

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, December 7, 2020 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1  
Mary Lou Shipley, Mayor Pro Tem  
Chuck Beatty, Council Member  
Melissa Olson, Council Member Place 3

Council Member Absent: Doug Barnes, Council Member Place 2

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**

Mayor Hill gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Mr. Ira Tenpenny, 109 Rosa Street, Waxahachie, Texas, expressed concern with safety issues of large trash dumpsters not sitting properly near the Waxahachie Housing Authority. He suggested to place them properly and have reflective tape on them that can be seen when someone is driving by. He expressed concern with owners not obeying the leash law and recommended the Waxahachie Police Department make sure pet owners keep their animals on a leash. Mr. Tenpenny referenced rental properties noting there is no requirement to fix them up prior to renting them.

Mr. Alan Fox, 327 University, Waxahachie, Texas, stated the Pearl Harbor Anniversary is today and noted we are facing record deaths due to COVID-19. He stated we need to keep our focus on the present good and as a city, we will get past this as Pearl Harbor did and will be better for it. He thanked City Council for their leadership.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of November 16, 2020
- b. Minutes of the City Council briefing of November 16, 2020
- c. Mobile Home License Renewals for 2021
- d. Taxi Cab License Renewal for 2021
- e. Change Order # 3 to the 2020 Asphalt Street Rehabilitation contract with Reynolds Asphalt and Construction that will add two additional sites to the contract

- f. Budget adjustment from Waxahachie Police Department
- g. Receive Fiscal Year 2020 4<sup>th</sup> Quarter Financial Report

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve items a. through g. on the Consent Agenda. Council Member Melissa Olson seconded, All Ayes.*

**6. Public Hearing on the amendment of land use assumptions and capital improvement plans for roads, water and wastewater, and the imposition of an impact fee**

Mayor Hill opened the Public Hearing.

Mr. Eddie Haas, Project Manager for Roadway Impact Fees, Freese & Nichols, reviewed Land Use Assumptions for impact fees and Mr. Derek Chaney, Birkhoff, Hendricks, & Carter, L.L.P., reviewed the Water and Wastewater Impact Fee Report. He explained the 10-year growth projection by service area calculated at 3.5% growth rate. The Land Use Assumptions are the basis for the development of the Capital Improvement Plan. He reviewed the Roadway Impact Fee Report and the full thoroughfare roadway system. Mr. Chaney reviewed the Water and Wastewater Impact Fee report and provided methods of calculating the fees, a 10-year Capital Improvement Plan method and a full Water and Sewer System method.

Mr. Haas and Mr. Chaney recommended adopting the system wide plan approach and assess the impact fees at no greater than the 10 Year Plan calculations.

Assistant City Manager Tommy Ludwig recommended the following staff recommendations:

- Adopt the system wide plan approach
- Assess the impact fees at no greater than the 10 Year Plan calculations

Mr. Ludwig stated the Impact Fee Capital Improvement Advisory Committee voted unanimously to accept staff recommendations at their September 15<sup>th</sup> and October 27<sup>th</sup> meetings.

There being no others to speak for or against the Public Hearing on the amendment of land use assumptions and capital improvement plans for roads, water and wastewater, and the imposition of an impact fee, Mayor Hill closed the Public Hearing.

**7. Consider proposed Ordinance updating 1) the City's Land Use Assumptions, 2) Waste, Wastewater, and Roadway Impact Fee Capital Improvement Plans, and 3) establishing revised assessment and collection schedules for Water, Wastewater, and Roadway Impact Fees**

**ORDINANCE NO. 3239**

**AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ADOPTING UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLANS AND ASSOCIATED BOUNDARIES; AND APPROVING REVISED ASSESSMENT AND COLLECTION SCHEDULES FOR WATER, WASTEWATER, AND ROADWAY IMPACT FEES;**

**PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**Action:**

*Council Member Chuck Beatty moved to approve Ordinance No. 3239. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

- 8. Convene into Executive Session for consultation with attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code and for deliberation regarding real property as permitted under Section 551.072, Texas Government Code**

Mayor Hill announced at 7:40 p.m. the City Council would convene into Executive Session for consultation with attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code and for deliberation regarding real property as permitted under Section 551.072, Texas Government Code.

- 9. Reconvene and take any necessary action**

The meeting reconvened at 8:22 p.m.

1. Deliberation regarding real property as permitted under Section 551.072, Texas Government Code.

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to authorize the City Manager to purchase approximately 0.32 acres of Ellis County Property ID 189786 in an amount not to exceed \$45,000, plus any closing costs, and to execute any documents necessary to facilitate the property purchase. Council Member Chuck Beatty seconded, All Ayes.*

2. Consultation with attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code.

**Action:**

*None*

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

Assistant City Manager Tommy Ludwig thanked city staff for their meticulous roll in the impact fee process and meetings.

City Manager Michael Scott thanked city staff for their role in the impact fee process. He thanked Mayor David Hill and Mayor Pro Tem Mary Lou Shipley for attending the employee awards ceremony and looks forward to the upcoming drive-thru city employee luncheon on Thursday.

Mayor David Hill stated today's employee awards ceremony is a testament that city staff is the heartbeat of the city.

**11. Adjourn**

There being no further business, the meeting adjourned at 8:26 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary