

City Council
May 18, 2020

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, May 18, 2020 at 7:00 p.m.

Councilmembers Present: David Hill, Mayor
Mary Lou Shipley, Mayor Pro Tem
Melissa Olson, Councilmember

Via Teleconference: Chuck Beatty, Councilmember
Kevin Strength, Councilmember

Others Present: Michael Scott, City Manager
Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Amber Villarreal, Assistant City Secretary

Via Teleconference: Robert Brown, City Attorney

1. Call to Order

Mayor David Hill called the meeting to order and did a roll call for members in attendance via teleconference. Members present via teleconference included Councilmember Chuck Beatty and Councilmember Kevin Strength.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

City Manager Michael Scott gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Consent Agenda

- a. Minutes of the City Council meeting of May 4, 2020

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve item a. on the Consent Agenda. Councilmember Melissa Olson seconded, All Ayes.

5. Present Proclamation proclaiming May 17 – 23, 2020 as National Public Works Week

James Gaertner, Director of Public Works and Engineering, presented an overview of the Public Works Department including staff, completed street projects, and upcoming projects. He thanked his department for all their work.

Mayor Hill proclaimed May 17-23, 2020 as National Public Works Week and presented a proclamation to the Public Works Department.

Council commended the Public Works Department for all their work and fantastic job at monitoring city projects.

6. Consider authorizing a service contract with Sipes Instrumentation and Electric Service for instrumentation repair, and support services for the City's SCADA system

Richard Abernathy, Assistant Director of Utilities, requested approval of a three-year service contract with Sipes Instrumentation and Electric Service associated with instrumentation repair, parts, and software support service for the City's SCADA system in the amount of \$221,145.00. He explained the city advertised Request for Proposals and after review, Sipes received the highest score and determined to be the best provider of this service based on the city's needs.

Action:

Councilmember Kevin Strength moved to approve authorizing a service contract with Sipes Instrumentation and Electric Service for instrumentation repair, and support services for the City's SCADA system in the amount of \$221,145.00. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

7. Consider authorizing the construction of a fleet equipment cover of the Utilities Department with G2 General Contractors through the Sourcewell Purchasing Cooperative Agreement

David Bailey, Director of Utilities, requested approval to authorize the construction of a fleet equipment cover for the Water and Sewer Operations Building in the amount of \$76,476.75. He explained the work would be completed by G2 General Contractors through Sourcewell Purchasing Cooperative and the storage building will be used to store fleet vehicles and equipment that is utilized in the Water and Wastewater field operations. He noted the work is approximately \$20,000 below the original budget in the FY 2019-2020 Water Distribution and Wastewater Collections Operations and Maintenance Budget.

Councilmember Kevin Strength noted a fence would be added to the project to be more aesthetically pleasing.

Mayor Hill noted this would allow the city to get more life out of the equipment.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve authorizing the construction of a fleet equipment cover of the Utilities Department with G2 General Contractors through the Sourcewell Purchasing Cooperative Agreement in the amount of \$76,476.75. Councilmember Melissa Olson seconded, All Ayes.

8. Consider a petition for relief request for an impact fee waiver associated with First Look Pregnancy Center

Mr. Scott explained the city received a request from First Look Clinic for a waiver of the following impact fees:

- Park Fees (\$1,610.00)
- Water/Wastewater (\$21,177.49)

- ROW Impact (\$77,182.56)

Julie Farrah, First Look, reviewed a background of the non-profit organization noting it has been in Waxahachie for some 25 years by providing essential services to many families and helped to preserve the lives of many of our youngest residents. She requested full economic relief from all impact fees related to the construction of the new facility.

Mr. Vernon Wilson, President of First Look, thanked the council for their consideration and explained with the growth of the community the need for their services has also grown.

Councilmember Melissa Olson asked about the different impact fees and if the property already has infrastructure in place.

Mr. Gaertner noted there is infrastructure on the adjacent property but First Look will need their own drainage and that cost is on them.

Councilmember Strength noted he is willing to waive half of the required impact fees.

Donna Young, First Look, explained funding for First Look is partially received from the state and other programs as well as local donations from businesses and churches. She noted the Ellis County Commissioner's Court approved a one-time \$30,000 donation that can be re-considered yearly.

Mayor Pro Tem Shipley confirmed that the facility will be exempt from property taxes and Mr. Wilson noted that is correct.

Action:

Councilmember Kevin Strength moved to approve a petition for relief request for an impact fee waiver associated with First Look Pregnancy Center for half of the required impact fees. Councilmember Chuck Beatty seconded, the vote was as follows: Ayes: David Hill, Chuck Beatty, Kevin Strength, and Melissa Olson. Noes: Mary Lou Shipley.

The motion carried.

9. Consider contract amendment with American Medical Response (AMR) for ambulance services

Fire Chief Ricky Boyd requested approval of a new Ambulance Services Contract with American Medical Response (AMR) for ambulance services. He explained the new contract was coordinated with the cities of Red Oak, Ennis, and Ellis County over the last several months. He noted the present contract is set to expire January 3, 2021, but all parties agreed it would be best to align the contract with the fiscal year; therefore, the contract will begin on October 1, 2020 and run through October 1, 2022 and provides for optional 2-year renewals. The annual subsidy would remain the same as the last two years at \$142,167.00.

Action:

Councilmember Melissa Olson moved to approve a contract amendment with American Medical Response (AMR) for ambulance services. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

- 10. Consider request by Brian Carrington, Stantec Consulting Services Inc. for a Final Plat of Buffalo Ridge Phase 5 for 230 residential lots and 9 'X' lots, being 60.798 acres situated in the W.C. Calder Survey, Abstract 235 and the W.T. Dunn Survey, Abstract 303 (Property ID 264869) – Owner: Bobby Samuel, GRBK Edgewood, LLC (SUB-000051-2020)**

Planning Director Shon Brooks presented the case explaining the applicant is requesting to plat this property in order to establish a fifth phase of the Buffalo Ridge subdivision. He noted the applicant is seeking a variance for the utility easement setbacks to be 10' instead of 15' which was shown on the preliminary plat. Staff recommended approval as presented with the variance.

Action:

Councilmember Kevin Strength moved to approve a request by Brian Carrington, Stantec Consulting Services Inc. for a Final Plat of Buffalo Ridge Phase 5 for 230 residential lots and 9 'X' lots, being 60.798 acres situated in the W.C. Calder Survey, Abstract 235 and the W.T. Dunn Survey, Abstract 303 (Property ID 264869) – Owner: Bobby Samuel, GRBK Edgewood, LLC (SUB-000051-2020). Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

- 11. Continue Public Hearing on a request by the City of Waxahachie to consider revoking, amending, or extending a Specific Use Permit (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed (ZDC-000007-2020)**

Mayor Hill opened the Public Hearing and announced the case will continue to the June 1, 2020 City Council meeting.

- 12. Consider approval of ZDC-000007-2020**

Action:

Mayor Pro Tem Mary Lou Shipley moved to continue the Public Hearing on a request by the City of Waxahachie to consider revoking, amending, or extending a Specific Use Permit (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed (ZDC-000007-2020) to the June 1, 2020 City Council meeting. Councilmember Chuck Beatty seconded, All Ayes.

- 13. Consider Development Agreement for ZDC-000007-2020**

Action:

No action taken.

14. Discuss and take any action related to the city's response to COVID-19

Emergency Management Coordinator Thomas Griffith reviewed current numbers for COVID-19 cases in Waxahachie and Ellis County. He explained more testing is available and the positivity rate in Ellis County is about 1% of those tested. He noted only about 20% of Waxahachie cases are active and that number is tracking downward. He explained Ellis County cases have been on the decline since April 21st and Waxahachie has been flat between April 16-May 14 and will soon be on the decline.

Councilmember Olson requested to open public city playgrounds with social distancing signs and allow parents to decide if they want to utilize them at their own risk. She also requested to add Public Comments back to meeting agendas and open the meetings for the public to attend.

Mayor Hill explained there has been discussions about opening the playgrounds since the day they were closed and he has been waiting on clear direction from the Governor's Orders. He suggested hand-sanitizing stations at the playgrounds.

City Council discussed the legalities of opening the playground equipment by Memorial Day weekend.

City Attorney Robert Brown explained the most recent Governor's Order does not spell out public park playgrounds and does not think the city would be in violation to open public playgrounds subject to social distancing.

Assistant City Manager Albert Lawrence noted the CDC still recommends not having playgrounds open at this time.

Mr. Brown noted the city could take a conservative approach and just allow parks to be open until the Governor speaks to that definitively.

Mr. Scott noted the surrounding cities are each doing their own thing and if council decides to open the public playgrounds then the city can do it's best to keep it safe as possible.

Mayor Pro Tem Shipley noted she thinks the vagueness of the Governor's Order will make it hard to be enforceable.

Mr. Scott suggested opening up the pavilions as well on a first-come first-serve basis at this time.

Action:

Mayor David Hill moved to open city parks and pavilions on May 23, 2020 with safety signs, hand-sanitizing stations, in compliance with CDC regulations, and public notice through social media. Councilmember Kevin Strength seconded, All Ayes.

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

City Manager Michael Scott thanked Chief Boyd for his work on the AMR contract revisions. He also thanked Public Works and Utilities for their work.

Councilmember Kevin Strength thanked staff and council for working through COVID-19. He also thanked Utilities, Public Works, Police Chief and Fire Chief for their work.

Councilmember Chuck Beatty praised the Public Works Department and city staff for their work during COVID-19. He also thanked the citizens of Waxahachie and Ellis County for adhering to social distancing to keep everyone safe.

Mayor David Hill asked for prayers for the injured firefighters in Los Angeles. He thanked Thomas Griffith and the Emergency Management Team for their work during this pandemic. Mayor Hill offered encouraging information by noting that sometimes when Emergency Management is notified of a positive COVID-19 case, in some instances, the person has already been quarantined and recovered. He also thanked Public Works and encouraged everyone to continue practicing social distancing.

16. Adjourn

There being no further business, the meeting adjourned at 8:14 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary