

City Council  
February 7, 2022

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, February 7, 2022 at 7:00 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2  
Billie Wallace, Mayor Pro Tem, Council Member Place 4  
David Hill, Council Member Place 1  
Melissa Olson, Council Member Place 3  
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Shon Brooks, Executive Director of Development Services  
Gumaro Martinez, Executive Director Park & Leisure Services  
Richard Abernethy, Director of Administrative Services  
Robert Brown, City Attorney  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Doug Barnes called the meeting to order and recognized Boy Scout Troop 234 in attendance.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

Father Terry Reisner, St. Paul's Episcopal Church, gave the invocation. City Manager Michael Scott led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

None

**5. Consent Agenda**

- a. Minutes of the City Council meeting of January 18, 2022
- b. Minutes of the City Council briefing of January 18, 2022
- c. Event application for Sweethearts and Orphans Car Show on March 5, 2022
- d. Variance request by La Nortenita Grill, LLC for mixed beverage restaurant permit located at 1102 Ferris Avenue
- e. Waxahachie Police Department Racial Profiling Report for 2021
- f. Termination of Construction Manager at Risk contract with WRL for Fire Station 4
- g. Consumer Price Index adjustment to the Garbage and Trash Collection effective April 1, 2022

**Action:**

*Council Member Melissa Olson moved to approve items a., b., d., e., f. and g. on the Consent Agenda. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve item c., with an alternative location, on the Consent Agenda. Council Member Melissa Olson seconded, All Ayes.*

**6. Public Hearing on a request by Kenyatta Henderson, YaYa's Yuniversity, for a Specific Use Permit (SUP) for a Child Daycare Center use within a Single Family-2 (SF-2) zoning district located at 323 Kirksey Street (Property ID 193801) - Owner: SEVENTH DAY ADVENTIST (ZDC-216-2021)**

Planning Director Jennifer Pruitt presented the case noting the applicant is requesting a Specific Use Permit to allow for a daycare use on the subject property and staff recommended approval per the following staff comments:

1. The applicant will need to obtain a permit from the City of Waxahachie Building Inspections Department prior to any construction on the subject property.
2. Any new pavement added to the site shall be concrete.
3. The applicant will need to obtain a Certificate of Occupancy (CO) from the City of Waxahachie Building Inspections Department prior to operating on the subject property.

Mayor Barnes opened the Public Hearing.

There being no others to speak for or against ZDC-216-2021, Mayor Barnes closed the Public Hearing.

**7. Consider proposed Ordinance approving ZDC-216-2021**

**ORDINANCE NO. 3317**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DAYCARE USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED 323 KIRKSEY STREET, BEING PROPERTY ID 193801, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 3, BLOCK 1 OF THE FERRIS 2ND REVISION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Melissa Olson moved to approve Ordinance No. 3317 per staff comments. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**8. Consider proposed Ordinance ordering an election to be held on May 7, 2022 for the purpose of electing At-Large Council Member Places 1, 2, & 3, and providing for a contract for election services with Ellis County Elections Administration**

**ORDINANCE NO. 3318**

**AN ORDINANCE ORDERING AN ELECTION TO BE HELD FOR THE PURPOSE OF ELECTING AT-LARGE COUNCIL MEMBER PLACES 1, 2, & 3; PROVIDING FOR A JOINT ELECTION SERVICES CONTRACT WITH ELLIS COUNTY ELECTIONS ADMINISTRATION; DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE.**

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve Ordinance No. 3318. Council Member Melissa Olson seconded, All Ayes.*

**9. Consider Interlocal Agreement with the City of Ft. Worth for radio repairs & installations**

Fire Chief Ricky Boyd requested approval of an Interlocal Agreement with the City of Ft. Worth for radio repairs and installations. He noted there is no annual fee associated with this agreement and it can be terminated with or without cause without penalty upon 90 days written notice.

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve an Interlocal Agreement with the City of Ft. Worth for radio repairs & installations. Council Member Melissa Olson seconded, All Ayes.*

**10. Consider a Professional Services Agreement with Teague Nall and Perkins in the amount of \$94,565.00 for the design and engineering of a water main rehabilitation project on Bryson Street**

Assistant Director of Utilities Brandon Lacy requested approval of a professional services agreement with Teague Nall and Perkins for the design and engineering of an upgraded water main on Bryson Street in the amount of \$94,565.00. He explained the agreement will include upgrading the existing six (6) inch cast iron water line within Bryson Street.

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve a Professional Services Agreement with Teague Nall and Perkins in the amount of \$94,565.00 for the design and engineering of a water main rehabilitation project on Bryson Street as presented. Council Member Melissa Olson seconded, All Ayes.*

**11. Consider a Professional Services Agreement with Gresham Smith in the amount of \$165,210.00 for the design and engineering of various water and sewer line rehabilitations throughout the City of Waxahachie**

Mr. Lacy requested approval of an engineering services agreement with Gresham Smith to allow for the design and engineering of upgraded water and sewer lines on Oldham Street and E. Ross Street (water) and S. Rogers Street & Alley and Bauder Street (sewers).

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve a Professional Services Agreement with Gresham Smith in the amount of \$165,210.00 for the design and engineering of various water and sewer line rehabilitations throughout the City of Waxahachie as presented. Council Member Melissa Olson seconded, All Ayes.*

**12. Discuss recurring power outages**

City Manager Michael Scott reported staff is working with Oncor to review options to prevent power outages during cold weather.

Council Member Olson inquired about options for the City to be proactive to prevent power outages and Mr. Scott noted staff can work closely with Oncor; however, they are a separate utility company not operated by the City.

Mayor Barnes explained Oncor can prepare a report of why the outage occurred and Council can allow them the opportunity to report their findings and what they are doing to be proactive.

Council Member Travis Smith asked if staff coordinates with Oncor prior to new development construction. Mr. Brooks noted communication with Oncor is done on a broader scale as opposed to specific developments. Council Member Smith asked if Oncor has expressed concern with capacity availability and Mr. Scott noted they have not.

Mayor Pro Tem Billie Wallace expressed concern with power outages during the winter storm. She explained Council was in communication with Mayor Barnes and he was in constant communication with Oncor. She explained Oncor representative Kerric Bradford is open to addressing citizen's concerns and Council is hopeful to have answers soon.

**13. Convene into Executive Session for consultation with attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code**

Mayor Barnes announced at 7:22 p.m. the City Council would convene into Executive Session for consultation with attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code.

**14. Reconvene and take any necessary action**

The meeting reconvened at 8:08 p.m.

*No action taken.*

**15. Comments by Mayor, City Council, City Attorney and City Manager**

City Secretary Amber Villarreal announced the filing deadline for candidates for the May 7, 2022 General Election is Friday, February 18, 2022 at 5:00 p.m.

City Manager Michael Scott announced the following: Waxahachie Chamber of Commerce Banquet is February 24<sup>th</sup> and a joint meeting between City Council and the Planning & Zoning Commission February 15<sup>th</sup> at 5:30 p.m.

Council Member Melissa Olson thanked City staff, administration, and first responders for their work during the winter storm.

Executive Director of Development Services Shon Brooks announced the Comprehensive Plan Advisory Committee Neighborhood Meeting will be February 8<sup>th</sup> at 5:30 p.m.

## **16. Adjourn**

There being no further business, the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary