

Wylie City Council Regular Meeting

April 08, 2025 – 6:00 PM

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



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS & RECOGNITIONS

PR1. Term 3 Wylie Way Students.

PR2. National Public Safety Telecommunicator Week.

PR3. Child Abuse Prevention Month.

COMMENTS ON NON-AGENDA ITEMS

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

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider, and act upon, approval of March 25, 2025 Regular City Council Meeting minutes.
- B. Consider, and act upon, approval of the 1Lt Robert F. Welch III Charity non-profit group, to hold their annual 1LT Robert F. Welch III Run for our Heroes 5K/Walk Event at Olde City Park on April 26, 2025.
- C. Consider, and act upon, approval of the Juneteenth of Wylie Organization non-profit group, to hold their annual Juneteenth Festival of Wylie Event at Olde City Park on June 14, 2025.
- D. Consider, and act upon, Ordinance No. 2025-14 amending Wylie's Zoning Ordinance, Ordinance No. 2006-04, as amended, Article 5 (Use Regulations) and Article 7 (General Development Regulations) amending certain regulations relating to smoke shops, and provide an appeal process from distance requirements.
- E. Consider, and act upon, the approval of the purchase Higher Ground 911 recording software and equipment in the estimated amount of \$114,252.31 through a cooperative purchasing contract with Commercial Electronics and authorizing the City Manager to execute any and all necessary documents.

EXECUTIVE SESSION

Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

If A governmental body may not conduct a private consultation with its attorney except:

- (1) when the governmental body seeks the advice of its attorney about:
(A) pending or contemplated litigation; or
(B) a settlement offer; or
(2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

- ES1. Receive legal advice from the City Attorney regarding Trinity Valley Ranch, LLC v. City of Wylie, Cause No. 493-02900-2024 assigned to the 493rd District Court and pending an appeal in the 5th Court of Appeals, Dallas, Texas.
- ES2. Receive legal advice from the City Attorney regarding Memorandum of Agreement Among the U.S. Army Corps of Engineers, Fort Worth District, the Texas Historic Preservation Officer, and the City of Wylie, Texas concerning the McMillen Road Project.
- ES3. Receive legal advice from the City Attorney regarding social media posts and responses by the City of Wylie and its employees and elected officials.
- ES4. Receive legal advice from the City Attorney regarding the construction road project on McMillen Road and the related contracts with the general contractor and engineer.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

REGULAR AGENDA

1. Consider, and act upon, Ordinance No. 2025-15 amending Ordinance No. 2024-25, which established the fiscal year 2024-2025 budget, providing for repealing, savings, and severability clauses, and the effective date of this ordinance.
2. Consider, and act upon, the approval of a Memorandum of Agreement (MOA) with the United States Army Corps of Engineers, Fort Worth District (USACE) as it relates to the McMillen Road Project, and authorizing the City Manager to execute any necessary documents.
3. Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Planned Development 2011-29 (PD 2011-29) to Planned Development 2011-29 - Special Use Permit (PD 2011-29-SUP) on 5.80 acres to allow for a Farmer's Market use. Property located at 711 Woodbridge Parkway (ZC 2025-01).

WORK SESSION

WS1. Wylie Police Department update and Five-Year Plan.

RECONVENE INTO REGULAR 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 April 4, 2025 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 March 25, 2025 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

March 25, 2025 – 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: Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilman Scott Williams, and Councilman Gino Mulliqi. Councilman Sid Hoover was absent.

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Fire Chief Brandon Blythe; Communications and Marketing Director Craig Kelly; City Secretary Stephanie Storm; Police Chief Anthony Henderson; Finance Director Melissa Brown; Public Works Director Tommy Weir; Community Services Director Jasen Haskins; Library Director Ofilia Barrera; Wylie Economic Development Corporation Executive Director Jason Greiner; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Kurt Ulmer, representing Faith Lutheran Church, led the Invocation, and Mayor Porter led the Pledge of Allegiance.

PRESENTATIONS & RECOGNITIONS

PR1. National Procurement Month.

Mayor Porter presented a proclamation proclaiming the month of March as National Procurement Month in Wylie, Texas. City staff members were present to accept the Proclamation.

PR2. Term 3 Wylie Way Students.

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

COMMENTS ON NON-AGENDA ITEMS

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

Members from the Wylie FFA were present to address the Council, inviting the public to the 58th Annual Wylie Show & Sale, March 30 – April 5, 2025, at the F.O. Birmingham Agricultural Center.

Mayor Porter took a break at 6:42 p.m.

Mayor Porter reconvened the Council into Regular Session at 6:45 p.m.

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 March 11, 2025 Regular City Council Meeting minutes.**
- B. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of February 28, 2025.**
- C. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for February 28, 2025.**
- D. Consider, and place on file, the City of Wylie Monthly Investment Report for February 28, 2025.**
- E. Consider, and act upon, the award of Professional Services Project Order (PSPO) No. W2025-92 for the Engineering Department with Kimley-Horn and Associates, Inc. for professional design services in relation to FM 544 Street Lighting and Signal Improvements in the amount of \$252,000.00 and authorizing the City Manager to execute any necessary documents.**
- F. Consider, and act upon, Ordinance No. 2025-12 for a change in zoning from Downtown Historic District (DTH) to Downtown Historic District - Special Use Permit (DTH-SUP) on 0.23 acres to allow for a Smoking Establishment. Property located at 308 N. Ballard Avenue (ZC 2025-02).**

Council Action

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

REGULAR AGENDA

- 1. Hold a Public Hearing, consider, and act upon, the writing of an Ordinance to amend the City of Wylie Zoning Ordinance, Articles 5.1 Land Use Charts, 5.2 Listed Uses, 7.0 General Development Regulations, as they relate to Smoke Shops.**

Staff Comments

Community Services Director Haskins addressed the Council, giving a brief presentation and answering questions from the Council.

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 6:48 p.m., asking anyone present wishing to address the Council to come forward.

No persons were present to address the Council.

Mayor Porter closed the public hearing at 6:48 p.m.

Council Action

A motion was made by Councilman Duke, seconded by Mayor *pro tem* Forrester, to approve Item 1 as presented. A vote was taken, and the motion passed 6-0 with Councilman Hoover absent.

- 2. Consider, and act upon, Ordinance No. 2025-13 of the City of Wylie, Texas; amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 74 (Offenses and Miscellaneous Provisions) by adding Article III (Camping in Public Places Not Designated as Campsites); amending Chapter 110 (Traffic and Vehicles) by adding Section 110-208 (Pedestrians on Medians).**

Staff Comments

Deputy City Manager Ollie addressed the Council, giving a brief presentation and answering questions from the Council.

Joel Walters addressed the Council, speaking about the proposed ordinance.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Williams, to approve Item 2 as presented. A vote was taken, and the motion passed 6-0 with Councilman Hoover absent.

3. **Consider, and act upon, Resolution No. 2025-09(R) authorizing the City Secretary to terminate the campaign treasurer appointment of inactive candidates or inactive political committees.**

Staff Comments

City Secretary Storm addressed the Council, giving a brief presentation.

Council Action

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

4. **Present, and place on file, the Wylie Economic Development Corporation 2024 Annual Report.**

Staff Comments

Wylie Economic Development Corporation Executive Director Greiner addressed the Council, giving a brief presentation.

Mayor *pro tem* Forrester left the meeting at 7:15 p.m.

Council Action

A motion was made by Councilman Williams, seconded by Councilman Strang, to approve Item 4 as presented. A vote was taken, and the motion passed 5-0 with Mayor *pro tem* Forrester and Councilman Hoover absent.

WORK SESSION

Mayor Porter convened the Council into Work Sessions at 7:22 p.m.

WS1. Wylie Fire Rescue update and Five-Year Plan.

Fire Chief Blythe addressed the Council, providing an update on Wylie Fire Rescue and the five-year plan, and answered questions from the Council.

RECONVENE INTO REGULAR SESSION

Mayor Porter reconvened the Council into Regular Session at 8:11 p.m.

EXECUTIVE SESSION

Mayor Porter convened the Council into Executive Session at 8:11 p.m.

Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

ES1. Consider the sale or acquisition of properties located at Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, Jackson/Oak, Regency/Steel, State Hwy 78/Brown, and State Hwy 78/Skyview.

Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.

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

- (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

ES2. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2022-1b, 2022-1c, 2023-1c, 2023-2d, 2023-11b, 2024-2d, 2024-5a, 2024-5f, 2024-7a, 2024-8d, 2024-9d, 2024-12a, 2024-12c, 2025-1a, 2025-1f, 2025-2a, 2025-3a, 2025-3b, and 2025-3d.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter reconvened the Council into Open Session at 8:53 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. 2025-12 and 2025-13 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Williams, to adjourn the meeting at 8:54 p.m. A vote was taken, and the motion passed 5-0 with Mayor *pro tem* Forrester and Councilman Hoover absent.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary



Wylie Parks and Recreation Board

AGENDA REPORT

Department: Parks and Recreation

Account Code: _____

Prepared By: Janet Pieper

Subject

Consider, and act upon, approval of the 1Lt Robert F. Welch III Charity non-profit group, to hold their annual 1LT Robert F. Welch III Run for our Heroes 5K/Walk Event at Olde City Park on April 26, 2025.

Recommendation

Motion to approve the Item as presented.

Discussion

This is the 14th year of the organization's annual fundraising event, supported by the Parks and Recreation Department and other City of Wylie departments. The event honors our military and first responders through community outreach while preserving the memories of our fallen heroes. Planned activities include a 5K walk, children's activities, live music, event t-shirt sales, a silent auction, multiple community vendor booths, and food sales from the Wylie High School AFJROTC Booster Club, local vendors, and food trucks.



Parks & Recreation Department
 300 Country Club Rd, Building 100
 Wylie, TX 75098
 972-516-6340 | Parks@wylietexas.gov

Non-Profit Park Event Application

Please note that this application is NOT required in order to reserve a pavilion or gazebo for typical private group parties, meetings, reunions, or family events. It is also NOT required to reserve an athletic field for practices or pick up games; instead click on the following link to make a reservation: <https://anc.apm.activecommunities.com/wylie>

Submission of this Non-Profit Park Event Application is required for special public non-profit events, 5K/fun runs, fundraisers, events with food and/or merchandise vendors, and all events wherein items will be sold. This form is reviewed by staff for approval prior to the requested event and must be submitted a minimum of twelve weeks in advance, and no sooner than 6 months prior to the event date being requested.

After City staff reviews the application, a Non-Profit Park Event Application may be considered for recommendation of approval by the Wylie Parks and Recreation Board, with the final review for approval completed by Wylie City Council if staff finds that:

- *Priority use is given to City Events and private rentals;*
- *All fees have been paid;*
- *The event does not:*
 - a. *Conflict or compete with another approved non-City event, in consideration of event size, location, expected attendance, etc., as determined by staff;*
 - b. *Conflict or compete with City events and programs, as determined by staff (no car shows permitted 30 days prior to or 14 days after the City-sponsored Bluegrass on Ballard event);*
 - c. *Present an unreasonable danger to health or safety;*
 - d. *Cause loss or damage to City property;*
 - e. *Interfere with or place a burden on Public Safety services;*
 - f. *Interrupt the safe and orderly movement of pedestrians and vehicles.*
- *For events including food items, applicant provides documentation from the Collin County Environmental Services indicating whether or not a Food Service/Health permit is required for the event. This includes all food items: sold, free, food trucks, catering, homemade, prepackaged, etc.;*
 - a. *Please contact the Environmental Services Specialist at 972-548-5528 or 972-548-5585. The Collin County website is www.collincountytx.gov for further information.*
 - b. *If permit is required by Environmental Services, provide staff with a list of all planned food vendors and a copy of their current Collin County Food Service/Health permit, or intent to receive a Temporary/Short-Term Event Food Service/Health Permit.*
- *There will be adequate sanitation available in or adjacent to the event, in addition to the City facilities as deemed necessary, such as port-a-lets, wash stations, and other required health facilities.*
- *The event is not being conducted for unlawful or discriminatory purposes. The event is in adherence to all Parks and Recreation rules and City Ordinances.*

Please call the Parks and Recreation Department at 972-516-6340, prompt 1, if you have any questions pertaining to the Park Event Application.

Applicant Information

Name of Organization *

1Lt Robert F Welch III Charity

Website

www.1ltwelchrunforourheroes.org

Are you a non profit? *☒ Yes ☐ No**Please upload 501c3 Documents**

501c3 tax exempt letter.jpg

780.99KB

Contact Information**Primary Contact Name ***

Becky Welch

Event Information**Event Name/Title ***

1LT Robert F. Welch III Run for our Heroes

Event Type *

5k/Walk

Purpose of event *

Honor our military and first responders through community outreach while preserving the memories of our fallen

Event Location *

Olde City Park

112 S Ballard Avenue

Proposed Event Date *

04/26/2025

Alternative Event Date *

04/26/2025

Start Time *

06:00:00 AM

☐ Include Setup**End Time ***

05:00:00 PM

☐ Include Cleanup**Do you plan to sell items of any kind?**

example: drinks, food items, t-shirts, snow cones, memberships, registrations etc.

☒ Yes ☐ No**Please specify all items you plan to sell**

The charity itself will sell event t-shirts and run a silent auction. We will have vendor booths from the community that will be selling various homemade items, jewelry, clothing, candles, books, tumblers, and more.

Will there be food items provided?☒ Yes ☐ No**Please specify the types of food items to be provided**

WHS AFJROTC Booster Club (breakfast tacos and burgers), Kona Ice, Lalos Tacos, Smo's, Taco truck, Frio's

Who is providing the food?☐ Applicant☒ Food Vendor☐ Other

Anticipated number of Participating Vendors*

65

Anticipated Event Attendance*

1,000

Event Target Audience*

Military, First Responders, and Community Members

Event Details*

The 1LT Robert F. Welch III Run for our Heroes event is held in honor of our fallen heroes as well as a way to thank all our military veterans and first responders. The event consists of a 5k run and 1 miler run, a vendor fair in Olde City Park with live music, food trucks, and kids' activities. We will also host a Free BREAKFAST for military veterans, first responders, and their families from 9-10:30am under the pavilion. The run will take place along Jackson Street and hang a left on Brown Street to continue westbound to just a little bit past Sanden where the route will loop around and runners will head back east on Brown to Jackson.

Event Announcement and/or Flyers

2025 Run for our Heroes Race Flyer.jpg

389.91KB

Signature

Becky Welch

Date*

01/26/2025



Wylie Parks and Recreation Board

AGENDA REPORT

Department: Parks and Recreation

Account Code: _____

Prepared By: Janet Pieper

Subject

Consider, and act upon, approval of the Juneteenth of Wylie Organization non-profit group, to hold their annual Juneteenth Festival of Wylie Event at Olde City Park on June 14, 2025.

Recommendation

Motion to approve the Item as presented.

Discussion

This marks the organization's sixth year of hosting its annual fundraising event, with staff support from the Parks and Recreation Department and other City of Wylie departments. The organization's mission is to educate the public about the history of Juneteenth, fostering community through fellowship, music, entertainment, and more. This year, the group will offer memberships and t-shirts for sale, alongside various vendor booths featuring crafts and food items.



Parks & Recreation Department
 300 Country Club Rd, Building 100
 Wylie, TX 75098
 972-516-6340 | Parks@wylietexas.gov

Non-Profit Park Event Application

Please note that this application is NOT required in order to reserve a pavilion or gazebo for typical private group parties, meetings, reunions, or family events. It is also NOT required to reserve an athletic field for practices or pick up games; instead click on the following link to make a reservation: <https://anc.apm.activecommunities.com/wylie>

Submission of this Non-Profit Park Event Application is required for special public non-profit events, 5K/fun runs, fundraisers, events with food and/or merchandise vendors, and all events wherein items will be sold. This form is reviewed by staff for approval prior to the requested event and must be submitted a minimum of twelve weeks in advance, and no sooner than 6 months prior to the event date being requested.

After City staff reviews the application, a Non-Profit Park Event Application may be considered for recommendation of approval by the Wylie Parks and Recreation Board, with the final review for approval completed by Wylie City Council if staff finds that:

- Priority use is given to City Events and private rentals;
- All fees have been paid;
- The event does not:
 - a. Conflict or compete with another approved non-City event, in consideration of event size, location, expected attendance, etc., as determined by staff;
 - b. Conflict or compete with City events and programs, as determined by staff (no car shows permitted 30 days prior to or 14 days after the City-sponsored Bluegrass on Ballard event);
 - c. Present an unreasonable danger to health or safety;
 - d. Cause loss or damage to City property;
 - e. Interfere with or place a burden on Public Safety services;
 - f. Interrupt the safe and orderly movement of pedestrians and vehicles.
- For events including food items, applicant provides documentation from the Collin County Environmental Services indicating whether or not a Food Service/Health permit is required for the event. This includes all food items: sold, free, food trucks, catering, homemade, prepackaged, etc.;
 - a. Please contact the Environmental Services Specialist at 972-548-5528 or 972-548-5585. The Collin County website is www.collincountytx.gov for further information.
 - b. If permit is required by Environmental Services, provide staff with a list of all planned food vendors and a copy of their current Collin County Food Service/Health permit, or intent to receive a Temporary/Short-Term Event Food Service/Health Permit.
- There will be adequate sanitation available in or adjacent to the event, in addition to the City facilities as deemed necessary, such as port-a-lets, wash stations, and other required health facilities.
- The event is not being conducted for unlawful or discriminatory purposes. The event is in adherence to all Parks and Recreation rules and City Ordinances.

Please call the Parks and Recreation Department at 972-516-6340, prompt 1, if you have any questions pertaining to the Park Event Application.

Applicant Information

Name of Organization *

Juneteenth of Wylie Organization

Website<https://www.wyliejuneteenth.org/>**Are you a non profit? ***☒ Yes ☐ No**Please upload 501c3 Documents****Contact Information****Primary Contact Name ***

Damian Johnson

Event Information**Event Name/Title ***

Juneteenth Festival of Wylie

Event Type *

Other

If other, please explain *

Festival

Purpose of event *

educate the publiuc to the history of juneteenth thru fellowship, music, and more.

Event Location *

Olde City Park

112 S Ballard Avenue

Proposed Event Date *

06/14/2025

Alternative Event Date *

06/14/2025

Start Time *

06:00:00 AM

Include Setup

End Time *

06:00:00 AM

Include Cleanup

Do you plan to sell items of any kind?

example: drinks, food items, t-shirts, snow cones, memberships, registrations etc.

☒ Yes ☐ No**Please specify all items you plan to sell**

T-Shirts and Memberships. However, vendors will sell everything from crafts to food.

Will there be food items provided?☒ Yes ☐ No**Please specify the types of food items to be provided**

Everything from prepackaged food items prepared in advance to food trucks making food and drinks on site.

Who is providing the food?☐ Applicant☒ Food Vendor☐ Other**Anticipated number of Participating Vendors ***

70

Anticipated Event Attendance *

3,000

Event Target Audience*

citizens fo Wylie and ajacent cities

Event Details*

Juneteenth of Wylie is looking to bring an event allowing our citizens to come together. Once here, we are offering entertainment, education, health and wellness tips and ideas, and a great time. We will also have 70 vendors promoting their non-profit organizations, and selling their crafts, food items and more. We have been blessed to work with the city for the past 5 years and look forward to doing so again.

Our flyers will be finalized by arch 1st.

Event Announcement and/or Flyers**Signature**A rectangular box containing a handwritten signature in cursive script that reads "Damian Johnson".**Date***

02/18/2025



Wylie City Council

AGENDA REPORT

Department: Planning

Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Consider, and act upon, Ordinance No. 2025-14 amending Wylie's Zoning Ordinance, Ordinance No. 2006-04, as amended, Article 5 (Use Regulations) and Article 7 (General Development Regulations) amending certain regulations relating to smoke shops, and provide an appeal process from distance requirements.

Recommendation

Motion to approve the Item as presented.

Discussion

On March 25, 2025, the City Council approved the writing of a City Ordinance to amend the City of Wylie Zoning Ordinance, Article 5 (Use Regulations), Sections 5.1 (Land Use Charts) and 5.2 (Listed Uses), and Article 7 (General Development Regulations), as they relate to Smoke Shops.

The Zoning Ordinance will be amended to:

- Eliminate Smoke Shops as a separate use.
- Establish a Special Use Permit process for any commercial establishment that wants to engage in the sale of smoke, vape, or CBD related products.
- Establish requirements within said process for distances from schools, churches, and other commercial entities selling said products.

The adoption of the attached Ordinance makes the appropriate amendments; and provides a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

ORDINANCE NO. 2025-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE’S ZONING ORDINANCE, ORDINANCE NO. 2006-04, AS AMENDED, ARTICLE 5 (USE REGULATIONS) AND ARTICLE 7 (GENERAL DEVELOPMENT REGULATIONS); AMENDING CERTAIN REGULATIONS RELATING TO SMOKE SHOPS, AND PROVIDE AN APPEAL PROCESS FROM DISTANCE REQUIREMENTS; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY 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 would be advantageous and beneficial to the citizens of the City of Wylie, Texas (“Wylie”) to amend Wylie’s Zoning Ordinance, Ordinance No. 2006-04, as amended, Article 5 (Use Regulations) and Article 7 (General Development Regulations) to amend regulations relating to Smoke Shops; and

WHEREAS, the City Council finds that this Ordinance contains textual amendments to the Zoning Ordinance that do not change zoning district boundaries, and therefore, written notice to individual property owners is not legally required; and

WHEREAS, the City Council finds that all legal notices required for amending the Zoning Ordinance have been given in the manner and form set forth by law, public hearings have been held on the proposed amendments and all other requirements of notice have been fulfilled; and

WHEREAS, the City Council finds that it is in the best interests of Wylie and its citizens to amend the Zoning Ordinance as set forth below, and that such amendments are in furtherance of the health, safety, morals and general welfare of the Wylie community and the safe, orderly and healthful development of Wylie.

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

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

SECTION 2: Article 5 (Use Regulations) and Article 7 (General Development Regulations) of Wylie’s Zoning Ordinance, are hereby amended as set forth in Exhibit A, attached hereto and incorporated herein by reference for all purposes.

SECTION 3: The Zoning Ordinance, as amended, 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, 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 ordinance shall remain in full force and effect.

SECTION 4: 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 5: Any person, firm, corporation or entity violating this Ordinance or any provision of Wylie's Zoning Ordinance, as amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding Two Thousand Dollars (\$2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. 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 6: This Ordinance shall become effective from and after its adoption and publication as required by law the City Charter and by law.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 8th day of April, 2025.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Date of publication: April 17, 2025, in the Wylie News



Delete Section 5.1.F.29 Smoke Shop as a listed use

											CC		LI						
29. Smoke Shop											S		S						1 Per 300-sq-ft

Delete Section 5.2.F.29 Smoke Shop as a use

~~29. Smoke Shop:~~

~~a. Definition: A retail establishment engaged in the sale of smoking and vaping products and/or paraphernalia for the consumption of smoking related products. These products include, but are not limited to; Cigarettes, cigars, e-cigarettes, pipes, hookahs, bong, tobacco, vape cartridges, and chewing tobacco. A business shall be classified as being within this use if more than 25% of the floor space, including displays and aisles, is based on the retail sale of the aforementioned products.~~

~~b. Additional Provisions:~~

~~(1) No smoke shop shall be established within 1,500 feet of another smoke shop.~~

~~(2) Shall not be closer than 300 feet to a public or private school measured in direct line from property line to property line, and in direct lines across intersections.~~

Add Section 7.11 - Smoke and Head Shop Provisions.

A. General Provisions. The sale of any smoking, vaping, and/or cannabis related products (to include but not limited to; Cigarettes, cigars, e-cigarettes, pipes, hookahs, bong, tobacco, vape cartridges, chewing tobacco, and legal cannabis products such as oils, edibles, tinctures, concentrates, and topicals.

- 1. Establishments are only permitted to sell the above products by right if the subject property was selling these products before the date of this ordinance. For property selling said products after the date of this ordinance, a Special Use Permit (SUP) must be obtained from the City of Wylie.
- 2. An establishment that sells the above products shall not be located closer than 300 feet to a church and/or public hospital measured along the property lines of the street fronts from front door to front door, and in direct lines across intersections.
- 3. An establishment that sells the above products shall not be located closer than 300 feet to a public or private school measured in a direct line from property line to property line, and in direct lines across intersections.
- 4. A SUP shall only be valid for the property owner, leasee, and /or applicant designated on the SUP for the listed lot or property. The approval of an SUP is not approval for the



use on the property in perpetuity. Should the business tied to the owner, leasee, or applicant cease as a going concern, the property or lot reverts to the base zoning.

B. Appeal of Distance Requirements. The City Council may allow variances to the distance regulations if it is determined that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community. The distance variance shall become a part of the Special Use Permit Ordinance.



Wylie City Council

AGENDA REPORT

Department: Purchasing Department
Prepared By: Christopher Rodriguez

Account Code: 100-5241-54810

Subject

Consider, and act upon, the approval of the purchase Higher Ground 911 recording software and equipment in the estimated amount of \$114,252.31 through a cooperative purchasing contract with Commercial Electronics and authorizing the City Manager to execute any and all necessary documents.

Recommendation

Motion to approve the Item as presented.

Discussion

The City of Wylie's 911 Communications Center is required to record and maintain phone and radio recordings for police, fire, and EMS. The current recording system was installed in 2017. Although a server refresh was completed this year to accommodate the PAWM Radio upgrade, the software itself is nearing end of life and is no longer meeting the needs of our growing Center and Next Generation 911 Requirements.

With the impending implementation of NG911/ESInet, a more robust software is required to handle various types of media, including text-to-911 messages, images, and videos.

This expense covers the purchase with Commercial Electronics for the recording system equipment and software. The City was awarded a state grant, Proposition 8- Next Generation 911 Service Fund (Prop 8), in April 2024 to assist emergency communications districts (ECD) with the additional cost of NG911 implementation. These funders were received from the state during FY 24-25 and will be used to fund the recording system.

Staff recommends the purchase of Higher Ground recording software in the estimated amount of \$114,252.31 through a cooperative purchasing contract with Commercial Electronics through H-GAC. The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 791 of the Texas Government Code and Section 271 Subchapter F of the Local Government Code; and by doing so satisfies any State Law requiring local governments to seek competitive bids for items.

(Wylie Agreement No. 2025-100 / H-GAC RP07-20)



Wylie City Council

AGENDA REPORT

Department: Finance
Prepared By: Melissa Brown

Account Code: See Exhibit A

Subject

Consider, and act upon, Ordinance No. 2025-15 amending Ordinance No. 2024-25, which established the fiscal year 2024-2025 budget, providing for repealing, savings, and severability clauses, and the effective date of this ordinance.

Recommendation

Motion to approve the Item as presented.

Discussion

This is part of the Memorandum of Agreement (MOA) with the USACE and necessary for construction to continue on the McMillen Road Project. The General Fund Fund Balance will decrease by \$196,295.

ORDINANCE NO. 2025-15

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2024-25, WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2024-2025; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council heretofore adopted Ordinance No. 2024-25 setting forth the Budget for Fiscal Year 2024-2025 beginning October 1, 2024, and ending September 30, 2025; and,

WHEREAS, the City Departments and Divisions routinely review their budget appropriations to determine if any changes are necessary; and

WHEREAS, based upon said review the City staff now recommends that certain amendments to the Budget be considered by the City Council; see Exhibit A; and,

WHEREAS, the City Council has the authority to make amendments to the City Budget under Article VII, Section 4 of the City Charter, as well as State law; and,

WHEREAS, the City Council has determined that the proposed amendments to the FY 2024-2025 Budget; see Exhibit A, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

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

SECTION I: The proposed amendments to the FY 2024-2025 Budget of the City of Wylie; Exhibit A, as heretofore adopted by Ordinance No. 2025-15, are completely adopted and approved as amendments to the said FY 2024-2025 Budget.

SECTION II: All portions of the existing FY 2024-2025 Budget and Ordinance No. 2024-25, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

SECTION III: Should any paragraph, sentence, sub-division, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

SECTION IV: This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

SECTION V: That all other ordinances and code provisions in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other provisions of the Wylie City Code not in conflict herewith shall remain in full force and effect.

SECTION VI: The repeal of any ordinance, or parts thereof, by the enactment of the Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue,

nor as affecting any rights of the municipality under any section or provision of any ordinances at the time of passage of this ordinance.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 8th day of April, 2025.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary

Budget Amendment
General Fund - USACE Mitigation Plan

Exhibit A

<u>Fund</u>	<u>Department</u>	<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
100	5181	56040	Special Services	196,295.00	
				<u>196,295.00</u>	<u>0.00</u>



Wylie City Council

AGENDA REPORT

Department: Engineering
Prepared By: Jenneen Elkhaid

Account Code: N/A

Subject

Consider, and act upon, an MOA with the USACE as it relates to the McMillen Road Project, and authorizing the City Manager to execute any necessary documents.

Recommendation

Motion to approve the Item as presented.

Discussion

The USACE MOA is necessary for construction to continue on the McMillen Road Project. The MOA includes involvement with the Texas Historical Commission, the U.S. Army Corps of Engineers, and additional entities such as Advisory Council on Historic Preservation (ACHP) and associated tribes.

MEMORANDUM OF AGREEMENT
AMONG
THE UNITED STATES ARMY, CORPS OF ENGINEERS, FORT WORTH DISTRICT,
THE TEXAS STATE HISTORIC PRESERVATION OFFICER,
AND THE CITY OF WYLIE, TEXAS,
REGARDING THE MCMILLEN ROAD PROJECT
LOCATED IN WYLIE, COLLIN COUNTY, TEXAS

Permit Number: SWF-2024-00078

WHEREAS, the United States Army Corps of Engineers, Fort Worth District (USACE), the lead Federal agency, is reviewing a permit application under Section 404 of the Clean Water Act to authorize dredge and fill activities for the McMillen Road Project (Project) by The City of Wylie, Texas; and

WHEREAS, The City of Wylie proposes to construct the Project in a single phase located in Wylie, Collin County, Texas; and

WHEREAS, the Project requires a USACE permit in compliance with Section 404 of the Clean Water Act; and

WHEREAS, the activity requiring a USACE permit pursuant to Section 404 of the Clean Water Act constitutes an undertaking (Undertaking) under Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended); and

WHEREAS, the USACE, in consultation with the Texas Historical Commission (THC), acting as the State Historic Preservation Officer (SHPO), considered the potential effects of the Project as provided in 33 CFR 325, Appendix C and 36 CFR 800 and established an Area of Potential Effects (APE) for direct effects to include a 17.1 acre area that includes the Project right-of-way and all associated temporary and permanent workspace, and impacts to waters of the U.S.; and

WHEREAS, the USACE determined construction occurred prior to obtaining Section 404 of the Clean Water Act permit authorization and prior to initiating archeological surveys required for Section 106 consultation and issued a Cease-and-Desist order on March 20, 2024, and

WHEREAS, The City of Wylie has completed a cultural resource survey report titled *Archaeological Survey of the Proposed City of Wylie McMillen Road Improvements, Collin County, Texas*, dated November 14, 2024, which surveyed the APE and reported that the archeological site 41COL395, a precontact campsite in sealed stratigraphic deposits, which was unevaluated for National Register of Historic Places eligibility, was damaged by unauthorized construction activities; and,

WHEREAS, the USACE determined that site 41COL395 must be treated as eligible for the NRHP and that the unauthorized Project effects to 95.9 m³ of site deposits constitute adverse effects to a historic property, and,

WHEREAS, the USACE has obtained concurrence from the SHPO have also concurred the result of the Undertaking is an adverse effect to site 41COL395, and the USACE consulted with the Advisory Council on Historic Preservation (ACHP) regarding this adverse effect; and,

WHEREAS, the USACE and the SHPO invited The City of Wylie to participate in the consultation and to join this Memorandum of Agreements (MOA) as an Invited Signatory; and

WHEREAS, the USACE has consulted with the Apache Tribe of Oklahoma, the Comanche Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Muscogee (Creek) Nation, the Tonkawa Tribe of Oklahoma, and the Wichita and Affiliated Tribes of Oklahoma and invited them to sign this MOA; and

WHEREAS, the USACE, in accordance with 33 CFR 325, Appendix C(2) and 36 CFR 800.2(c), has identified consulting parties, sought their views on the proposed Project, and provided them documentation of the adverse effects to site 41COL395 and the proposed mitigation measures; and

WHEREAS, USACE, in accordance with 33 CFR 325, Appendix C(7)(d) and 36 CFR 800.6(a)(1), notified the ACHP of its adverse effect determination with specified documentation, and the ACHP chose not to participate in the consultation pursuant to 36 CFR 800.6(1)(iii); and,

WHEREAS, the USACE, the SHPO, and The City of Wylie agreed to accomplish compliance with Section 106 through the development and execution of this MOA, and to ensure that The City of Wylie provides mitigation for the adverse effects to site 41COL395, and to ensure that The City of Wylie adheres to the Mitigation Plan appended to this MOA (Appendix A), and this MOA will be a permit condition for any after-the-fact USACE permit issued for the Project; and

NOW, THEREFORE; the USACE, the SHPO, and The City of Wylie agree that the Project shall be implemented in accordance with the following stipulations to take into account the adverse effect of the Project on site 41COL395 to satisfy the USACE's Section 106 responsibilities for this Project.

STIPULATIONS

The USACE will ensure that the following stipulations are carried out by The City of Wylie to minimize and mitigate adverse effects to site 41COL395 resultant from the Undertaking.

I. RESOLUTION OF THE ADVERSE EFFECT

- **Task 1:** Center for Archeological Studies, Texas State University Museum-in-a-Box program. Approximately 35% (\$68,292) of the funds will be spent on this task to aid CAS in production of a Museum in a Box for a relevant site in North Texas that can be loaned out for public education.
- **Task 2:** Regulatory Training for City of Wylie staff. Approximately 21% (\$41,580) of the funds will be spent on the development and execution of a training event to educate City staff on Section 404 permitting, Section 106 of the National Historic Preservation Act (NHPA), and the Antiquities Code of Texas (ACT). This training must be held within the first year following the execution of the MOA.
- **Task 3:** Missing Archeological Site Forms in the Archeological Sites Atlas. The final 27% (\$52,920) of funds will be dedicated to archival work to research and submit up to 200 site forms and spatial data to the TARL.
- **Task 4:** Donation to the Texas Archeological Society's (TAS) Reports and Curation Committee. Approximately 17% (\$33,502) of the funds will be spent on this donation to

fund analysis, reporting, and curation of field school collections that are pending for the Society.

II. CURATION AND DISPOSITION OF MATERIALS, RECORDS AND REPORTS

- A. *Curation.* The City of Wylie shall ensure that materials and associated records as required for minimization and mitigation in this MOA, are accessioned into a curatorial facility that has been certified, or granted provisional status, by the SHPO in accordance with Chapter 29.6 of the Texas Historical Commission rules (Rules of Management and Care of Artifacts and Collections).
- B. *Reports.* The City of Wylie shall provide copies of final documentation demonstrating the mitigation measures were completed to the Signatories and consulting parties. The Signatories and consulting parties shall withhold from the public all site location information and other data that may be of a confidential or sensitive nature pursuant to 33 CFR 325, Appendix C(4)(c) and 36 CFR 800.11(c).

III. PROFESSIONAL QUALIFICATIONS

All historic preservation-related investigations and mitigation requirements specified in this Agreement shall be supervised by personnel meeting professional qualifications of the Secretary of the Interior's *Professional Qualification Standards* (36 CFR Part 61) in the related discipline.

IV. DISPUTE RESOLUTION

Should any Signatory to this MOA object within thirty (30) calendar days upon receipt of any plans or other documents, pursuant to this MOA, provided by USACE, the SHPO, The City of Wylie, or others for review, or object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the objector is encouraged to consult the other Signatories in resolving the objection. If the USACE determines that such objection cannot be resolved, USACE shall perform the following tasks.

- A. **CONSULT ACHP.** Forward all documentation relevant to the dispute, including the USACE's proposed resolution, to the ACHP. The ACHP shall provide the USACE with its advice on the resolution of the objection within 30 days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the USACE shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, Signatories and concurring parties, and shall provide them with a copy of this written response. The USACE will then proceed according to its final decision.
- B. **FINAL DECISION.** If the ACHP does not provide its advice regarding the dispute within the 30-day time period, the USACE may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the USACE shall prepare a written response that takes into account any timely comments regarding the dispute from the Signatories and concurring parties to the MOA, and shall provide the Signatories, concurring parties, and the ACHP with a copy of such written response.

- C. The parties shall carry out all other actions subject to the terms of this MOA that are not the subject of the dispute.
- D. At any time during the implementation of the measures stipulated in this MOA is raised by interested persons, then USACE shall consider the objection and consult, as appropriate, with the objecting party and the consulting parties to attempt to resolve the objection.

V. DURATION, AMENDMENT, AND TERMINATION:

- A. **DURATION.** Unless terminated or amended as outlined below, this Agreement shall remain in effect for a period of five (5) years from the date the MOA goes into effect and may be extended for an additional 5-year term with the written consent of all the Signatories. Should The City of Wylie request an additional 5-year term, The City of Wylie must demonstrate that continual progress has been made to fulfill the terms of the MOA in order to justify that delays were unavoidable. Should USACE determine that progress was not being made in good faith, additional mitigation measures will be negotiated by signatories when amending the MOA term.
- B. **AMENDMENT.** This Agreement may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy signed by all of the Signatories is filed with the ACHP.
- C. **TERMINATION.** Any Signatory to this agreement may terminate this MOA by providing thirty (30) calendar days written notice to the other Signatories, pursuant to 36 CFR 800.6(c)(8). During the period after notification and prior to termination, the Signatories shall consult to seek agreement on amendments or other actions that would avoid termination. Termination of this MOA will require compliance with 36 CFR 800. This MOA may be terminated by the execution of a subsequent MOA that explicitly terminates or supersedes its terms.

VI. REPORTING AND MONITORING:

Each year following the execution of the MOA until it expires, or it is terminated, The City of Wylie shall provide all parties to this MOA a summary report detailing work undertaken pursuant to its terms. Annual reports shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in The City of Wylie's efforts to carry out the terms of the MOA.

VII. EXECUTION:

Signature of this Programmatic Agreement by the USACE, the SHPO, The City of Wylie, and implementation of its terms evidence that the USACE has considered the effects of this Project on historic properties and afforded the ACHP an opportunity to comment. Pursuant to 36 CFR 800.6(b)(1)(iv) this Agreement will go into effect when a fully executed version is received by the ACHP.

MEMORANDUM OF AGREEMENT
AMONG
THE UNITED STATES ARMY, CORPS OF ENGINEERS, FORT WORTH DISTRICT,
THE TEXAS STATE HISTORIC PRESERVATION OFFICER,
AND THE CITY OF WYLIE,
REGARDING THE MCMILLEN ROAD PROJECT
LOCATED IN WYLIE, COLLIN COUNTY, TEXAS

Permit Number: SWF-2024-00078

SIGNATORY:

United States Army, Corps of Engineers, Fort Worth District

Brandon W. Mobley, Chief, Regulatory Division

Date _____

MEMORANDUM OF AGREEMENT
AMONG
THE UNITED STATES ARMY, CORPS OF ENGINEERS, FORT WORTH DISTRICT,
THE TEXAS STATE HISTORIC PRESERVATION OFFICER,
AND THE CITY OF WYLIE,
REGARDING THE MCMILLEN ROAD PROJECT
LOCATED IN WYLIE, COLLIN COUNTY, TEXAS

Permit Number: SWF-2024-00078

SIGNATORY:

Texas State Historic Preservation Officer

Joseph Bell, State Historic Preservation Officer

Date _____

MEMORANDUM OF AGREEMENT
AMONG
THE UNITED STATES ARMY, CORPS OF ENGINEERS, FORT WORTH DISTRICT,
THE TEXAS STATE HISTORIC PRESERVATION OFFICER,
AND THE CITY OF WYLIE,
REGARDING THE MCMILLEN ROAD PROJECT
LOCATED IN WYLIE, COLLIN COUNTY, TEXAS

Permit Number: SWF-2024-00078

INVITED SIGNATORY:

The City of Wylie

Brent Parker, City Manager

Date _____

AR Consultants, Inc.

Archaeological and Environmental Consulting
1651 N. Glenville Dr., Suite 212, Richardson, Texas 75081
Phone: (214) 368-0478
Email: arc@arc-digs.com

February 10, 2025

MCMILLEN ROAD IMPROVEMENTS/41COL395 MITIGATION PLAN SWF-2024-00078/TAP#31751

Introduction

In March 2024, Binkley & Barfield, Inc. contracted with AR Consultants, Inc. (ARC) to provide a cultural resources survey for the McMillen Road Improvements project in Collin County, Texas. The project involves making improvements to McMillen Road which includes the realignment, widening, and addition of sidewalks to approximately 8,200 ft (2.5 km) of McMillen Road between McCreary Road and County Club Road in the city of Wylie (Figure 1). Additionally, twin three-span bridges will replace the existing two-lane culvert bridge at Muddy Creek, crossing over the approximately 1,312 ft (400 m) wide floodplain. This project impacts wetlands along Muddy Creek and the City of Wylie initially worked under a Nation-Wide Permit #14 (NWP) with the Fort Worth District of the U.S. Army Corps of Engineers (USACE; SWF-2024-00078). Additionally, since the City of Wylie is a political entity of the State of Texas, under the Antiquities Code of Texas (Title 9 Chapter 191 of the Texas Natural Resources Code), a Texas Antiquities Permit #31751 was issued for the cultural resource survey. Construction activities commenced prior to the required Section 106 of the National Historic Preservation Act Class III Phase I Cultural Resource Investigation being performed. A Cease-and-Desist order was issued on March 20, 2024, by the USACE.

According to Binkley & Barfield, Inc., construction activities prior to the Cease-and-Desist order included the removal of asphalt pavement from two locations: where bridge columns overlapped with the road and a segment of the road that crosses an intermittent tributary on the east side of Muddy Creek. Additionally, 42 drill shafts, measuring approximately 3 ft (0.9 m) in diameter, were excavated to a depth of approximately 10 ft (3 m) below the surface. These shafts were excavated for the installation of bridge columns and caps. It was estimated by Binkley & Barfield, Inc. that these shafts were 70% complete prior to the Cease-and-Desist order. Installation of a storm sewer was also started, with about 7% completed, and involved the excavation of a trench approximately 4 ft (1.2 m) wide and 8-12 ft (2.4-3.7 m) deep. Approximately 27% of a 175-ft-long 10 in sanitary sewer was constructed, with 8-12 ft (2.4-3.7 m) of soil excavated from a 4 ft (1.2 m) wide trench for installation. A CIP culvert was 80% completed, with 10-12 ft (3-3.7 m) of soil removed for installation. Finally, construction of a 6x5 ft culvert was initiated, with 21% of the installation completed and approximately 8-9 ft (2.4-2.7 m) of soil removed for installation.

A damage assessment was conducted by ARC which estimated that approximately 17.1 acres, and 234,999.5 cubic m of soil had been disturbed. It was recommended by ARC and approved by the

THC and USACE on July 1, 2024, that trenching be performed in the Muddy Creek floodplain, where potential for prehistoric archaeology was high, and an archaeological survey be conducted in three areas where historic potential was hypothesized to be high based on a review of historic maps and aerial photographs. The survey was conducted May 7, July 8 to 11, and October 8 to 10, 2024. The archaeological report was approved by the review agencies on December 16, 2024 and Section 404 Permit SWF-2024-00078 was assigned to the project.

Prehistoric site 41COL395 (see Figure 2) was discovered during trenching in which eight pieces of FCR, three pieces of turtle shell, two charcoal fragments and two pieces of mussel shell were identified. Further investigations at the site determined that approximately 30 percent of the site had been removed as a result of the unauthorized construction activities performed for the McMillen Road Improvements project in February 2024 (Crater Gershtein et al. 2024).

On October 10, 2024, the City of Wylie met with representatives of the USACE, THC, and ARC at the project site to assess the situation and discuss a plan forward for getting the City of Wylie back into compliance. During that meeting, the USACE and THC indicated that after-the-fact mitigation measures would be required for the City of Wylie in order to regain compliance with their permits. The level of mitigation required would be based on the estimated “Archeological Value” of the areas that were impacted by construction without the required archaeological monitoring. A Memorandum of Agreement (MOA) would be produced and signed by all applicable parties. Potential mitigation measures that were discussed during that meeting included: efforts taken by the City of Wylie to minimize direct and indirect effects; providing support to institutions such as the Texas Archeological Research Laboratory (TARL), or similar institution; providing content for local institutions such as the North Texas Archeological Society; and conducting training for City of Wylie staff over topics related to Section 404 permitting, Section 106 of the National Historic Preservation Act (NHPA), and the Antiquities Code of Texas (ACT).

The following discusses the methods and assumptions utilized to estimate the “Archeological Value” and the mitigation measures that will be taken by the City of Wylie to regain compliance with the state and federal permits associated with this project.

Archaeological Value

For the purposes of this Mitigation Plan, “Archeological Value” (AV) was defined using the methods outlined in Technical Brief 20 from the National Park Service (McAllister 2007).

“Archeological Value” is defined in Section __.14 of the ARPA Uniform Regulations:

Archaeological value. For purposes of this part, the archaeological value of any archaeological resource involved in a violation of the prohibitions in § __.4 of this part or conditions of a permit issued pursuant to this part shall be the value of the information associated with the archaeological resource. This value shall be appraised in terms of the costs of the retrieval of the scientific information which would have been obtainable prior to the violation. These costs may include, but need not be limited to, the cost of preparing a research design, conducting field work, carrying out laboratory analysis, and preparing reports as would be necessary to realize the information potential (Section __.14(a)).

The AV is a projected cost for the retrieval of scientific information as a way to assess damages to archaeological resources caused by unauthorized acts as required by the legal system (McAllister 2007:13). According to McAllister, *“This determination requires the calculation of reasonable and credible costs for appropriate retrieval of scientific information from the damaged portion of the archeological resource if it was still in an undamaged condition. These costs should be proportional to the amount of damage in order to be accepted as a justifiable measure of the harm caused. Therefore, methodological considerations that would apply to actual retrieval of information from the archeological resource do not necessarily apply in an archeological value determination.”*

To estimate the AV, the volume of the site deposit within the disturbed areas (i.e., drill platform pits) that was excavated prior to completion of a Class III Phase I Cultural Resource Investigation needed to first be determined. To do this, the overall site area, including the two drill platforms, was calculated to be 942.9 m². Then, using the average thickness of the paleosol (the geological 2Ab horizon containing archaeological materials), which was calculated to be 0.35 m, the horizontal limits of the site boundary were determined to be 330 m³. The volume for the portion of the site within the horizontal limits of the two drill platforms areas (utilizing aerial photography; see Figure 3) was then calculated and subtracted from the site total as shown in Table 1. The AV will be calculated based on the damage to the 95.9 m³ portion of the known site 41COL395.

Table 1. Estimated soil loss at 41COL395 resulting from construction activities.

Activity	Avg. Thickness (m)	M ²	Volume (m ³)
Site 41COL395	0.35*	942.9	330
Drill Platforms (total=2)**	0.35*	274.01**	95.9
Total Difference		668.89	234.1

*Based on thickness of paleosol

**Square meters calculated from aerial photographs of Drill Platforms

Utilizing this volume, the total AV was then estimated using hourly rates for staff with various project roles associated with the project and its history. The various roles and their associated rates were provided by the USACE and are summarized in Table 2.

Table 2. Hourly USACE Rates for Project Roles.

Project Roles	USACE Rates
Project Manager	\$162.36/hr
Principle Investigator (Senior Archeologist)	\$136.53/hr
Project Director/Archeologist	\$91.02/hr
Crew Chief (Staff Archeologist)	\$71.34/hr
Archeological Technician (Field Technician)	\$61.50/hr
Laboratory Technician	\$54.12/hr
Archivist	\$75.03/hr
Lodging	\$110/day
Meals	\$68/day

ARC relied upon three primary data sources for the AV calculation. The first includes statistics gathered from other data recovery efforts that have occurred in the region and that are similar to archaeological sites like 41COL395. The examples used were provided by the USACE and the statistics from each data recovery effort for those examples are summarized in Table 3. The second data source includes Phase III work that has been previously performed by ARC in the region. This effort included ARC gathering all the hours worked and invoiced for work completed for recovery excavations at site 41TR314, including report writing, to establish the baseline for the excavation data recovery efforts. Finally, the hours ARC invoiced for the fieldwork, analysis, and reporting for the previous work conducted for site 41COL395 are shown in Table 4. Utilizing these data sources allowed ARC to create a data recovery budget for 41COL395 that would have made the scientific information retrieved from the site and the level of work needed to conduct such efforts comparable with other data recovery excavations in the region.

Table 3. Comparison of data recovery statistics from 41COL395 and other sites in the region

Trinomial	Hand Excavation (m3)	Mechanical Excavation (m3)	Site Size (m2)	Site Size (acres)	C14 Dates	Flot Analyzed	XUs	Soil Mag Sus	Features	Lithics	Faunal	OSL	FTIR Samples
41COL172	16.31	540	567	0.14	5	7	24	33	3?	856	6144	-	-
41DL203	41	20	52,401	12.9	7	~100	20	35	8	3022	11,776	-	-
41DL436	17.75	285	9,000	2.22	39	54	107	257	43	43	8,700	-	-
41TR314	4.7	246.7	389	0.09	5	10	10	6	5	106	2144	-	-
41COL395	1	140	943	0.22	1	0	0.3	0	0	1	4	0	0
41COL395	12.5	89.5	943	0.22	19	25	25	5	20	150	3,200	10	25

1 Green line represents data presented under TAP31751 in Crater Gershtein et al., 2024.

2 Purple line represents the additional data recovery assumptions covered by the AV.

Table 4. Estimated Value of the previous archaeological work for site 41COL395 based on USACE rates.

Project Role	Field Hours	Lab/Report Hours	Rate (per hour or sample)	Total Cost
Principal Investigator/Specialists	26	60	\$136.53	\$11,741.58
Crew Chief	45	4	\$71.34	\$3,495.66
Field Tech	40	0	\$61.50	\$2,460
Geoarchaeologist	32	80	\$136.53	\$15,291.36
Backhoe Rental (& Operator)	40	0	\$136.53	\$5,461.2
Per Diem (Days)	12	0	\$68	\$816
	# of Samples			
Radiocarbon Dates	1		\$890	\$890
			TOTAL	\$40,155.80

In addition to the data sources discussed above, the following assumptions were used to estimate the AV (Table 5):

- Coordinating a TAP or a modification to existing permit.
- Backhoe rental/operator shown at Specialist rate (ARC routinely works with archaeologists who were equipment operators).
- A local project with no lodging needed.
- Hand excavation of 12.5 m³ as a 13% sample of the total site volume.
 - 25 1x1 m units excavated through the 0.35-m-thick paleosol.
- Minimally what was done for the previous excavations and standards for most recent data recovery excavations
 - Flotation (from 50% of units)
 - Flotation samples from every identified feature
 - Stable Isotopes
 - 5 Magnetic Susceptibility samples
 - Particle size analysis
 - Radiocarbon Dates (minimum 19 additional dates)
 - 25 Fourier-Transform Infrared Spectroscopy (FTIR) Samples.
 - 10 Optically Stimulated Luminescence (OSL) Dates.
- Lab analysis of artifacts
- Report writing
- Curation

Table 5. Estimated Archeological Value of the 95.9 m³ damaged 41COL395.

Project Role	Field Hours	Lab/Report Hours	Rate (per hour or sample)	Total Cost
Principal Investigator/Specialists	100	173	\$136.53	\$37,272.69
Crew Chief	400	40	\$71.34	\$31,389.60
Field Tech	400	40	\$61.50	\$27,060.00
Palaeobotanical Analyst	0	45	\$136.53	\$6,143.85
Faunal Analyst	0	80	\$136.53	\$10,922.40
Geoarchaeologist	28	80	\$136.53	\$14,745.24
Mussel Shell Analyst	0	80	\$136.53	\$10,922.40
Backhoe Rental (& Operator)	35	0	\$136.53	\$4,778.55
Per Diem (Days)	112.5		\$68	\$7,650
	# of Samples			
Radiocarbon Dates (\$890)	19		\$890	\$16,910
FTIR Samples (\$660)	25		\$660	\$16,500
OSL Dates	10		\$1200	\$16,500
			TOTAL	\$196,294.73

Archaeological Value Summary

For the purposes of this Mitigation Plan, the AV was calculated utilizing the 95.9 m³ of site volume, to be \$196,294.73. As previously shown in Table 3, these proposed excavation efforts would be comprehensive and comparable with what has been done at other sites in the region and previously performed by ARC. As such, considering the above data recovery assumption and the scale of that data, it provides more than reasonable and credible costs for an appropriate retrieval of scientific information from the damaged portion of the archeological resource if it was still in an undamaged condition.

Furthermore, the estimated total AV for the scale of this proposed data recovery effort is much higher than the scale of information retrieval that is possible from the 95.9 m³ portion of the site that was damaged during construction. As such, this combined AV is an appropriate value to carry out 41COL395's mitigation plan.

Mitigation

To mitigate for the impacts to site 41COL395, ARC and the City of Wylie propose the following mitigation tasks:

1. Donation to the Center for Archaeological Studies (CAS), Texas State University Museum-in-a-Box program. Approximately 35% (\$68,292) of the funds will be spent on this task to aid CAS in the production of a Museum-in-a-Box for the North Texas Region that can be loaned out for public education. This task must be completed within five years following the execution of the MOA. A yearly summary will be provided to the agencies until the task has been completed. CAS estimated the cost for this task based on previous production costs for a Museum-in-a-Box for the Central Texas Region. The estimated cost considers CAS and ARC labor for developing content and production of materials, website updates, product launch/advertisement, and the material preparation/shipping/handling costs for 2 years (Table 6). These costs are then broken down between initial labor costs and maintenance/operations undertakings.

Action Items

- I. A development plan between CAS and ARC will be created.
- II. ARC will submit a proposal to the City of Wylie for the time and materials needed to collaborate with CAS in the production of the Museum-in-a-Box, to be signed within 3 months following the execution of the MOA.
- III. The City of Wylie will allocate the funds in preparation for the donation.
- IV. A donation agreement will be drafted by CAS and the City of Wylie, coordinated by ARC, outlining the expectations of both donor and donee.

- V. Six copies of the North Texas Museum-in-a-Box will be produced according to the development plan with five copies designated to CAS and one copy designated to the Wylie ISD.
- VI. An announcement of the completed Museum-in-a-Box will be dispersed to all schools in Wylie ISD. In addition, one copy of the Museum-in-a-Box will be left in the care of Wylie ISD.
- VII. A letter of completion from CAS will be sent to the USACE, THC, and City of Wylie as verification that Mitigation Task 1 has been completed.

Table 6. Cost breakdown for Mitigation Task 1.

Project Role	Work Hours	Rate	Total Cost
Principal Investigator	50	\$154 (per hour)	\$7,700
CAS Labor	590	Varied	\$27,631
M&O Costs	-	-	\$31,012
Added Cost for 1 box to remain in Wylie	-	-	\$1949
TOTAL			\$68,292

- 2. Regulatory training for the City of Wylie staff. Approximately 21% (\$41,580.00) of the funds will be spent on the development and execution of a training event to educate staff on Section 404 permitting, Section 106 of the National Historic Preservation Act (NHPA), and the Antiquities Code of Texas (ACT; see Table 7). This training must be held within the first year following the execution of the MOA.

Action Items

- I. ARC will submit a proposal for the work to be performed to the City of Wylie, to be signed within 3 months following the execution of the MOA.
- II. The City of Wylie and ARC will determine the time, date, and location for the regulatory training.
- III. ARC will notify the USACE and THC of the time, date, and location of the regulatory training.
- IV. The City of Wylie will provide a list of which staff, and how many, will be required to attend the training, to be approved by the USACE and THC.
- V. ARC will prepare a presentation and educational materials.
- VI. Training will be executed within the first year following the execution of the MOA.

Table 7. Cost breakdown for Mitigation Task 2.

Project Role	Work Hours	Rate	Total Cost
Principal Investigator	270	\$154 (per hour)	\$41,580.00
TOTAL			\$41,580.00

3. Donation to the Missing Archeological Site Forms in the Archeological Sites Atlas. The final 27% (\$52,920.00) of funds will be dedicated to archival work performed by ARC to research and submit up to 200 site forms and spatial data to TARL (Table 8).

Action Items

- I. ARC will submit a proposal for the work to be performed to the City of Wylie, to be signed within 3 months following the execution of the MOA.
- II. Upon receipt of the list of sites from the USACE, ARC will submit a Purchase Order to TARL for a file search of all sites.
- III. ARC will perform additional archival research as needed and produce the site forms and site boundary shapefiles for all sites, when possible. Site forms and spatial data will be submitted to TARL within five years following the execution of the MOA.
- IV. ARC will submit to the City of Wylie, USACE, and THC invoices from TARL as verification that Mitigation Task 3 has been completed within five years following the execution of the MOA. A yearly summary will be provided to the agencies until the task has been completed.

Table 8. Cost breakdown for Mitigation Task 3.

Project Role	Research Hours	Rate	Total Cost
Principal Investigator	180	\$154 (per hour)	\$26,720.00
TARL Staff File Search	40	\$50 (per hour)	\$2,000.00
Site Form/Shapefile Submission	-	\$121 (per site)	\$24,200.00
		TOTAL	\$52,920.00

4. Donation to the Texas Archeological Society's (TAS) Reports and Curation Committee. The remaining funds, approximately 17% (\$33,502.73), will be spent on this donation to fund analysis, reporting, and curation of field school collections that are pending for the Society (Table 9). The donation will be given within the first year following the execution of the MOA.

Action Items

- I. ARC will submit a proposal to the City of Wylie for the time and materials needed to coordinate the donation between parties, to be signed within 3 months following the execution of the MOA.
- II. The City of Wylie will allocate the funds in preparation for the donation.
- III. A donation agreement will be drafted by the TAS and the City of Wylie, coordinated by ARC, outlining the expectations of both donor and donee.
- IV. The agreed-upon funds will be transferred to the TAS.
- V. A letter of receipt will be sent to the USACE, THC, and City of Wylie as verification that Mitigation Task 4 has been completed.

Table 9. Cost breakdown for Mitigation Task 4.

Project Role	Work Hours	Rate	Total Cost
Principal Investigator	9	\$154 (per hour)	\$1,386.00
Donation to TAS			\$32,116.73
		TOTAL	\$33,502.73

Summary & Conclusions

The construction of the McMillen Road Improvement project prior to a cultural resources survey resulted in a violation of the City's Section 404 permit (USACE Permit SWF-2024-00078), Section 106 of the NHPA, and the ACT. Based on the estimated metric volume of the site situated within the impacted project area, an AV of \$196,294.73 was determined. The City of Wylie will utilize the AV to complete four mitigation tasks (Table 10). The City of Wylie will spend 35% (68,292.00) of the AV on the Center for Archaeological Studies, Texas State University Museum-in-a-Box program, and allocate \$41,580.00 (21% of the AV) toward archival work for the TARL Missing Archeological Site Forms in the Archeological Sites Atlas initiative. Additionally, the City of Wylie will utilize 27% of the AV (\$52,590.00) for a training event or training series to educate City of Wylie staff on Section 404 permitting, Section 106 of the National Historic Preservation Act, and the Antiquities Code of Texas. Finally, the City of Wylie will utilize the remaining 17% (\$33,502.73) of the AV to help the Texas Archeological Society's (TAS) Reports and Curation Committee fund analysis, reporting, and curation of field school collections that are pending for the Society. These actions will serve as an after-the-fact mitigation strategy to bring the City of Wylie back into compliance with the USACE and THC permits. Additionally, since the project involves a TAP from the THC, these after-the-fact mitigation measures will be added as an appendix to the original survey report (Crater Gershtein et al., 2024). ARC is currently preparing the associated paperwork for the project to be curated at the Center for Archaeological Studies (CAS) at Texas State University in San Marcos.

Table 10. Mitigation Task Costs.

Task 1	\$68,292.00	35%
Task 2	\$41,580.00	21%
Task 3	\$52,920.00	27%
Task 4	\$33,502.73	17%
Total	\$196,294.73	100%

If you have any questions, please contact me at 214-368-0478 or 682-712-3053.

Sincerely,



Kathryn M. Crater Gershtein, MA, RPA

Principal Investigator

AR Consultants, Inc.

References Cited

Crater Gershtein, Kathryn M., Karl Kibler, Cody S. Davis, Jacob Bledsoe, and Annaliese Sonntag

2024 *Archaeological Survey of the Proposed City of Wylie McMillen Road Improvements, Collin County, Texas*. Cultural Resources Report 2024-DRAFT. AR Consultants, Inc., Richardson.

McAllister, Martin E.

2007 *Technical Brief 20: Archeological Damage Assessment: Legal Basis and Methods*. DOI Departmental Consulting Archeologist/NPS Archeology Program, Washington, DC.



Wylie City Council

AGENDA REPORT

Department: Planning

Prepared By: Jasen Haskins

Account Code: _____

Subject

Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Planned Development 2011-29 (PD 2011-29) to Planned Development 2011-29 - Special Use Permit (PD 2011-29-SUP) on 5.80 acres to allow for a Farmer's Market use. Property located at 711 Woodbridge Parkway (ZC 2025-01).

Recommendation

Motion to approve the Item as presented.

Discussion

OWNER: Wylie Cinema LLC

APPLICANT: Wylie Farmers Market

The applicant is requesting a Special Use Permit (SUP) on 5.80 acres to allow for a Farmer's Market use at 711 Woodbridge Parkway as generally depicted in Zoning Exhibit "B". A Farmer's Market is an allowed use with a Special Use Permit per Section 5.2 of the Zoning Ordinance.

The applicant ran a Farmer's Market last year under a Temporary Use Permit. That TUP use was successful under roughly the same set-up as presented here. However, a TUP only allows for a maximum of four months per calendar year and must be applied for each year. This SUP would allow for the Farmer's Market to be permanent as long as the requirements below are met.

The SUP conditions allow for a Farmer's Market use with the following special conditions:

- A calendar of operation dates shall be provided to the Planning Department a minimum of 30 days prior to the first event each calendar year. All changes shall be submitted 30 days prior to the new dates commencing.
- The Farmers Market shall operate on a Saturday twice a month. Setup shall be from 7am to 9am. Operating hours shall be from 9am to 1pm. Tear down shall be from 1pm to 2pm.
- A minimum of two security officers, provided by the operator of the farmer's market, shall be required during all hours of operation.
- The SUP shall act as a shared parking agreement between the nonprofit Wylie Farmers Market and Wylie Cinema Company LLC as allowed by Section 7.3F of the Zoning Ordinance.
- An updated vendors list shall be maintained and provided by the applicant at the city's request. All mobile food units and vendors shall be required to be in compliance with the rules and regulations for food services as required by the City of Wylie and Collin County.
- Smoke shop products such as the following: cigarettes, cigars, e-cigarettes, pipes, hookahs, bongos, tobacco, vape cartridges chewing tobacco, CBD smokable products and other smoke, vape, or CBD type products, shall be banned from being sold by vendors.
- The SUP shall be null and void should the Farmers Market not be owned by nonprofit Wylie Farmers Market.

The current zoning is Planned Development 2011-29 which allowed for the Theater Use currently on the property.

The property to the north is developed with a self-storage development. The property to the south is undeveloped and zoned Agricultural. The property to the east is developed with an apartment complex. The property to the west is developed with an outside storage light industrial use.

The subject property lies within the Regional Commercial sector of the Comprehensive Land Use Plan. Development within this sector's main purpose is to allow for a broad range of commercial, retail, and office uses oriented toward major roadways. The secondary purpose is heavy commercial or light industrial use depending on the compatibility with the surrounding areas.

Notices were sent to fifteen (15) property owners within 200 feet as required by state law. At the time of posting, no responses were received in favor or none in opposition of the request.

P&Z Recommendation

The P&Z Commission voted 7-0 to recommend approval with the condition that the language for prohibited products be amended to “including but not limited to” and the addition of “edibles”. Those changes were made for the current SUP Conditions.

Locator Map



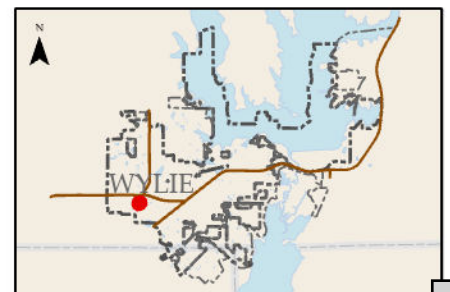
ZONING CASE:
ZC 2025-01 711 Woodbridge Parkway

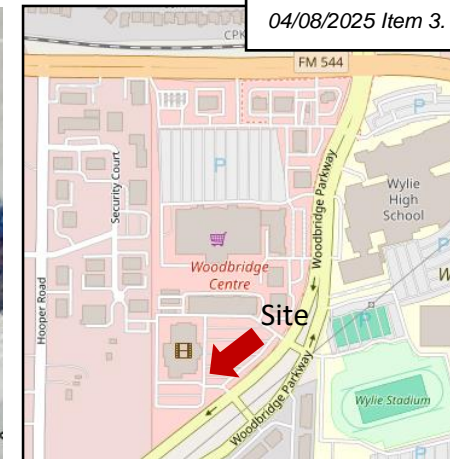
 SUBJECT property

0 100 200 400 600 800 1,000 Feet



Date: 2/20/2025





Vicinity Map



Legend

	Barricade
	Wylie PD
	Trash Bin
	Restrooms Inside B&B
	Welcome Spaces
	Vendor Booths
	Food Trucks / Specialty

Wylie Farmers Market Zoning Exhibit

Part of
Lot 1, Block A
Woodbridge Center Phase II

Wylie's Farmers Market

EXHIBIT "C"

Conditions For Special Use Permit

I. PURPOSE:

1. The purpose of this Special Use Permit is to allow for a Farmers Market use within Planned Development 2011-29 (PD 2011-29) formerly Planned Development 2003-01 (2003-01).

II. GENERAL CONDITIONS:

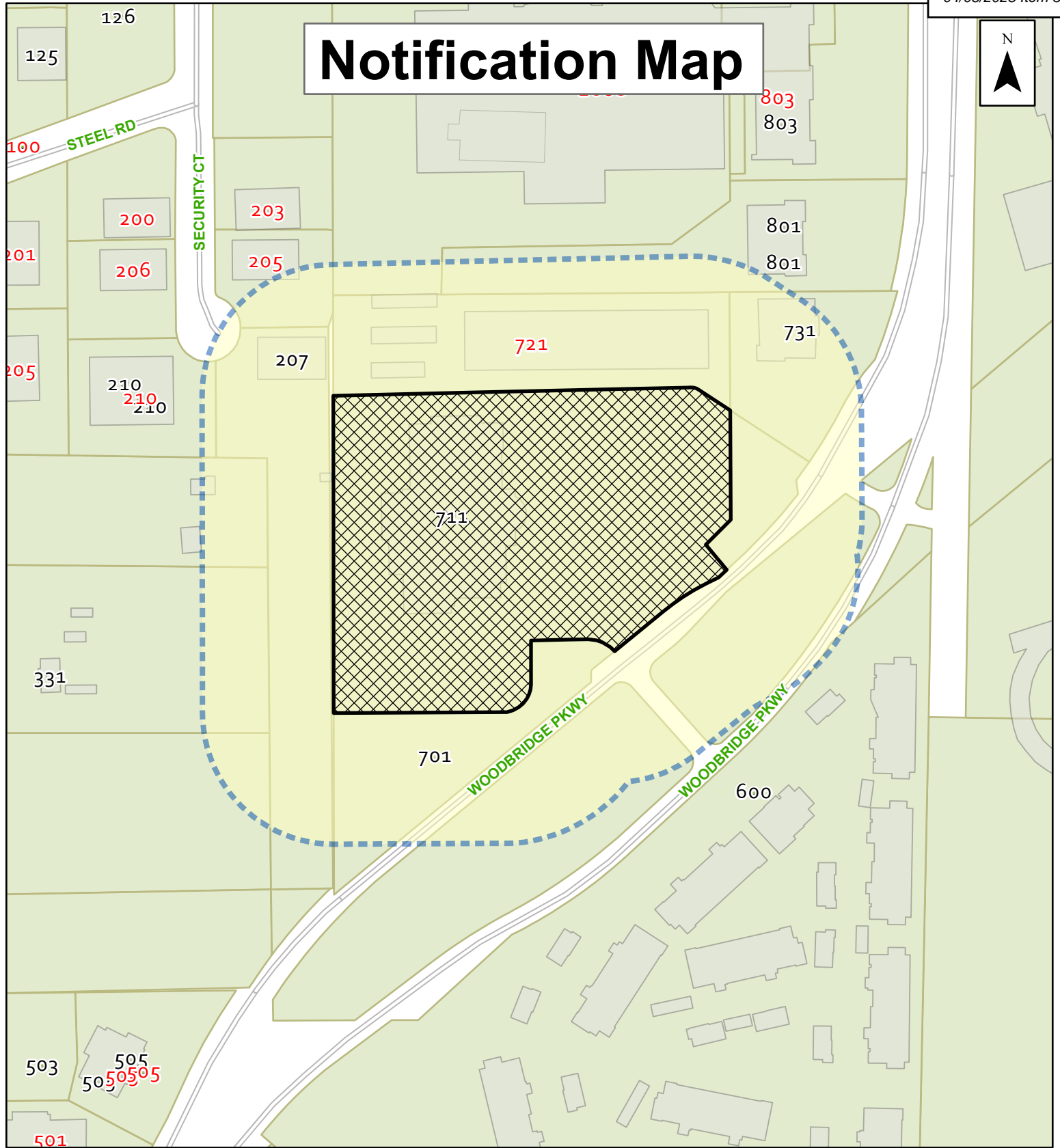
1. This Special Use Permit shall not affect any regulations of the Commercial Corridor District (CC) set forth in the Comprehensive Zoning Ordinance as adopted June 2023 and of Planned Development 2011-29 except as specifically provided herein.
2. The design and development of the Wylie Farmers Market development shall be in accordance with Section III below and the Zoning Exhibit (Exhibit B).

III. SPECIAL CONDITIONS:

1. The Special Use Permit (SUP) shall allow for a Farmers Market use per Section 5.2 of the Zoning Ordinance within Planned Development 2011-29 (PD 2011-29).
2. A calendar of planned dates of operation shall be provided to the Planning Department a minimum of 30 days prior to the first event each calendar year. Any changes to the dates of operation shall be submitted 30 days prior to the new date(s).
 - a. The Farmers Market shall operate twice a month on a Saturday. The hours of operation shall be:
 - i. Set up shall be from 7am to 9am
 - ii. Operating hours shall be from 9am to 1pm
 - iii. Tear down hours shall be from 1pm to 2pm
3. A minimum of two security officers, provided by the operator of the farmer's market, shall be required during all hours of operation.

4. This SUP shall act as a shared parking agreement between the nonprofit Wylie Farmers Market and Wylie Cinema Company LLC as allowed by Section 7.3.F
5. An updated vendors list shall be maintained and provided by the applicant at the city's request.
6. All mobile food units and vendors shall be required to be in compliance with the rules and regulations for food service as required by the City of Wylie and Collin County.
7. Smoke, Vape, and CB-type products to include but not limited to: Cigarettes, cigars, e-cigarettes, pipes, hookahs, bongs, tobacco, vape cartridges, chewing tobacco, CBD or THC smokable products and other smoke, vape, or CBD or THC type products including edibles, shall not be sold by vendors or any other entity of the Farmers Market at or during the event.
8. This Special Use Permit is intended for a Farmers Market owned and operated by the nonprofit Wylie Farmers Market. Under any other use or ownership, the SUP shall expire and zoning reverted to PD 2011-29.

Notification Map



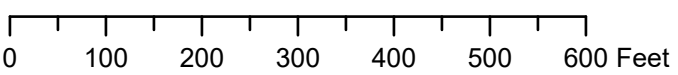
ZONING CASE:
ZC 2025-01 711 Woodbridge Parkway



SUBJECT property



200 foot Notification Buffer



Date: 2/20/2025





Wylie City Council

AGENDA REPORT

Department: Police
Prepared By: Anthony Henderson

Account Code: _____

Subject

Wylie Police Department update and Five-Year Plan.

Recommendation

Discussion

Discussion

Provide City Council with an overview of the department and proposed 5-year plan.



WYLIE POLICE DEPARTMENT COUNCIL UPDATE 2025





MISSION STATEMENT CORE VALUES

04/08/2025 Item WS1.

Mission Statement

“Impacting the quality of life by providing a professional level of service that will foster support and build relationships with those we serve.”

Core Values

Servant Leadership

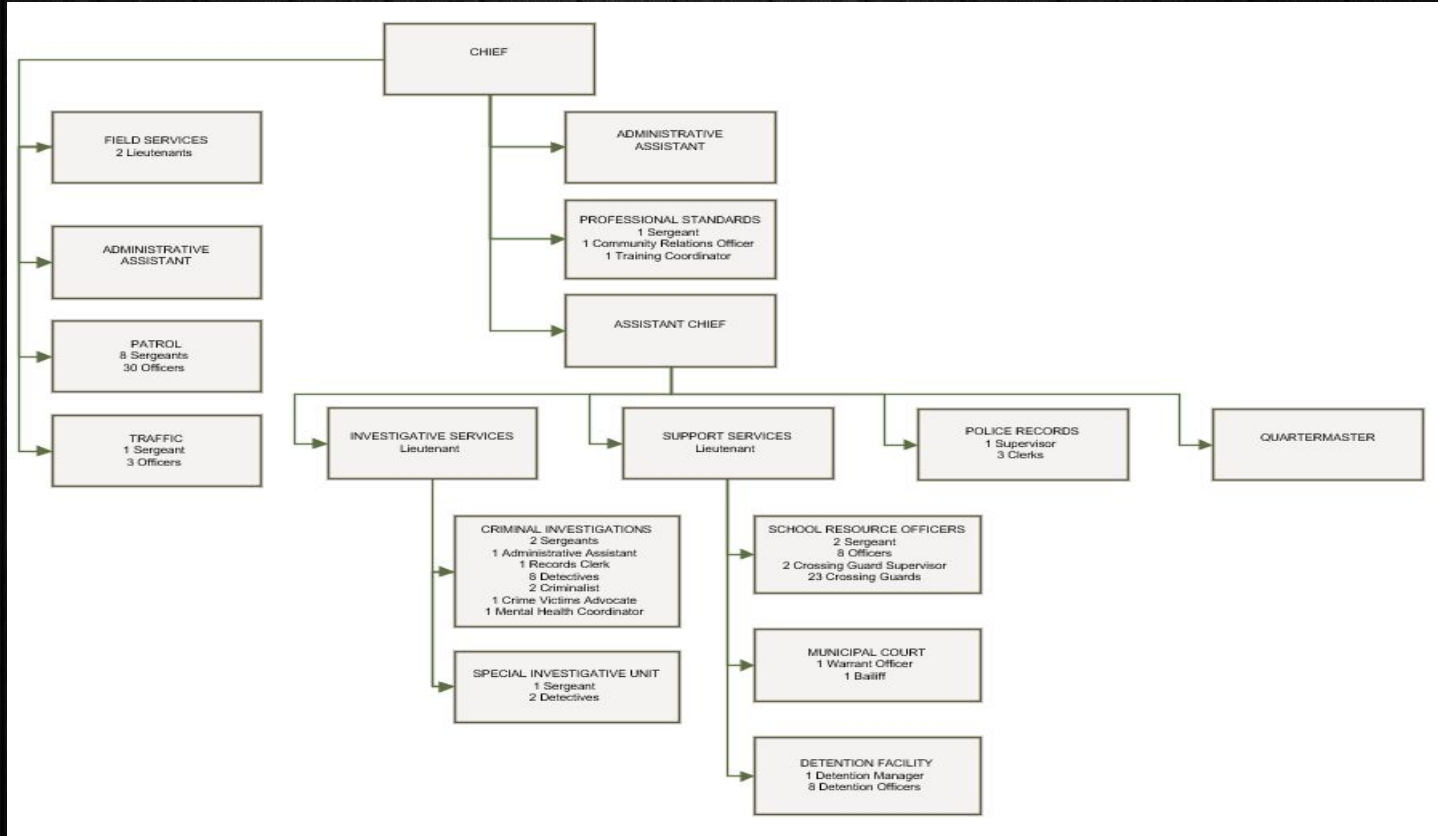
Hard Work

Positive Attitude

Support

Ethics

WPD ORG CHART





Staffing Levels

Authorized Strength - 123

- Sworn: 76
- Civilian: 47

Administrative

- Sworn: 4
- Civilian: 7

Detention

- Civilian: 9

Field Services

- Sworn: 44
- Civilian: 1

Investigative Services

- Sworn: 15
- Civilian: 5

Support Services

- Sworn: 13
- Civilian: 25



Accomplishments

- Hired 22 new employees in 2024
 - 1 Admin Assistant
 - 2 Records Clerks
 - Records
 - Investigative services
 - 15 Officers
 - 4 Cadets in the current academy
 - 3 Openings
- Started an online reporting system for citizens
 - Property crimes
 - Delayed Shoplifting Complaints
 - Child custody issues
 - Frauds
- Flock Cameras
- Advanced Law Enforcement Rapid Response Training (ALERRT)



Calls for Service

Date Range Ending	Total Calls For Service	Total Officer Initiated Calls	Non-Officer Initiated Calls	Percentage of Officer Initiated
2025	9,037	4,481	4,556	49.59%
2024	30,670	12,308	18,362	40.13%
2023	31,900	13,385	18,515	41.96%
2022	31,042	12,848	18,194	41.39%
2021	29,994	12,031	17,963	40.11%

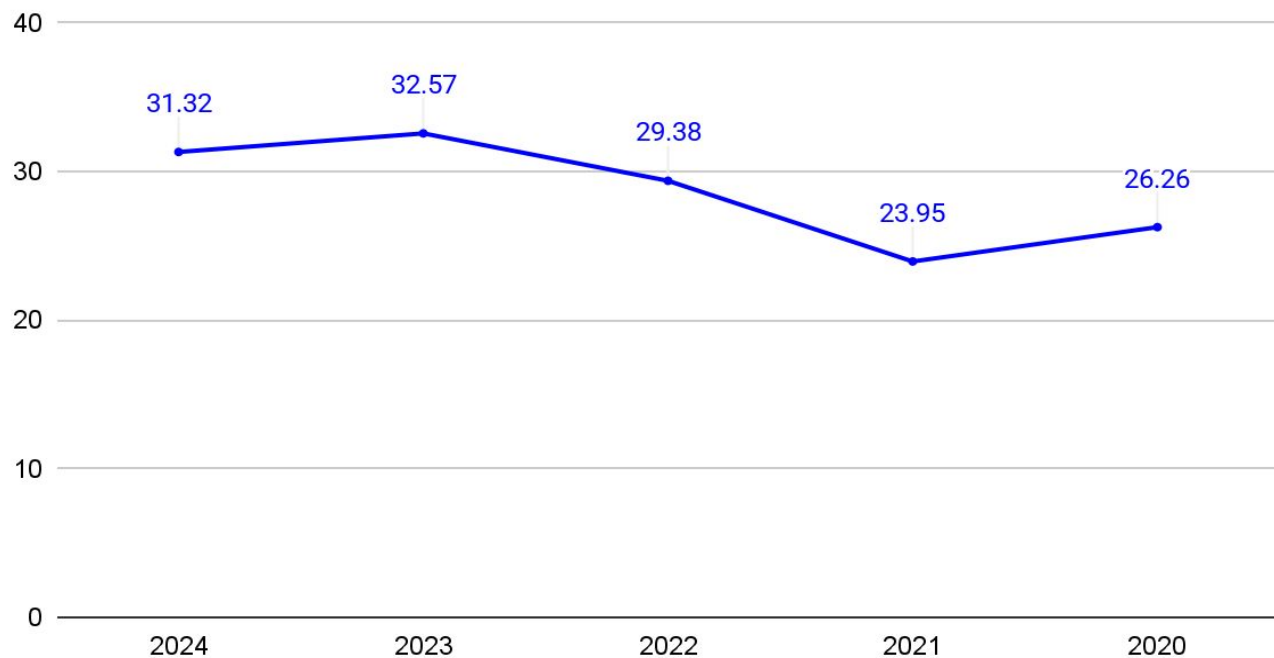
Average Response Times for Priority 1 Calls

- 2024 - 5 min : 07 sec
- 2023 - 6 min : 01 sec



Crime Rate

Crime Rate





Motor Vehicle Accidents

2024

Minor Accidents: 898

Major Accidents: 454

Fatal: 3

Total: 1,355

2023

Minor Accidents: 767

Major Accidents: 392

Fatal: 2

Total: 1,161



Traffic Unit CVE Stats

2024

Truck Inspections: 243

Total Violations: 701

Total Out of Service (OOS): 79

OOS Rate: 33%

2023

Truck Inspections: 230

Total Violations: 565

Total Out of Service (OOS): 81

OOS Rate: 35%



WISD Calls for Service

	2025	2024	2023
Wylie East	167	155	252
Wylie High	146	182	233
Burnett Jr. High	164	123	114
McMillan Jr. High	60	92	127
Cooper Jr. High	79	133	92
Achieve Academy	167	108	88
Harrison Intermediate	99	71	62
Draper Intermediate	49	100	70
Davis Intermediate	45	50	52
Elementary Schools	147	139	167

Detention Stats



	2024	2023	2022	2021
COLLIN COUNTY	8	0	0	1
JOSEPHINE	40	30	18	10
LAVON	75	82	40	39
MURPHY	179	169	121	90
PARKER	56	32	24	12
ROYSE CITY	14	6	0	0
WYLIE	755	790	671	544

Total

1,127

1,109

874

696



Investigative Services

Cases Assigned to Investigators

- 2024 - 2,860
- 2023 - 3,622
- 2022 - 2,878
- YTD 669

Fentanyl Overdose Cases - 5

- 2 Murder Charges
- 2 Pending Charges

Crime Victim Advocate

- Follow up assistance
 - 2024 - 153
 - 2023 - 306
 - YTD - 61



Digital Forensics

Digital Forensic Exams - 2024

- 265 Cell Phone
- 44 Computer
- 20 Thumb Drive / SD Cards
- 5 Vehicle Forensics





Mental Health Calls

	2024	2023
APOWW	167	190
Warrant	18	20
Events	152	201

Mental Health Coordinator

- Follow Ups
 - 2024 - 250
 - 2023 - 527
 - 2022 - 228
 - YTD - 36



Personnel Needs

FY2026

- 2 School Resource Officers
- 3 Crossing Guards
- 1 Detective
- Warrant Officer Upgrade
- 2 Patrol Officers
- Mental Health Supervisor

FY2027

- 2 School Resource Officers
- 1 Detective
- 1 Training Officer
- 2 Patrol Officers
- Mental Health Officer

FY2028

- 2 School Resource Officers
- 1 Detective
- Community Engagement
- 2 Patrol Officers

FY2029

- 2 School Resource Officers
- 1 Detective
- Community Engagement
- 2 Patrol Officers

FY2030

- 2 School Resource Officers
- 1 Detective
- Community Engagement
- 2 Patrol Officers



Equipment Needs

FY2026

- 5 Replacement Tahoes
- 2 Admin/CID Vehicles

Vehicles attached to Personnel

- 3 Tahoes
- 2 Admin/CID Vehicles

FY2027

- 5 Replacement Tahoes
- 1 Admin/CID Vehicle

Vehicles attached to Personnel

- 3 Tahoes
- 2 Admin/CID Vehicles

FY2028

- 7 Replacement Tahoes
- 4 Admin/CID Vehicle

Vehicles attached to Personnel

- 3 Tahoes
- 2 Admin/CID Vehicles

FY2029

- 8 Replacement Tahoes
- 2 Admin/CID Vehicle

Vehicles attached to Personnel

- 2 Tahoes
- 1 Admin/CID Vehicles

FY2030

- 5 Replacement Tahoes
- 2 Admin/CID Vehicle

Vehicles attached to Personnel

- 2 Tahoes
- 1 Admin/CID Vehicles



Questions?