

City Council  
September 16, 2019

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 on Monday, September 16, 2019 at 7:00 p.m.

Councilmembers Present:     David Hill, Mayor  
   Mary Lou Shipley, Mayor Pro Tem  
   Chuck Beatty, Councilmember  
   Kevin Strength, Councilmember  
   Melissa Olson, Councilmember

Others Present:                 Michael Scott, City Manager  
   Albert Lawrence, Assistant City Manager  
   Tommy Ludwig, Assistant City Manager  
   Robert Brown, City Attorney  
   Lori Cartwright, 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**

Councilmember Kevin Strength gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4.     Public Comments**

Mrs. Melissa Chapman, 615 North Rogers Street, Waxahachie, President of the Waxahachie Symphony Association, thanked City Council for their support of the performing arts. She handed out brochures noting the 2019-2020 season starts on Saturday, September 21, 2019.

Mr. Ira Tenpenney, 109 Rosa Street, Waxahachie, expressed gratitude for the recycling program for citizens. He referenced the contract between the city and Waste Management and expressed concern with limb pickup and disposal noting it will lead to a fire hazard. He encouraged citizens to utilize the Convenience Station.

Mr. Kevin Ivey, 1980 East Highland Road, Waxahachie, stated that the City Council meeting of September 3, 2019, the Minutes reflect he spoke in favor of the tax rate. Mr. Ivey clarified he is not in favor of the tax increase. He asked Council to consider rolling the elections to general elections every two years.

Ms. Amy Hedtke, 106 Vanderbilt Lane, Waxahachie, spoke on lowering the tax rate adopting the effective rate.

Mr. Kevin Bready, 157 Valley Ranch, Waxahachie, stated he attended the last city council meeting expressing his support in lowering the tax rate. He requested City Council to lower the tax rate.

Mr. Jim Kauffman, 817 West Main Street, Waxahachie, stated the City of Waxahachie has a lower tax rate than other surrounding cities and cutting taxes will result in reducing city services.

Mr. Alan Fox, 327 University, Waxahachie, spoke in favor of the tax rate. He stated we need the amenities in the city for young families as well as senior citizens.

Mr. Paul Christensen, 110 Williams Street, Waxahachie, spoke against the tax rate and disapproved of the proposed sidewalk program.

Mr. Miguel Villanueva, 409 Sunset Court, Waxahachie, referenced an article in the newspaper reflecting the Council meeting of September 3, 2019. He stated the papers article is a gross misinterpretation of the City and City Council noting it was unnecessary.

## **5. Consent Agenda**

- a. Minutes of the City Council meeting of September 3, 2019
- b. Minutes of the City Council briefing of September 3, 2019
- c. Minutes of the City Council and Planning and Zoning Commission joint work session of September 3, 2019
- d. Interlocal Agreement with Cedar Hill for the First Responder Resiliency Program
- e. Interlocal Agreement with Red Oak and Midlothian to share equipment and cost for proposed radio system
- f. Approve funding of custom art commission by Desmond Mason for Hachie Heart in Freedman Memorial Park
- g. City Manager's appointment of member to Civil Service Commission
- h. Acceptance of 2018 SAFER Grant
- i. Cycling for Veterans event to be held November 10, 2019

### **Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve items a. through i. on the Consent Agenda. Councilmember Kevin Strength seconded, All Ayes.*

## **6. Introduce Honorary Councilmember**

Mayor Hill announced there is not an Honorary Councilmember for the month of September.

## **7. Present Proclamation proclaiming September 17 – 23, 2019 as Constitution Week**

Mayor Hill read a proclamation proclaiming September 17 – 23, 2019 as Constitution Week and presented it to Ms. Vicki Williams, Ms. Sharon McIver, and members of the Rebecca Boyce Chapter of the Daughters of the American Revolution.

## **8. Consider proposed Ordinance providing for the issuance of City of Waxahachie, Texas Combination Tax and Revenue Certificates of Obligation, Series 2019, in an aggregate principal amount not to exceed \$31,525,000 and ordained other matters relating to the subject**

Finance Director Charles Harris stated the Ordinance approves the issuance of \$29,000,000 in principal in bonds noting that will fund \$31,150.00. He stated the funds will be allocated to streets, various water and wastewater project, and park improvements. Mr. Harris stated the true interest cost of 2.52% is a very low interest rate.

Councilmember Strength thanked Mr. Harris for his work noting a lot project are complete due to the issuance of bonds.

Mr. Tommy Ludwig, Assistant City Manager, stated since 2010 we have scarified 96 street segments and did 19 corridor restorations being a full scale roadway, sidewalks, curb and gutter, water and sewer, and street lights and of those 19 corridors there were 25 individual projects and collectively over the nine year period approximately 51 million dollars was spent.

Councilmember Strength stated we have made a big impact with the money that we have received from the taxes and he thanked Mr. Harris for putting the street program together.

### **ORDINANCE NO. 3136**

**ORDINANCE PROVIDING FOR THE ISSUANCE OF CITY OF WAXAHACHIE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2019, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$31,525,000, AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT**

**Action:**

*Councilmember Kevin Strength moved to approve Ordinance No. 3136. Mayor Pro Tem Mary Lou Shipley seconded. The vote was as follows:*

*Ayes: David Hill  
Mary Lou Shipley  
Chuck Beatty  
Kevin Strength*

*Noes: Melissa Olson*

***The motion carried.***

- 9. Public Hearing on a request by DeeAnne Row for a Replat of Lots 19 and 20, Green Meadow, to create Lots 19R and 20R, Green Meadow, 8.922 acres (Property ID 150722) in the Extra Territorial Jurisdiction – Owner: BRIAN & DEEANNE ROW (RP-19-0088)**

Mayor Hill opened the Public Hearing.

Planning Director Shon Brooks reported the request meets the requirements of the Sub Division regulations and recommended approval.

There being no others to speak for or against RP-19-0088, Mayor Hill closed the Public Hearing.

**10. Consider approval of RP-19-0088**

**Action:**

*Councilmember Chuck Beatty moved to approve a request by DeeAnne Row for a Replat of Lots 19 and 20, Green Meadow, to create Lots 19R and 20R, Green Meadow, 8.922 acres (Property ID 150722) in the Extra Territorial Jurisdiction – Owner: BRIAN & DEEANNE ROW (RP-19-0088). Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**11. Public Hearing on a request by Amanda Doty, B&M Assessment Services, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-27-Single Family-2 zoning district, located at 311 Choctaw Trail (Property ID 229213) – Owner: RICHARD S & PENNY P EWERS (SU-19-0104)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the rooftop solar panels do not face the right of way. He stated staff received three letters of approval. Mr. Brooks stated the request meets the requirements of the Zoning Ordinance and recommended approval.

There being no others to speak for or against SU-19-0104, Mayor Hill closed the Public Hearing.

**12. Consider proposed Ordinance approving SU-19-0104**

**ORDINANCE NO. 3137**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A PLANNED DEVELOPMENT-27-SINGLE FAMILY – 2 (PD-27-SF-2) ZONING DISTRICT, LOCATED AT 311 CHOCTAW TRAIL, BEING PROPERTY ID 229213, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 6, BLOCK E IN THE INDIAN HILLS PHASE VIII SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember Melissa Olson moved to approve Ordinance No. 3137. Councilmember Chuck Beatty seconded, All Ayes.*

**13. Public Hearing on a request by Hugo Monsanto for a Replat of Lot 3, Block 7, Nora Alexander's Subdivision, to create Lots 3AR and 3BR, Block 7, Nora Alexander's Subdivision, 0.232 acres (Property ID 172038) – Owner: VICTORINO G & PAULA G LUNA (RP-19-0105)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant proposes taking one (1) lot and making it into two (2) lots. He stated it does meet the Sub Division requirements and recommended approval.

There being no others to speak for or against RP-19-0105, Mayor Hill closed the Public Hearing.

**14. Consider approval of RP-19-0105**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve a request by Hugo Monsanto for a Replat of Lot 3, Block 7, Nora Alexander's Subdivision, to create Lots 3AR and 3BR, Block 7, Nora Alexander's Subdivision, 0.232 acres (Property ID 172038) – Owner: VICTORINO G & PAULA G LUNA (RP-19-0105). Councilmember Kevin Strength seconded, All Ayes.*

**15. Public Hearing on a request by Alan Lauhoff, P.E., Atlas Associates Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single-Family Residential-3, with Concept Plan, located South of Blue Bonnet Trails Phases 1 and 2 (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-19-0106)**

Mayor Hill opened the Public Hearing and announced the applicant requested to continue PD-19-0106 to the City Council meeting of November 4, 2019.

**16. Consider proposed Ordinance approving PD-19-0106**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to continue a request by Alan Lauhoff, P.E., Atlas Associates Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single-Family Residential-3, with Concept Plan, located South of Blue Bonnet Trails Phases 1 and 2 (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-19-0106) to the City Council meeting of November 4, 2019. Councilmember Chuck Beatty seconded, All Ayes.*

**17. Consider request by Sean Shropshire, RPLS, Axis Surveying, LLC, for a Final Plat of Blue Bonnet Trails Phases 1 and 2 for 223 residential lots and 2 open space lots being 40.510 acres situated in B.B. Davis Survey, Abstract 290 and the W.C. Calder Survey, Abstract 235 (Property ID 182266 and 182267) Owner: BLUE BONNET TRAILS LLC (FP-19-0107)**

Mr. Brooks reported the Final Plat does meet the Sub Division regulations and recommended approval.

**Action:**

*Councilmember Chuck Beatty moved to approve a request by Sean Shropshire, RPLS, Axis Surveying, LLC, for a Final Plat of Blue Bonnet Trails Phases 1 and 2 for 223 residential lots and 2 open space lots being 40.510 acres situated in B.B. Davis Survey, Abstract 290 and the W.C. Calder Survey, Abstract 235 (Property ID 182266 and 182267) Owner: BLUE BONNET TRAILS LLC (FP-19-0107). Councilmember Kevin Strength seconded, All Ayes.*

**18. Public Hearing on a request by Dalton Bradbury, Southfork Capital LLC, for a Replat of Block 22 and 34, Town Addition, to create Lots 1-3, Block A, Cathedral Addition, 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (RP-19-0109)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant proposes to subdivide one (1) lot into three (3) lots. Staff recommended approval with the following conditions:

- The applicant shall provide firewalls as required in the 2018 International Building Code to provide a barrier between buildings.

There being no others to speak for or against RP-19-0109, Mayor Hill closed the Public Hearing.

**19. Consider approval of RP-19-0109**

**Action:**

*Councilmember Chuck Beatty moved to approve a request by Dalton Bradbury, Southfork Capital LLC, for a Replat of Block 22 and 34, Town Addition, to create Lots 1-3, Block A, Cathedral Addition, 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (RP-19-0109) with conditions. Councilmember Mary Lou Shipley seconded, All Ayes.*

**20. Public Hearing on a request by Dorothea M. Russell for a Replat of Lot B, Block 206, Town Addition, to create Lots 1-2, Block A, Russell Replat, 0.4523 acres (Property ID 171519) – Owner: DOROTHEA M RUSSELL AND DELBERT EARL RUSSELL (RP-19-0110)**

Mayor Hill opened the Public Hearing and announced the applicant requested to continue RP-19-0110 to the City Council meeting of October 7, 2019.

**21. Consider approval of RP-19-0110**

**Action:**

*Councilmember Kevin Strength moved to continue a request by Dorothea M. Russell for a Replat of Lot B, Block 206, Town Addition, to create Lots 1-2, Block A, Russell Replat, 0.4523 acres (Property ID 171519) – Owner: DOROTHEA M RUSSELL AND DELBERT EARL RUSSELL (RP-19-0110) to the City Council meeting of October 7, 2019. Councilmember Chuck Beatty seconded, All Ayes.*

**22. Continue Public Hearing on a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-1 zoning district to Single-Family Residential-2, located at 106 Santa Fe Trail (Property ID 221873) - Owner: AKAMAI DESIGNS INC (ZC-19-0089)**

Mayor Hill continued the Public Hearing.

Mr. Brooks stated the applicant requests a zoning change to Planned-Development-Single-Family-2, to allow construction of residential homes. The proposed development will consist of four (4) newly constructed homes and will be accessible via Garden Valley Parkway. The applicant proposes a cul-de-sac in Fountain Court. Mr. Brooks stated the proposed homes will be 2,800 square feet and meets the required lot size. He stated some issues on the site are drainage and staff received preliminary engineering documents depicting that it is possible to move the water with preliminary engineering. He stated the screen wall is deemed a civil matter between the HOA and the developer. He recommended receiving an agreement before approving a final plat.

Mr. Brooks stated staff's recommendation is approval based on lot sizes. He explained, if approved the Preliminary Plat will be considered.

Those who spoke for ZC-19-0089:

Mr. Mark Thedford, 145 Royal Park Lane, Waxahachie  
Mr. Cecil Taylor, 321 Osage Drive, Waxahachie  
Mr. Rodney Lacey, 108 Santa Fe Trail, Waxahachie

Those who oppose ZC-19-0089:

Ms. Melinda Miller, 160 Old Bridge Road, Waxahachie  
Mr. Richard Dawson, 129 Water Garden Drive, Waxahachie  
Ms. Sherry Sims, 107 Waters Garden Drive, Waxahachie  
Mr. Joe Bhore, 317 Osage, Waxahachie

City Engineer James Gaertner stated the proposed study done by a professional engineer is deemed incomplete because it does not have an analysis on the drainage.

There being no others to speak for or against ZC-19-0089, Mayor Hill closed the Public Hearing.

**23. Consider proposed Ordinance approving ZC-19-0089**

**Action:**

*Councilmember Melissa Olson moved to deny ZC-19-0089. Councilmember Kevin Strength seconded, All Ayes.*

**24. Consider request by Mark Thedford, Akamai Designs, for a Preliminary Plat of Fountain Court Addition for 5 lots, being a 1.74 acre addition in the JB & Adams Survey, Abstract 5 (Property ID 221873) – Owner: AKAMAI DESIGNS INC (PP-19-0090)**

**Action:**

*Councilmember Kevin Strength moved to deny a request by Mark Thedford, Akamai Designs, for a Preliminary Plat of Fountain Court Addition for 5 lots, being a 1.74 acre addition in the JB & Adams Survey, Abstract 5 (Property ID 221873) – Owner: AKAMAI DESIGNS INC (PP-19-0090). Councilmember Melissa Olson seconded, All Ayes.*

- 25. Continue Public Hearing on a request by Alec Broadus, Broadus Services LLC, for a Specific Use Permit (SUP) for Communications Antennas and Support Structures/Towers use within an Office zoning district, located at 106 Chambers Circle (Property ID 174573) – Owner: DAWSON J & SHIRLEY STAFFORD REVOCABLE TRUST (SU-19-0099)**

Mayor Hill continued the Public Hearing.

Mr. Brooks reported the applicant proposes to construct a 165 ft. monopole tower and screen it with a 6 ft. PVC fence with shrubs around the base of the tower. Staff recommends denial due to the height of the tower and not complying with the zoning and setback of the area.

Mr. Alec Broadus, applicant, Broadus Services LLC, 4 Counting Place Circle, Dalworthington Gardens, Texas, recapped from the previous meeting noting the proposed tower will be 165 feet and will be used for capacity and congestion in the proposed area. He stated T-Mobile noted the existing towers were checked for coverage and capacity in this area. Mr. Broadus stated it will defeat the purpose from building the tower if it is not utilized in the proposed area.

Mr. Keith Tindell, Engineer with Sabre Industries, Harleysville, Pennsylvania, addressed concerns of the 165 feet tower with proximately of buildings in the area. He stated in his twenty eight years of business he has never seen a tower fail noting it will be designed for 105 mile per hour wind speed. Mr. Tindell explained for the tower to fail it would have to exceed 105 MPH plus other safety factors that are built into the design. Due to the fall zone requirement we will design the upper portion of the tower to code requirement and the bottom portion to exceed the code requirement.

There being no others to speak for or against SU-19-0099, Mayor Hill closed the Public Hearing.

- 26. Consider proposed Ordinance approving SU-19-0099 or Consider proposed Resolution denying SU-19-0099**

**ORDINANCE NO. 3138**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A COMMUNICATIONS ANTENNA/SUPPORT TOWER USE WITHIN A OFFICE (O) ZONING DISTRICT, LOCATED AT 106 CHAMBERS CIRCLE, BEING PROPERTY ID 174573, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4, BLOCK C IN LAKERIDGE #1 – REV, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember Kevin Strength moved to approve Ordinance 3138 as presented. Councilmember Chuck Beatty seconded. The vote was as follows:*

*Ayes: David Hill  
Mary Lou Shipley  
Chuck Beatty*



*Kevin Strength*

*Noes: Melissa Olson*

***The motion carried.***

- 27. Continue Public Hearing on a request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM PROPERTY COMPANY NO. 1 LLC (PD-19-0022)**

Mayor Hill continued the Public Hearing and announced the applicant withdrew PD-19-0022.

- 28. Consider proposed Ordinance approving PD-19-0022**

No action.

- 29. Consider annual update to the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll**

Mr. Joshua Aredt, administrator for Municap, Inc., stated this is the ninth year for the Waxahachie Public Improvement District No. 1 noting the amount for this year is \$139,701.00 which is approximately a \$3,000 increase versus last year and that is mainly due to an increase in the amount of principal that is being requested per the debt service schedule. It will represent an increase of \$20.00. The requested budget for Phase 2 is \$60,079.00 which is approximately a \$3,000 increase due to the amount of principal that is being requested per the debt service schedule. It will represent an increase of \$25.00. He stated there have been no changes to the assessment methodology for the district because all parcels have been subdivided. Mr. Aredt stated in Phase 1 there were six (6) payoffs and in Phase 2 there were four (4) payoffs.

City Manager Michael Scott asked what amenities are being added in Phase 2. Mr. Aredt stated he did not know but will research and get Mr. Scott some information. Mr. Scott stated it is important for City Council to offset amenities to the residents.

**Action:**

*Councilmember Melissa Olson moved to accept the annual update to the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll. Councilmember Chuck Beatty seconded, All Ayes.*

- 30. Consider annual update to the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll**

Mr. Aredt reported this is the 5<sup>th</sup> update for the North Grove Public Improvement District. He stated the annual budget of \$547,000 is down approximately \$5,500 from last year mainly due to the principal amount. He stated last year there were 83 lots in Cove Phase 1A and 75 lots in Cove

Phase 1B that were platted. Mr. Aredt noted with this year's report there are two (2) additional phases that have been platted and are in Cove Phase 2A. Final Plats in Phase 1 are estimated at 101 residential units. Mr. Aredt noted four (4) phases have been final platted representing 442 residential units which is approximately 1/3 of the PID development. He noted there are no prepayments for this district to date. Mr. Aredt referenced the assessment methodology noting the amounts in the service assessment plan for this year follows the current methodology that has been previously approved by council so there are no changes within the report itself. He requested the report be approved on conditional basis and reason being is they have to continue with the collection for the debt service. Mr. Aredt stated they have notices with the current methodology and changes due to timing of construction and assessed values have influenced the amount of assessment. His request is to reevaluate the methodology and go to an equivalent unit based methodology which falls more in line with estimated build out values of same lot sizes. Mr. Aredt stated he will conduct an analysis of the current methodology versus the equivalent methodology to evaluate the potential impact and bring back to staff.

Mr. Scott asked Mr. Aredt will he bring back an amendment to the annual report for consideration. Mr. Aredt stated they will conduct an analysis for staff review and if changes occur then come back with an amended report.

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to accept the annual update to the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll. Councilmember Chuck Beatty seconded, All Ayes.*

**31. Consider proposed Ordinance approving revised budget figures for fiscal year 2018-2019 and approving the budget for fiscal year 2019-2020**

Finance Director Charles Harris reported the proposed Ordinance approves the revised budget figures for FY 2018-2019 and the proposed budget for FY 2019-2020.

Councilmember Melissa Olson asked if we approve this budget are we approving the tax rate because the budget is based on the tax rate. Mr. Harris stated the companion tax rate provides the taxes that are not all of the funding for this budget but a substantial part of it.

Councilmember Strength stated how proud he is of this budget and how it's taken us years to get to this point and we are getting there. He stated Mr. Ludwig stated earlier of how many streets we are going to do this year and how many we've done so far. A lot of directors have items in this budget including the new sidewalk program. He stated an audience member spoke against the sidewalk program. Councilmember Strength stated when a young family is wanting to push a stroller and get around town, sidewalks are important. He stated he is very proud of this budget and proud of the staff that worked on it.

City Manager Scott stated he is also proud of this budget and not only a lot of work went in to this budget but the outcome is unlike any budget we have presented to you before. What sticks out to him is work on the priorities of council mainly public safety, fire personal, updating our dispatch system and radio system that make a community safe and people sometimes lose sight of the fact the budget doesn't just fund parks and sidewalks, it funds the things we take for

granted each day. When we dial 911 we have police and fire that show up at our door step to render aid. This budget certainly provides the necessary additions for every 911 call.

Mayor Hill thanked Finance Director Charles Harris for his work on the budget. He stated, after approval of this budget, staff starts working on the next year's budget noting it is a yearlong process. Mayor Hill stated the Capital Improvement Plan (CIP) is a 5-year process and noting it is public record for anyone to see. He stated the CIP program for streets, water, and sewer, \$50,000 - \$60,000 is planned. Mayor Hill stated there is a 5-year CIP for sidewalks noting Council is trying to get sidewalks for kids to safely get to school. He noted Main Street sidewalks are in need of repair as well as the MLK Boulevard sidewalks. Mayor Hill stated failing infrastructure is in the CIP program. Mayor Hill stated these issues are looked at on a daily basis noting he is proud of the budget.

Councilmember Strength stated Council has added staff and new departments to keep up with the growth we have. He stated we have raised the bar of what is expected in Waxahachie. Councilmember Strength stated he never thought we would have a CIP street, water and sewer program. He stated Council is not trying to hide anything from anyone and is proud to live in Waxahachie and proud to be a Councilmember.

Mayor Pro Tem Mary Lou Shipley stated City Council takes great pride in the historic side of Waxahachie and with that said we have infrastructure that has needed work. She stated in 2008 a tough economy happened and we have worked very hard to work ourselves out of that. Mayor Pro Tem Shipley stated she is proud of our staff and working harder to do things in a very efficient way. She stated looking at tonight's agenda noting bids approved are below the budget and all credit goes to staff. She stated we do not just look at lifestyle, we make sure we have supply of water, and the wastewater systems are working correctly noting we have to redo some of them because our city is old. Mayor Pro Tem Shipley stated she hopes the public understands that what we do is in the best interest of the community.

### **ORDINANCE NO. 3139**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2018-2019, 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, 2019 AND TERMINATING SEPTEMBER 30, 2020, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

#### **Action:**

*Councilmember Kevin Strength moved to approve Ordinance No. 3139. Councilmember Mary Lou Shipley seconded. The vote was as follows:*

*Ayes: David Hill*

*Mary Lou Shipley  
Chuck Beatty  
Kevin Strength*

*Noes: Melissa Olson*

***The motion carried.***

**32. Consider proposed Ordinance approving the Water and Wastewater Budget for fiscal year 2019-2020**

Mr. Harris reported the proposed water budget is \$13,999,912 and the wastewater budget is \$11,512,952.

**ORDINANCE NO. 3140**

**AN ORDINANCE ADOPTING THE BUDGET, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF WAXAHACHIE'S WATER AND WASTEWATER OPERATIONS FOR THE PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 AND DECLARING AN EMERGENCY.**

**Action:**

*Councilmember Kevin Strength moved to approve Ordinance No. 3140. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**33. Consider proposed Ordinance amending Water and Wastewater fees and setting an effective date of October 1, 2019**

Mr. Harris reported various rates and fees fund the water and wastewater funds. There is a 4% increase for both funds.

**ORDINANCE NO. 3141**

**AN ORDINANCE AMENDING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE OF OCTOBER 1, 2019 AND DECLARING AN EMERGENCY.**

**Action:**

*Councilmember Chuck Beatty moved to approve Ordinance No. 3141. Mayor Pro Tem Mary Lou Shipley seconded. The vote was as follows:*

*Ayes: David Hill  
Mary Lou Shipley  
Chuck Beatty  
Kevin Strength*

*Noes: Melissa Olson*

*The motion carried.*

**34. Consider proposed Ordinance approving the Robert W. Sokoll Water Treatment Plant Budget for fiscal year 2019-2020**

Mr. Harris reported the plant has two customers, the City of Waxahachie and Rockett Special Utility District.

**ORDINANCE NO. 3142**

**AN ORDINANCE ADOPTING THE BUDGET, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE SOKOLL WATER TREATMENT PLANT JOINT VENTURE FOR THE PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 AND DECLARING AN EMERGENCY.**

**Action:**

*Councilmember Kevin Strength moved to approve Ordinance No. 3142. Councilmember Chuck Beatty seconded, All Ayes.*

**35. Consider proposed Ordinance approving the Refuse Service Fund; Hotel Tax Fund; Waxahachie Community Development Corporation Budget; and, Interest and Sinking Fund for fiscal year 2019-2020**

Mr. Harris reported this adopts the Refuse Service Fund, Hotel Tax Fund, Waxahachie Community Development Corporation, and the Interest and Sinking Fund.

**ORDINANCE NO. 3143**

**AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY GOVERNMENT OF THE CITY OF WAXAHACHIE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 AND DECLARING AN EFFECTIVE DATE.**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3143. Councilmember Melissa Olson seconded, All Ayes.*

**36. Consider proposed Ordinance amending the Solid Waste and Recycling Provisions Section 14.25 (b) Senior Citizens Discount**

Mr. Harris reported the contract with the provider allows them to increase their rates and stated the city has absorbed the last two increases. He stated this year resident's fee for solid waste and recycling will increase 2% and the Senior Citizens will not see an increase.

**ORDINANCE NO. 3144**

**AN ORDINANCE AMENDING SOLID WASTE AND RECYCLING PROVISIONS, BY AMENDING SECTION 14.25 (b) OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE.**

**Action:**

*Councilmember Chuck Beatty moved to approve Ordinance No. 3144. Councilmember Kevin Strength seconded, All Ayes.*

**37. Consider proposed Ordinance approving the Tax Rate for fiscal year 2019-2020**

Mr. Harris reported the tax rate remains the same and explained it maintains an operation and maintenance rate of 51 cents per \$100.00 valuation and debt rate of 17 cents for a total of 68 cents per 100 of taxable value.

**ORDINANCE NO. 3145**

**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 2020 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE.**

**Action:**

*Councilmember Kevin Strength moved to approve Ordinance No. 3145. Councilmember Chuck Beatty seconded. The vote was as follows:*

*Ayes: David Hill  
Mary Lou Shipley  
Chuck Beatty  
Kevin Strength*

*Noes: Melissa Olson*

***The motion carried.***

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

**ORDINANCE NO. 3146**

**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.**

City Manager Scott stated Chapter 143 of the Civil Service provisions does require us to re-establish the positions of civil service positions of police and fire. We are adding two (2) Police Patrol Officers and one (1) Sergeant position in this year's budget. The fire positions will be brought back for consideration at a later meeting.

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3146. Councilmember Melissa Olson seconded, All Ayes.*

**39. Consider award of bid for Getzendaner Park electrical project**

Parks and Recreation Director John Smith stated the bid includes two (2) alternates to include electrical service pedestals in Lions Park and electric and lights at the Oaklawn Pavilion. He stated the total bid for Getzendaner Park and the two (2) alternates total \$98,802.00. Mr. Smith stated the project is funded in the Parks Department FY 2019 budget.

**Action:**

*Councilmember Chuck Beatty moved to award a bid to Estes Electric for Getzendaner Park electrical project for \$98,802.00. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**40. Consider award of bid to McMahon Contracting, L.P. for the corridor restoration of East University Phase I**

Assistant City Manager Ludwig referenced items 40 – 42 noting all came in below cost.

City Engineer Gaertner reported the low bid for the corridor restoration of East University Phase I came in at \$2,426,875.00 and was a cost savings of \$567,125.00.

**Action:**

*Councilmember Chuck Beatty moved to award a bid to McMahon Contracting, L.P. for the corridor restoration of East University Phase I for \$2,426,875.00. Mayor Pro Tem Mary Lou Shipley seconded. The vote was as follows:*

*Ayes: David Hill  
Mary Lou Shipley  
Chuck Beatty  
Kevin Strength*

*Noes: Melissa Olson*

***The motion carried.***

**41. Consider award of bid to Texas Materials Group, Inc., dba JLB Contracting for the 2019 Street Rehabilitation Program**

Mr. Gaertner reported low bid for the 2019 CIP Scarification program came in at \$1,430,892.52 and was a cost savings of \$397,540.48. He explained this will allow us to scarify the asphalt, treat the subgrade and add an overlay asphalt.

**Action:**

*Councilmember Kevin Strength moved to award a bid to Texas Materials Group, Inc., dba JLB Contracting for the 2019 Street Rehabilitation Program in the amount of \$1,430,892.52. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**42. Consider award of bid to HD Cook's Rock Solid, Inc. for the 2019 Sidewalk Program**

Mr. Gaertner stated the Sidewalk Program is a planned expense, and part of the City's Five Year Capital Improvement Plan (CIP). The low bidder came in at \$228,008.94 and will include the following projects:

- East Marvin Avenue from North Flat Street to Ennis Street
- MLK Jr. Boulevard from Kaufman Street to Wyatt Street
- Brown Street (FM 813) from Kirksey Street to Criddle Street

**Action:**

*Councilmember Chuck Beatty moved to award a bid to HD Cook's Rock Solid, Inc. for the 2019 Sidewalk Program in the amount of \$228,008.94. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**43. Consider award of a bid to Circle H Contractors, LP for the FM 813 12" Water Line (791/769 Service Area Realignment) and Sidewalk Trail Capital Improvement Planned Project**

Mr. Gaertner reported the water line project will be funded via the Public Works Department. He explained this is done to ensure that this portion of the sidewalk is not damaged during the construction phase of the water line project. Mr. Gaertner reported the low bid was \$480,897.50 and a cost savings of \$127,000.

**Action:**

*Councilmember Kevin Strength moved to award a bid to Circle H Contractors, LP for the FM 813 12" Water Line (791/769 Service Area Realignment) and Sidewalk Trail Capital Improvement Planned Project in the amount of \$480,897.50. Councilmember Chuck Beatty seconded. The vote was as follows:*

*Ayes: David Hill  
Mary Lou Shipley  
Chuck Beatty  
Kevin Strength*



*Noes: Melissa Olson*

***The motion carried.***

**44. Consider appointments to Boards and Commissions**

City Manager Michael Scott reported by Ordinance every year Boards and Commissions are approved nothing this year there was a number of re-appointments. It was recommended by Council to move Judy Demoney to the Waxahachie Community Development Corporation and Jenny Bridges to the Park Board.

**Action:**

*Councilmember Chuck Beatty moved to approve the appointments to Boards and Commissions as amended. Councilmember Kevin Strength seconded, All Ayes.*

**45. Consider the establishment of a policy limiting utilization of City Attorney services without City Manager authorization**

Mayor Hill withdrew item 45.

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

Assistant City Manager Tommy Ludwig thanked City Council for their kind words and support noting he looks forward to working with Council on the next budget.

Assistant City Manager Albert Lawrence thanked City Council for establishing the Emergency Management Coordinator position. He stated Mr. Thomas Griffith is training staff and getting the Emergency Management program up to date. City Manager Lawrence stated Mr. Griffith already has two cities shadowing him and has gained respect by quickly becoming the regional leader.

Councilmember Kevin Strength stated he is really proud of the budget and what is happening around the city. He stated he appreciates the leadership of Mayor Hill.

Councilmember Chuck Beatty stated he is the longest serving council person and is also proud of the budget. He stated he was here when we had to lay off staff and had little money for projects. He stated we currently have excellent staff that is delivering all the services to our citizens and continue to improve the quality of life for our citizens.

City Manager Michael Scott stated the agenda was full which included the budget. He stated it is amazing the progress we are making and the plans we have laid out. He thanked the Finance Department for their tireless work stating the City Council appreciates you as well as the citizens. He thanked his Assistant, Ms. Chelsey Gordon, for her assistance in keeping the budget process flowing. Mr. Scott thanked City Council for their leadership noting they have worked hard this budget cycle. He stated there were good bids tonight as far as the capital projects and just a lot of good things are happening as we move forward with this year ahead serving our citizens.

Mayor Pro Tem Mary Lou Shipley stated she appreciates the reminders Council receives regularly from the City Manager which is “we are all about service”. She noted the things that have been happening just emphasize that and she appreciates that a great deal.

Councilmember Melissa Olson stated City Staff and City Council is a hard working group of people noting it is not just a nine to five job. She stated they are called all the time and that is okay. She thanked them for working as hard as they do. Councilmember Olson stated she did not approve the budget and felt there was a different direction we could have gone with it. She stated she does appreciate all the work the Finance Department and City Manager has put into this year’s budget.

Mayor David Hill stated he is happy with the budget. He stated if he says something that might offend someone, as soon as the meeting is over, we can resolve it because it is not his intention to insult anybody. Mayor Hill stated his intent is to work hard for the city and make sure we are doing our responsibilities that we all live in harmony. He stated there was a time you could not go to Lee Penn Park and play football on the field because of glass on the dirt. Mayor Hill stated the city spent several dollars by putting a new football field, irrigation, new turf, grand stands, lighting, and Baseball Park with amenities.

#### **47. Adjourn**

There being no further business, the meeting adjourned at 9:55 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary