

A regular meeting of the Mayor and City Council of the City of Waxahachie was held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on Tuesday, September 5, 2023 at 7:00 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
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Polly Williams gave the invocation. Mayor Pro Tem Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Ira Tenpenny, 109 Rosa Street, Waxahachie, Texas, requested code enforcement address properties in violation of city ordinances for the safety of the public.

5. Consent Agenda

- a. Minutes of the City Council meeting of August 21, 2023
- b. Minutes of the City Council briefing of August 21, 2023
- c. Minutes of the City Council special meeting of August 29, 2023
- d. Event application for 3rd Annual Waxahachie Family Day Festival to be held September 16, 2023 at Railyard Park
- e. Event application for Navarro College PTA Program 5k Run to be held October 21, 2023
- f. Event application for Stampede of Speed Week: Cattle Drive & Pre-Stage Fan Fest to be held October 6 & 12, 2023
- g. Event application for 27th Annual Texas Country Reporter Festival to be held October 28, 2023
- h. Event application for YMCA Santa Run to be held December 9, 2023 at Railyard Park
- i. City Manager's appointment of member to Civil Service Commission

Action:

Billie Wallace moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all documents as necessary. Motion was seconded by Travis Smith and carried unanimously (5-0).

6. Introduce Honorary Council Member

Mayor Pro Tem Wright introduced James Alan Fox as the Honorary Council Member for September. Mr. Fox was born in 1956 at Carswell Air Force Base, the middle child of an Air Force Master Sergeant. The Air Force sent him to many places in his youth, including Hawaii and Montana, finally settling back at home in Fort Worth where he graduated from Castleberry High School. He has three children, one stepson, and nine grandchildren.

Alan has had many diverse occupations in his lifetime, being everything from a long-haul truck driver to managing many bookstores and coffee houses. A passion for customer service and the gift of an outgoing personality has served him well. He moved to Waxahachie in 2007 after falling in love with a local girl, Robin, then the city itself. He is a passionate supporter of all things “Hachie” including attending WHS sporting events, WHS plays, concerts at local venues, and local politics and government. Alan genuinely loves the people of Waxahachie. In his semi-retirement, he enjoys riding the local hike/bike trails on his eBike, writing, and traveling, especially to the beach in South Padre. He looks forward to enjoying many more years in Waxahachie.

7. Present Proclamation recognizing September 4-9, 2023 as “National Payroll Week”

Mayor Hill presented a Proclamation recognizing September 4-9, 2023 as “National Payroll Week.”

8. Present Proclamation recognizing September as “Emergency Preparedness Month”

Mayor Hill presented a Proclamation recognizing September as “Emergency Preparedness Month.”

9. Recognize Waxahachie Police Department Dispatchers Evan Dannenberg and Toni Garcia for acceptance to the North Central Texas Emergency Response Taskforce

Police Chief Joe Wiser recognized Waxahachie Police Department Dispatchers Evan Dannenberg and Toni Garcia for acceptance to the North Central Texas Emergency Response Taskforce.

10. Public Hearing on a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article VI Performance Standards, Section 6.03 Lighting and Glare Standards (ZTA-113-2023)

Mayor Hill announced the Public Hearing for ZTA-113-2023 will be continued to allow City Council to review the proposed Ordinance.

Action:

Billie Wallace moved to continue the Public Hearing on ZTA-113-2023 to the October 16, 2023 City Council meeting. Motion was seconded by Travis Smith and carried unanimously (5-0).

11. Consider proposed Ordinance approving ZTA-113-2023

No action taken.

12. Consider a request by Tim Jackson, TX Reality Capture & Surveying, LLC, for a Replat of Lots 127R and 130 of the Ferris Second Addition, 2 lots, being 0.811 acres, located at 122 and 126 North Highway 77. (Property ID 142201 and 173428) Owners: Ellis County Farm Bureau, Linda and Duane Farmer (SUB-42-2023)

The Item was presented by Senior Director of Planning Jennifer Pruitt.

Action:

Billie Wallace moved to approve SUB-42-2023 for a Replat of Lots 127R-1 and 127R-2 of the Ferris Second Addition and the associated variance request, subject to the conditions of the staff report, and authorize the Mayor and/or City Manager to execute all associated documents as necessary. Motion was seconded by Travis Smith and carried unanimously (5-0).

13. Consider and act upon an ordinance of the City of Waxahachie, Texas, approving the 2023-2024 annual service plan update to the Service and Assessment Plan for the Waxahachie Public Improvement District No. 1 and providing an effective date

The Item was presented by Mark Pfirman, Municap, Inc.

ORDINANCE NO. 3390

AN ORDINANCE OF THE CITY OF WAXAHACHIE APPROVING THE ANNUAL UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL[S] FOR THE WAXAHACHIE PUBLIC IMPROVEMENT DISTRICT NO. 1 IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §372.013, AS AMENDED; CONTAINING A CUMMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Action:

Billie Wallace moved to approve an Ordinance approving the 2023-2024 annual service plan pdate to the Service and Assessment Plan for the Waxahachie Public Improvement District No. 1 and providing an effective date. Motion was seconded by Chris Wright and carried unanimously (5-0).

14. Consider and act upon an ordinance of the City of Waxahachie, Texas, approving the 2023-2024 annual service plan update to the Service and Assessment Plan for the North Grove Public Improvement District and providing an effective date

The Item was presented by Mr. Pfirman.

ORDINANCE NO. 3391

AN ORDINANCE OF THE CITY OF WAXAHACHIE APPROVING THE ANNUAL UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL[S] FOR THE NORTH GROVE PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §372.013, AS AMENDED; CONTAINING A CUMMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Action:

Billie Wallace moved to approve an Ordinance approving the 2023-2024 annual service plan update to the Service and Assessment Plan for the North Grove Public Improvement District and providing an effective date. Motion was seconded by Chris Wright and carried unanimously (5-0).

- 15. Consider proposed Ordinance approving revised budget figures for fiscal year 2022-2023 and adopting the budget for fiscal year 2023-2024**

The Item was presented by Finance Director Chad Tustison.

ORDINANCE NO. 3392

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2022-2023, FUNDS APPROPRIATED FOR STREET MAINTENANCE AND PROFESSIONAL SERVICES WILL BE USED FOR THAT PURPOSE, EITHER BY ENCUMBRANCE OR BY TRANSFER TO CAPITAL PROJECT FUND FOR STREETS; APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND TERMINATING SEPTEMBER 30, 2024, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Action:

Billie Wallace moved to approve revised budget figures for fiscal year 2022-2023 and adopt the budget for fiscal year 2023-2024 as presented. Motion was seconded by Patrick Souter and carried unanimously (5-0).

- 16. Consider proposed Ordinance amending Water and Wastewater rates and fees and setting an effective date of October 1, 2023**

The Item was presented by Mr. Tustison.

ORDINANCE NO. 3393

AN ORDINANCE SETTING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE,

AND SETTING AN EFFECTIVE DATE OF OCTOBER 1, 2023 AND DECLARING AN EMERGENCY.

Action:

Billie Wallace moved to approve an Ordinance setting water and wastewater rates and fees and setting an effective date of October 1, 2023. Motion was seconded by Patrick Souter and carried unanimously (5-0).

17. Consider a motion to ratify the property tax revenue increase reflected in the fiscal year 2023-2024 budget in accordance with the Texas Local Government Code

The Item was presented by Mr. Tustison.

Action:

Billie Wallace moved to ratify the property tax revenue increase reflected in the fiscal year 2023-2024 budget. Motion was seconded by Patrick Souter and carried unanimously (5-0).

18. Consider proposed Ordinance adopting the Tax Rate for fiscal year 2023-2024

The Item was presented by Mr. Tustison.

ORDINANCE NO. 3394

AN ORDINANCE LEVYING FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF WAXAHACHIE, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR FISCAL YEAR 2024 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE.

Action:

Billie Wallace moved that the property tax rate be increased by the adoption of a tax rate of 61 cents, with an operation and maintenance rate of 37.97 cents, and an interest and sinking rate of 23.03 cents, which is effectively a 13.2% percent increase in the tax rate. Motion was seconded by Patrick Souter and carried unanimously (5-0).

19. Consider proposed Ordinance re-establishing classified positions under Civil Service

The Item was presented by City Manager Michael Scott.

ORDINANCE NO. 3395

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ESTABLISHING AND RE-ESTABLISHING CLASSIFIED POSITIONS UNDER CIVIL SERVICE IN THE FIRE AND POLICE DEPARTMENTS, REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

Action:

Patrick Souter moved to approve an Ordinance re-establishing classified positions under Civil Service. Motion was seconded by Billie Wallace and carried unanimously (5-0).

20. Consider appointments to Boards and Commissions

AIRPORT BOARD (3-year term)

Nanette Paghi

CEMETERY BOARD (2-year term)

Constance McGuire

Perry Giles

Trudy Hankins

Brian Hess (filling unexpired term of Robin Dukes)

ECONOMIC DEVELOPMENT COMMISSION (No Term Limit)

Betty Square Coleman

Melissa Ballard

HERITAGE PRESERVATION (2-year term)

Peggy Crabtree

Michelle Haye

Kelly Savell

Adam Graves

Ronald Finch (filling unexpired term of Becky Kauffman)

KEEP WAXAHACHIE BEAUTIFUL COMMITTEE (3-year term)

Julie Mendenhall

Dr. Tremayne Myles

Madeline Bracken

PARK BOARD (3-year term)

Dr. William Major

Charles Beatty, Jr.

PLANNING AND ZONING COMMISSION (2-year term)

Rick Keeler

David Hudgins

Adrian Cooper

Marlene Norcross

SENIOR CENTER ADVISORY COMMITTEE (2-year term)

Ellie Gates

Carrie Lewis

Kelly Saunders

Vaughn Franks

TAX INCREMENT REINVESTMENT ZONE (2-year term)

Brett Hess
Shane Henry (WPI Representative)
Mike Lee (WPI Representative)

WAXAHACHIE COMMUNITY DEVELOPMENT CORPORATION (2-year term)

David Mcspadden
Elizabeth Tull
Jim Phillips

WAXAHACHIE HOUSING AUTHORITY (2-year term)

Adrian Cooper
Andrew Henderson

Action:

Billie Wallace moved to approve the appointments to Boards and Commissions as presented. Motion was seconded by Patrick Souter and carried unanimously (5-0).

21. Consider authorizing funding from the Tax Increment Reinvestment Zone No. 1 (TIRZ) fund for Downtown and Farmers Market projects

The Item was presented by Mr. Scott.

Action:

Billie Wallace moved to approve a funding request from the TIRZ fund in the amount not to exceed \$170,232 for the projects as presented, and authorize the City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

22. Consider approval of a construction contract for the Howard Road High Service Pump Station Generator Project

The Item was presented by Senior Director of Utilities Kumar Gali.

Action:

Billie Wallace moved to approve a construction contract with H&H Electrical Contractors, Inc. for \$2,329,384, a construction contingency in the amount of \$150,616 for the Howard Road High Service Pump Station Generator Project, and authorize the City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

23. Consider adopting the revised Joint Airport Agreement with the City of Midlothian

The Item was presented by Director of Administrative Services Richard Abernethy.

Action:

Billie Wallace moved to approve the revised Joint Airport Agreement with the City of Midlothian. Motion was seconded by Patrick Souter and carried unanimously (5-0).

24. Convene into Executive Session for consultation with City Attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code

Mayor Hill announced at 8:12 p.m. the City Council would convene into Executive Session for consultation with City Attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code.

25. Reconvene and take any necessary action

The meeting reconvened at 8:41 p.m.

No action taken.

26. Comments by Mayor, City Council, City Attorney and City Manager

City Manager Michael Scott recognized the Payroll Department, Stefanie Lozano and Daisy Dickson, Waxahachie Police Department Dispatchers Evan Dannenberg and Toni Garcia, and Finance Director Chad Tustison for their work.

Mayor Pro Tem Chris Wright thanked Mr. Tustison, Alan Fox, and Ira Tenpenny for their work and attendance at City Council. He congratulated Chief Ricky Boyd on the opening of Fire Station 4. Mr. Wright recognized past city employees Sanford Smith and Gary Haney who recently passed away.

Council Member Patrick Souter echoed Mr. Wright's comments. He announced "Cowboy Poetry and Music" will be held September 30th at the Chautauqua Auditorium at Getzendaner Park.

27. Adjourn

There being no further business, the meeting adjourned at 8:49 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary