirements for development of the Townhome Units due to the property of the Silverlake Station commercial and multi-family tracts no longer being part of the current approved Planned Development of 'The District'
2. All regulations of the Townhouse District set forth in Article 3.3 of the Comprehensive Zoning Ordinance shall apply to Tract 1 except as specifically provided herein:

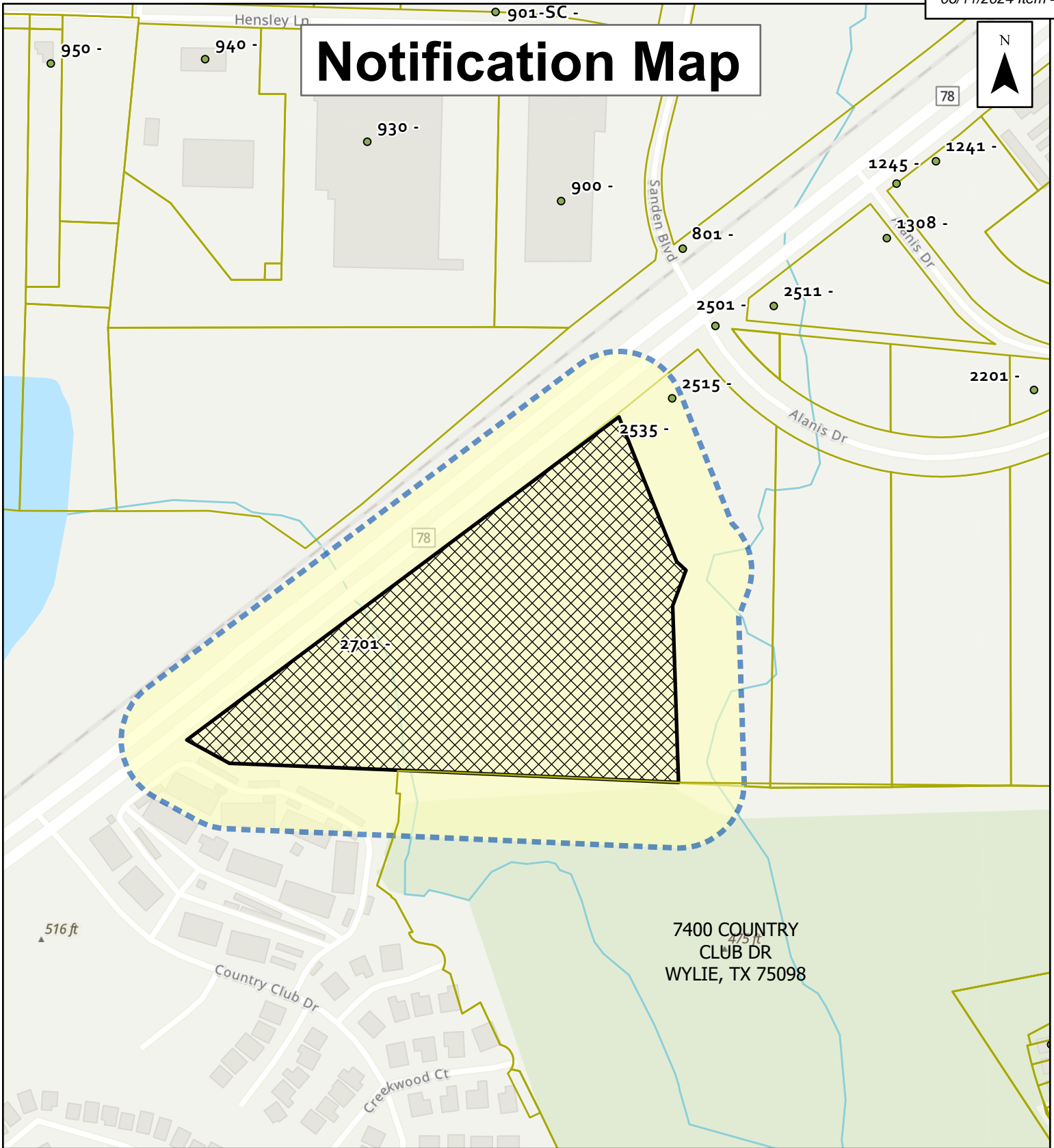
| Figure 7-1 Tract 1 4.16 Acres Townhomes | |
|---|---|
| Lot Size | Min of 1,495 SF on Rear Entry Units, 1,875 SF on Front Entry |
| Lot Width | 23' |
| Lot Depth | 66' |
| Corner Lot | 15' |
| Minimum Rear Yard | 10' |
| Minimum Front Yard | 11' |
| Building Articulation | 15%, 1 st Floor: 25% Max |
| Max. Roof Pitch | 6:12 |
| Repetition of Floor Plan | 14 same sides with color variation |
| Minimum Dwelling Area | 1,403 Square feet excludes garage |

3. The following uses as defined in the June 2023 Comprehensive Zoning Ordinance shall be allowed:
 - a. Single Family Dwelling Attached
 - b. Community Park (Public)
 - c. Neighborhood Park or Playground
4. Site Plans and Plats
 - a. A landscape plan shall be provided in conjunction with the preliminary plat. The landscape plan shall require City approval including open space approval by the City of Wylie Park Board. The plan shall comprehensively address edge treatments, perimeter screening, and individual townhouse landscape design. The

Developer shall coordinate with the City on the selection of type, style location, and size of all landscape improvements, including but not limited to plants, trees, mulch, irrigation, and benches.




5. The maximum number of townhomes in Townhome Community (Tract 1) shall be 34 Townhomes.
6. A masonry and wrought iron perimeter screen shall be provided along the property adjacent to State Highway 78 as generally shown on Exhibit F.
7. Entry Features: Architectural features shall be stone, brick, and wrought iron screening wall monuments.
8. Signage at Community Entrance: Illuminated community identification shall be incorporated into a stone screening wall or monument at the Community entrance. The sign shall be illuminated by means other than streetlights. Landscaping and upright towers for the Community entrance signage shall be constructed to generally conform to those shown in Exhibit F.
9. Sidewalk Locations: Five- foot sidewalks shall be provided within the property. Primary walkway paving shall be enhanced using earth -tone colored concrete (stain mixed, not applied after), stamped/ pattern concrete, aggregate or brick/ paver stone at a minimum of 7. 5 feet every 75 feet.
10. Sidewalk Lighting: Decorative street pole lighting shall be provided throughout the Community. The Developer shall pay for the installation including electrical connections. Operation and maintenance shall transfer to the HOA thereafter.
11. Mailboxes: Shall be located in a dedicated area as required by the United States Postal Service. Mailboxes shall be of a uniform style selected by the Developer and shall be stylistically consistent with the Townhomes Community.
12. A minimum of 15% of the land within the Townhome tract shall be used as Open Space as shown on Exhibit.
 - a. The swimming pool/grill open space area will be owned and maintained by the homeowners' association (the HOA).
13. Maintenance of all open space shall be the responsibility of the Developer until it is turned over to the Homeowners Association (HOA). Developer will be the contact entity with the City for all concerns regarding the maintenance of open space until 100% of HOA control is turned over to the homeowners.
14. Water and sanitary sewer will be extended by the Developer to the site, per the Annexation Services Agreement (City of Wylie Ordinance 2020-17) and to Texas Department of Transportation and/ or City of Wylie standards.
15. Roof pitches shall be a maximum of 6: 12 for main gables and hips. Dormer roofs and roofs over porches may have a lesser pitch.
16. Roofing materials shall be architectural grade overlap architectural shingles, metal, or composite Spanish roof tile and other roof appearances shall match the color of the roof.
17. Garage doors shall be carriage style in appearance.
18. Landscaping: Sodded front yards must be provided with a minimum of one - three- inch caliper trees. Landscaping shall also be provided along the primary walkway to any home. When automated, subsurface irrigation systems are provided, rain sensors shall be installed and operational.

Notification Map



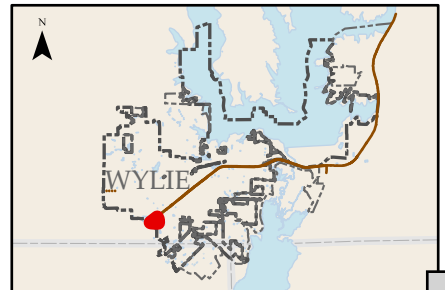
ZONING CASE:
ZC 2023-20



 SUBJECT property  200 foot Notification Buffer  Parcel Lines

0 200 400 600 800 1,000 Feet

Date: 1/25/2024





Wylie City Council

AGENDA REPORT

Department: Fire

Prepared By: Brian Ritter

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2024-19, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, repealing and replacing in its entirety Appendix A (Comprehensive Fee Schedule), Article XI (Fire Department) adopting a new Fire Department fee schedule; providing a savings/repealing clause, severability clause, penalty clause and an effective date; and providing for the publication of the caption hereof.

Recommendation

Motion to approve the Item as presented.

Discussion

Staff has reviewed the Comprehensive Fee Schedule and recommends modifications and additions to the City of Wylie Fee Schedule, specifically Section XI - Fire Department Fees. This includes the addition of Ambulance Transport Service Fees, Development Fees, Annual Contractor Registration Fees, Permit Fees, Plan Reviews, Annual Alarm Permit Fees, and Fire service mitigation rates.

The main changes to the Comprehensive Fee Schedule are the new fees associated with the new ambulance services approved in 2024; Sections J-N (Patient care fees, Mileage rates, Supply rates, No transport fees, and Ambulance standby rates).

Sections O-S are fees that have been charged since 2015 as approved by Ordinance No. 2015-24; however, they have not been included in the Comprehensive Fee Schedule. At the recommendation of our vendor, our fees have been updated to the latest industry standard and acceptable rates.

ORDINANCE NO. 2024-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE’S CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED, REPEALING AND REPLACING IN ITS ENTIRETY APPENDIX A (COMPREHENSIVE FEE SCHEDULE), ARTICLE XI (FIRE DEPARTMENT) ADOPTING A NEW FIRE DEPARTMENT FEE SCHEDULE; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE, PENALTY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”) has investigated and determined that it is necessary to modify the amount of certain fees and charges assessed and collected by the City of Wylie, Texas (“Wylie”) to pay for fire protection and emergency medical services; and

WHEREAS, the City Council therefore has determined that it should repeal and replace in its entirety Appendix A (Comprehensive Fee Schedule), Article XI (Fire Department) of the Wylie Code of Ordinances, Ordinance No. 2021-17, as amended (“Code of Ordinances”) to adopt a new Fire Department fee schedule; and

WHEREAS, the City Council finds that it would be advantageous, beneficial and in the best interest of Wylie and its citizens to amend the Code of Ordinances, as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Appendix A (Wylie Comprehensive Fee Schedule), Article XI (Fire Department) of the Wylie Code of Ordinances. Appendix A (Comprehensive Fee Schedule), Article XI (Fire Department) of the Code of Ordinances is hereby amended in its entirety as follows:

“APPENDIX A**COMPREHENSIVE FEE SCHEDULE**

...

XI. Fire Department.

| A. Fire Department Fees - Annual Permits | |
|---|---------|
| Additive manufacturing (annually): IFC 2021 105.5.1 | \$25.00 |
| Aerosol products, aerosol cooking spray products, and plastic aerosol 3 products (annually): IFC 2021 105.5.2 | \$25.00 |
| Amusement buildings (annually): IFC 2021 105.5.3 | \$25.00 |
| Aviation Facilities (annually): IFC 2021 105.5.4 | \$25.00 |

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| Carnivals and fairs (annually): IFC 2021 105.5.5 | \$25.00 |
| Cellulose nitrate film (annually): IFC 2021 105.5.6 | \$25.00 |
| Combustible Dust-Producing Operations (annually): IFC 2021 105.5.7 | \$25.00 |
| Combustible fiber (annually): IFC 2021 105.5.8 | \$25.00 |
| Compressed gasses (annually): IFC 2021 105.5.9 | \$25.00 |
| Covered and open mall Building (annually or event): IFC 2021 105.5.10 | \$25.00 |
| Cryogenic Fluids (annually): IFC 2021 105.5.11 | \$25.00 |
| Welding and cutting (annually fixed occupancy or per job): IFC 2021 105.5.12 | \$50.00 |
| Dry cleaning (annually): IFC 2021 105.5.13 | \$25.00 |
| Energy storage system (annually): IFC 2021 105.5.14 | \$25.00 |
| Exhibits and trade shows (annually): IFC 2021 105.5.15 | \$25.00 |
| Explosives (annually or per job): IFC 2021 105.5.16 | \$25.00 |
| Fire Hydrants and Valves (annually): IFC 2021 105.5.17 | \$25.00 |
| Flammable and Combustible Liquids (annually): IFC 2021 105.5.18 | \$25.00 |
| Floor Finishing (annually): IFC 2021 105.5.19 | \$25.00 |
| Fruit and crop ripening (annually): IFC 2021 105.5.20 | \$25.00 |
| Fumigation or thermal insecticidal fogging (annually): IFC 2021 105.5.21 | \$25.00 |
| Hazardous Materials IFC 2021 105.5.22 | \$25.00 |
| HPM (Hazardous Production Materials) Facilities (annually): IFC 2021 105.5.23 | \$25.00 |
| High-piled combustible storage, per building: (annually): IFC 2021 105.5.24 | \$25.00 |
| Hot Work Operations (annually): IFC 2021 105.5.25 | \$25.00 |
| Industrial Ovens (annually): IFC 2021 105.5.26 | \$25.00 |
| Lumberyard and Woodworking Plants (annually): IFC 2021 105.5.27 | \$25.00 |
| Liquid or gas-fueled vehicles or equipment in the assembly building (annually or event): IFC 2021 105.5.28 | \$25.00 |
| LP-GAS (annually): IFC 2021 105.5.29 | \$25.00 |
| Magnesium (annually): IFC 2021 105.5.30 | \$25.00 |
| Miscellaneous Combustible Storage (annually): IFC 2021 105.5.31 | \$25.00 |
| Mobile Food Preparation Vehicles (annually): IFC 2021 105.5.32 | \$25.00 |
| Motor Fuel-Dispensing Facilities (annually): IFC 2021 105.5.33 | \$25.00 |

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| Open Burning (annually): IFC 2021 105.5.34 | \$25.00 |
| Open Flames and Torches (annually): IFC 2021 105.5.35 | \$25.00 |
| Open Flames and Candles (annually): IFC 2021 105.5.36 | \$25.00 |
| Organic coatings (annually): IFC 2021 105.5.37 | \$25.00 |
| Outdoor Assembly Event (annually): IFC 2021 105.5.38 | \$25.00 |
| Places of Assembly (annually): IFC 2021 105.5.39 | \$25.00 |
| Plant Extraction Systems (annually): IFC 2021 105.5.40 | \$25.00 |
| Private Fire Hydrants (annually): IFC 2021 105.5.41 | \$25.00 |
| Pyrotechnic Special Effects Material (annually): IFC 2021 105.5.42 | \$25.00 |
| Pyroxylin Plastics (annually): IFC 2021 105.5.43 | \$25.00 |
| Refrigeration Equipment (annually): IFC 2021 105.5.44 | \$25.00 |
| Repair Garages and Motor Fuel-Dispensing Facilities (annually): IFC 2021 105.5.45 | \$25.00 |
| Rooftop Heliports (annually): IFC 2021 105.5.46 | \$25.00 |
| Spraying or dipping (annually): IFC 2021 105.5.47 | \$25.00 |
| Storage of Scrap Tires and Tire Byproducts (annually): IFC 2021 105.5.48 | \$25.00 |
| Temporary Membrane Structures and Tents (annually): IFC 2021 105.5.49 | \$25.00 |
| Tire-Rebuilding Plants (annually): IFC 2021 105.5.50 | \$25.00 |
| Waste Handling, (Junk Yard, Wrecking Yard) (annually): IFC 2021 105.5.51 | \$25.00 |
| Wood Products (annually): IFC 2021 105.5.52 | \$25.00 |
| B. Fire Department Fees - Construction and Event Permits | |
| Asbestos removal (per job) | \$25.00 |
| Assembly (parties with 50 or more guests including weddings) | \$25.00 |
| Bowling pin or alley refinishing job (per job) | \$25.00 |
| Burn permit | \$25.00 |
| Carnivals and fairs | \$50.00 |
| Commercial fire alarm installation permit: Less than ten devices | \$50.00 |
| Commercial fire alarm installation permit: 11 to 25 devices | \$75.00 |
| Commercial fire alarm installation permit: 25 to 100 devices | \$150.00 |
| Commercial fire alarm installation permit: 101 to 200 devices | \$200.00 |
| Commercial fire alarm installation permit: More than 200 devices | \$1.00 per Device |
| Commercial fire alarm installation permit: Only FACP Replacement | \$50.00 |

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| Commercial limited access security gates and perimeter fencing: \$100.00 | \$100.00 |
| Fireworks event (per event) | \$500.00 |
| Fire sprinkler overhead permit (suppression system) (<5,000 sq. ft.) | \$75.00 |
| Fire sprinkler overhead permit (suppression system) (5,001 to 10,000 sq. ft.) | \$150.00 |
| Fire sprinkler overhead permit (suppression system) (10,001 to 20,000 sq. ft.) | \$300.00 |
| Fire sprinkler overhead permit (suppression system) (20,001 to 300,000 sq. ft.) (per sq. ft.) | \$0.015/sq. ft. |
| Fire sprinkler overhead permit (suppression system) (300,001 plus sq. ft.) (per sq. ft.) | \$1,800+\$0.009/sq. ft. |
| Fire sprinkler underground permit | \$250.00 |
| Hydrant flow test (two hydrants) | \$50.00 |
| Hydrant installation (per installation) | \$50.00 |
| Opticom access control gate permit | \$50.00 |
| Paint booth | \$50.00 |
| Special fire suppression system permit | \$75.00 |
| Temporary structure, per tent (tents and temporary membrane structures) | \$25.00 |
| Trench burns | \$500.00 |
| Underground/aboveground storage tanks (includes flammable and combustible liquid storage and liquefied petroleum gas, per tank) | \$250.00 |
| Vent-A-Hood | \$50.00 |
| C. Fire Department Fees - Plan Reviews | |
| Fire Plan Reviews First Page per submittal | \$150 |
| Fire Plan Reviews each additional page after the first page per submittal | \$100 |
| D. Fire Department Fees - Inspections | |
| First failed Inspection re-inspection fee | \$50.00 |
| Second failed Inspection re-inspection fee | \$75.00 |
| Three or more failed Inspection re-inspection fee | \$100.00 |
| After-hours inspection fee, 2 Hour Minimum | \$75.00 per hour |
| F. Fire Department Fees - Development Fees | |
| Residential fire development fees, per lot | \$426.00 |
| Commercial fire development fees | \$0.20/sq. ft. |
| G. Fire Department Fees - Fire Watch Standby | |

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| Fire Watch Per Person, min. 1 hour | \$100.00 per hour |
| H. Fire Department Fees - Annual Alarm Permit Fees | |
| Burglar alarm permit monthly fee | \$4.16 |
| Fire Alarm Permit fee monthly fee | \$4.16 |
| Combination Burglar and Fire monthly fee | \$8.33 |
| I. Fire Department Fees - False Alarm Fee | |
| Fifth or More False Alarms in a rolling 12-month period | \$50.00 |
| Fourth or more false panic, medical, and all other alarms in a rolling 12-month period | \$100.00 |
| J. Ambulance Services - Patient Care | |
| Specialty Care Transport (SCT) | \$2,250.00 |
| Advanced Life Support 2 (ALS2) | \$1,750.00 |
| Advanced Life Support - Emergency | \$1,600.00 |
| Advanced Life Support - Non-Emergency | \$1,500.00 |
| Basic Life Support - Emergency | \$1,400.00 |
| Basic Life Support - Non-Emergency | \$1,350.00 |
| K. Ambulance Services - Mileage | |
| Mileage Rate | \$24.00/mile |
| L. Ambulance Services - Supplies | |
| Advanced Life Support Disposable Equipment | \$400.00 |
| Basic Life Support Disposable Equipment | \$350.00 |
| Medical Oxygen Usage fee | \$110.00 |
| M. Ambulance Services - No Transport Fees | |
| No Transport Fee | \$175.00 |
| N. Ambulance Standby Services | |
| EMS Standby - Ambulance (2 Firefighter / Paramedics) | 150.00 per hour |
| O. Fire / Rescue Services (Motor Vehicle Incidents) - Mitigation Rates (The below are average “billing levels”) | |
| Level 1 - Hazardous Materials Assessment and Scene Stabilization | \$602.00 |
| Level 2 - Clean up and material used (sorbents) for fluid clean up / Disposal | \$687.00 |
| Level 3 - Car Fire | \$838.00 |
| Add-On Services - Extrication | \$1,811.00 |

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| Add-On Services - Creating a Landing Zone | \$553.00 |
| P. Fire Rescue Services (Hazardous Materials) - Mitigation Rates | |
| Level 1 - Basic Response | \$927.00 |
| Level 2 - Intermediate Response | \$3,473.00 |
| Level 3 - Advanced Response | \$8,199.00 |
| Q. Fire Rescue Services (Fires, Including Illegal Fires) - Mitigation Rates (Includes Scene Safety, Investigation, and Fire / Hazard Control) | |
| Assignment Engine | \$554.00 per hour |
| Assignment Truck / Quint | \$693.00 per hour |
| R. Fire Rescue Services (Water Incidents) | |
| Level 1 - Basic Response | \$554.00 |
| Level 1 - Rescuer Response (Per Person) | \$68.00 per hour |
| Level 2 - Intermediate Response / Water Hazmat | \$1,110.00 |
| Level 2 - Rescuer Response (Per Person) | \$68.00 per hour |
| Level 3 - Advanced Response (Dive Rescue) / Water Hazmat | \$2,747.00 |
| Level 3 - Rescuer / Hazmat Tech Response (Per Person) | \$68.00 per hour |
| S. Fire Rescue Services - Additional On Scene Time (All Incidents) | |
| Engine | \$554.00 per hour |
| Truck / Quint | \$693.00 per hour |
| Miscellaneous Equipment Utilization | \$416.00 |

SECTION 3: Penalty. Any person, firm, corporation, or entity that violates this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not exceeding two thousand dollars (\$2,000.00) if the violation relates to the public health and sanitation, otherwise the fine shall be a sum not exceeding five hundred dollars (\$500.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 4: Savings/Repealing. All provisions of the Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5: Severability. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The

City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6: Effective Date. This Ordinance shall become effective from and after its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, on this 11th day of June 2024.

Matthew Porter, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**

Stephanie Storm, City Secretary

Date of Publication: June 19, 2024, in *The Wylie News*