

City Council  
June 15, 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, June 15, 2020 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  
Amber Villarreal, Assistant 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**

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

**4. Public Comments**

Mr. Kevin Ivey, 1980 E. Highland, Waxahachie, thanked Council for the updates to Penn Park and encouraged Council to attend future events there. He also thanked the Police Department for their work and asked Council to continue funding first responders.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of June 1, 2020
- b. Application for Seasonal Vendor Permit at Lake Waxahachie
- c. Consider authorizing a Supplemental Appropriation from the Roadway Impact Fee Fund to the General Fund associated with the Five Year Impact Fee Update
- d. Consider authorizing a Supplemental Appropriation from the Water Impact Fee Fund to the Water Fund associated with the Five Year Impact Fee Update
- e. Consider authorizing a Supplemental Appropriation from the Wastewater Impact Fee Fund to the Wastewater Fund associated with the Five Year Impact Fee Update
- f. Consider a one year contract extension with Evoqua Water Technologies for 1) the purchase of sodium chlorite and 2) the rental of generators utilized to create chlorine dioxide for water treatment at the Howard Road and Sokoll Water Treatment Plants

- g. Consider award of a bid to Brenntag Southwest and Chameloen Industries for various chemicals required for Water treatment operations at the Howard Road and Sokoll Water Treatment Plants
- h. Consider amending Chapter 380 Agreement with Crepe Myrtle Enterprises & Showbiz Cinemas

**Action:**

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

- 6. Consider and take action on a resolution directing publication of notice of intention to issue Certificates of Obligation, Series 2020; directing the preparation of a preliminary official statement and related materials; and providing an effective date**

Mr. Scott presented Resolution No. 1289 explaining this is the first step in the process for the city to issue Certificates of Obligations in the amount of a little over \$23,000,000.

**RESOLUTION NO. 1289**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION, SERIES 2020; DIRECTING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND RELATED MATERIALS; AND PROVIDING AN EFFECTIVE DATE.**

**Action:**

*Councilmember Kevin Strength moved to approve Resolution No. 1289. Councilmember Chuck Beatty seconded, All Ayes.*

- 7. Public Hearing on a request by Josh Millsap, KFM Engineering & Design, for a detailed Site Plan review for a proposed Subdivision development, Dove Hollow, within a Planned Development zoning district, located adjacent to and south of Grove Creek Rd (Property ID 192636, 192643, 192639, 192645) – Owner: CEH 212 LP (SP-75-2020)**

Mayor Hill opened the Public Hearing and noted the applicant requested to continue the Public Hearing to the July 6, 2020 City Council meeting.

- 8. Consider approval of Zoning Change No. SP-75-2020**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to continue the Public Hearing on a request by Josh Millsap, KFM Engineering & Design, for a detailed Site Plan review for a proposed Subdivision development, Dove Hollow, within a Planned Development zoning district, located adjacent to and south of Grove Creek Rd (Property ID 192636, 192643, 192639, 192645) – Owner: CEH 212 LP (SP-75-2020) to the July 6, 2020 City Council meeting. Councilmember Melissa Olson seconded, All Ayes.*

9. **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 continued the Public Hearing.

Planning Director Shon Brooks presented the case noting the City of Waxahachie requested to consider approving a new Specific Use Permit along with a Development Agreement for Oak Cliff Metals at 500 Brown Industrial Dr. He explained staff was concerned due to the frequent fires on the property, as well as repeated ordinance violations for this site. He explained the City Attorney and the legal counsel for Oak Cliff Metals drafted a Development Agreement for the property.

There being no others to speak for or against ZDC-000007-2020, Mayor Hill closed the Public Hearing.

10. **Consider proposed Ordinance approving ZDC-000007-2020**

**ORDINANCE NO. 3196**

**AN AMENDMENT TO ORDINANCE 2616 AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT OUTSIDE STORAGE (METAL GRANULATORS AND CRUSHERS FOR THE RECLAMATION OF VEHICLES, PARTS OF VEHICLES, AND OTHER MATERIALS TO BE PROCESSED) WITHIN A HEAVY INDUSTRIAL (HI) ZONING DISTRICT, LOCATED AT 500 BROWN INDUSTRIAL ROAD, BEING PROPERTY ID 233797, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 10R, BROWN INDUSTRIAL SITES, PHASE TWO, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to revoke Ordinance No. 2616 and approve Ordinance No. 3196. Councilmember Chuck Beatty seconded, All Ayes.*

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

**Action:**

*Councilmember Kevin Strength moved to approve a Development Agreement for ZDC-000007-2020. Councilmember Melissa Olson seconded, All Ayes.*

12. **Consider authorizing professional engineering design services with Freese and Nichols, Inc. associated with the Phase II College Street Drainage Improvement Project**

Director of Engineering and Public Works James Gaertner requested approval to authorize professional engineering services by Freese and Nichols, Inc. related to the drainage improvements to replace the existing College Street drainage tunnel in the amount of \$310,497.00. The services will include design and preparation of construction plans, specialization for drainage improvements, sanitary sewer replacement, and associated pavement replacement. He explained the approval of a resolution is also requested to reimburse the Public Works and Engineering Department from future bond sales.

**Action:**

*Councilmember Kevin Strength moved to approve professional engineering design services with Freese and Nichols, Inc. associated with the Phase II College Street Drainage Improvement Project in the amount of \$310,497.00. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

- 13. Consider a resolution authorizing the reimbursement of the General Fund from the proceeds of future debt associated with Phase II professional engineering services for the College Street Drainage Project**

**RESOLUTION NO. 1290**

**A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING PHASE II PROFESSIONAL ENGINEERING SERVICES ASSOCIATED THE COLLEGE STREET DRAINAGE PROJECT**

**Action:**

*Councilmember Chuck Beatty moved to approve Resolution No. 1290. Councilmember Kevin Strength seconded, All Ayes.*

- 14. Comments by Mayor, City Council, City Attorney and City Manager**

Assistant City Manager Tommy Ludwig announced the temporary road access for the residents at the Arbors should be ready in about two weeks.

Mr. Gaertner explained the light at North Grove Boulevard is installed and will begin the process of turning on permanently.

Police Chief Wade Goolsby invited Council to attend the Promotional Ceremony for Josh Oliver on June 16, 2020 at 2:00 p.m.

Assistant City Manager Albert Lawrence introduced the new Economic Development Director Warren Kettman and noted he brings over 20 years of experience to the City.

Councilmember Kevin Strength welcomed Mr. Kettman. He also thanked staff for their work through COVID-19 and continuing to work through the budget process and noted it is nice to be back to regular meetings.

Councilmember Chuck Beatty welcomed Mr. Ketteman and echoed Mr. Strength's remarks on city staff and the budget process.

City Manager Michael Scott expressed his appreciation for staff and noted he is grateful for Council's leadership and direction as we move into the next fiscal year.

Mayor Pro Tem Mary Lou Shipley noted it is nice to be back to regular meetings and to see citizens in the audience. She expressed her appreciation to Emergency Management Coordinator Thomas Griffith and his staff for all their hard work during COVID-19.

Councilmember Melissa Olson noted it was good to be back to regular meetings.

City Attorney Robert Brown thanked Mr. Benjie Smith, Oak Cliff Metals, and his legal counsel for working with the City on the Development Agreement for the property.

Mayor David Hill expressed his gratitude for Finance Director Charlie Harris and thanked him for educating him on city finance. He wished Mr. Harris the best on his retirement and noted he would be greatly missed.

## **15. Adjourn**

There being no further business, the meeting adjourned at 7:24 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary