

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, November 7, 2022 at 6:30 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Chris Wright, Mayor Pro Tem, Council Member Place 3
Patrick Souter, Council Member Place 2
Billie Wallace, Council Member Place 4

Council Member Absent: Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Robert Brown, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting

City Manager Michael Scott reviewed the following agenda items:

- Item 5c, event application for “Alice” play performance to be held November 15, 2022.
- Item 5d, event application for Holly Jolly Christmas to be held December 10, 2022.
- Item 5e, event application for Getzendaner Proactive Run to be held March 4, 2023.
- Item 5f, Interlocal Agreement with Waxahachie ISD for the purchase of various goods and services.
- Item 5g, annual renewal of Interlocal Agreement with Ellis County for the maintenance of roads, bridges, waterways and ditches.
- Item 5h, restore utility fee for cut-off valve and meter box replacements. He explained on October 4, 2021, staff recommended and City Council approve an adjustment to Section 33-40 of the Code of Ordinances to include an increase in the fee for the replacement of a damaged water cut-off valve, curb stop, or a meter box to \$130, plus the actual cost of materials to replace the damage item. These costs are primarily charged to developers and builders to recover costs for damage to these items during the course of construction. On September 2, 2022, Council approved an ordinance setting water and wastewater rates and fees as part of the annual budget process and the ordinance inadvertently included an old rate for the two fees. Staff recommends approval to restore the replacement fee previously approved on October 4, 2021.
- Item 5i, Letter of Support for a Traffic Signal 2022 SMART Grant Program on behalf of the North Central Texas Council of Government (NCTCOG), TxDOT, and the City of Waxahachie. He explained the NCTCOG will seek funding from two (2) grants from the Federal SMART Grant to fund the project to evaluate equipment and to purchase the equipment selected.

- Item 5k, supplemental appropriation for \$308,809 from the Waxahachie Community Development Corporation (WCDC) Fund for the purchase of 55.965 acres from Mrs. Radora Doyle, adjacent to Lions Park.
- Item 6, November Honorary Council Member will be introduced by Council Member Patrick Souter.
- Item 7, the Finance Department will be recognized for receiving the Distinguished Budget Presentation award from the Government Finance Officers Association.
- Item 8, present Proclamation to staff proclaiming November 7-11, 2022 as “Municipal Court Week.”

Anita Simpson, Director of Downtown Development, reported the 20th year of the Farmers Market operated for 25 weeks this year and a new sales record was set again this year by the vendors who participated. She noted total sales for the 2022 season are \$290,291.14 which is almost a 13% increase over the previous best year in 2021 of \$257,352.36.

Jennifer Pruitt, Senior Director of Planning, reviewed the following case:

- ZDC-121-2022, the applicant is requesting a Specific Use Permit to expand an existing pool house (324 sq. ft.) to 972 sq. ft. to accommodate a bathroom and kitchenette. Ms. Pruitt noted the applicant has been adamant that the accessory dwelling will only be used for entertainment purposes and not as an additional dwelling unit. Staff recommends approval per staff comments.
- Development Agreement related to a replat of Cardinal I G Addition, Lots 1R and 2R, Block A, 2 Industrial Lots, being 66.456 acres, located at 201 & 203 Cardinal Road, situated in the Allen W. Brown Survey, Abstract 102, an addition in the City of Waxahachie (Property ID: 209418, 226867, 285601 & 285602) – Owner: CARDINAL I G COMPANY (SUB-40-2022). She explained the proposed agreement is intended to allow Cardinal IG to continue to privately use a portion of property dedicated as right-of-way with the Cardinal IG Addition replat (SUB-40-2022). Staff recommends approval as presented.

Richard Abernethy, Director of Administrative Services, reviewed Item 12, noting staff recommends approving a service contract with Tyler Technologies, Inc. for the purchase of Incode Court Software and four years of associated maintenance and support services in the amount of \$292,200. He explained the current software is antiquated and out of date. The agreement will provide for the purchase of user licenses, training, data migration services and system configuration services. The software will enhance the City’s operational efficiency by providing paperless processes, multiple automated features, virtual court options, electronic record keeping and will allow customers to make payments, enter pleas, and schedule court dates online. The Incode software will communicate with Police Department software and fully integrate with the City’s financial software. Mr. Abernethy thanked Court Administrator Tammie Atchison and Marshal Mike Foran for their extensive work in the software evaluation.

James Gaertner, Executive Director of Public Works and Engineering, reviewed Item 13, requesting approval of a bid award to Excel 4 Construction, LLC for the 2021 Sidewalk Program in the amount of \$418,212. He explained the project generally includes approximately 4,000 linear feet of concrete sidewalk construction along the following streets: (a) Harbin Street from Second Street to Sycamore Street (b) Gibson Street, one block north and south of Wilemon Elementary,

and (c) Peter Street from Graham Street to Park School House Road. The project also includes removal of 410 sq. yards of concrete driveways, some curb repair, miscellaneous landscape repairs and sodding. After thorough evaluation, the Engineer of Record and staff recommended awarding the bid to the second lowest bidder due to lack of experience from Ono Contracting, Inc. and references received from other municipalities.

Brandon Lacy, Assistant Director of Utilities, reviewed the following items:

- Item 14, requesting approval of a Professional Engineering Service Agreement with Freese and Nichols, Inc. in the amount of \$172,731 for South Prong Dam miscellaneous repairs. The project is budgeted in the FY 23 bond sale. The proposal includes design, bidding and construction phase services for these repairs, but not the actual repairs. The repairs will go out to bid for construction at a later date.
- Item 15, requesting approval of a Professional Engineering Service Agreement with Garver Engineers, LLC in the amount of \$97,200 for lead and copper rule revision assistance. He explained in December 2020, the Environmental Protection Agency implemented a lead and copper rule revision to better protect public health through removing/reducing lead exposure from drinking water systems. This proposal would be the second task of a proposed three-year task order schedule. He noted the project is a budgeted expense included in the Utility Department's FY23 operations and maintenance budget.

3. Adjourn

There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary