

City Council
March 7, 2022

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, Waxahachie, Texas, on Monday, March 7, 2022 at 7:00 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2
Billie Wallace, Mayor Pro Tem, Council Member Place 4
Melissa Olson, Council Member Place 3
Travis Smith, Council Member Place 5

Council Member Absent: David Hill, Council Member Place 1

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Shon Brooks, Executive Director of Development Services
Gumaro Martinez, Executive Director Park & Leisure Services
Richard Abernethy, Director of Administrative Services
Robert Brown, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Doug Barnes called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

City Manager Michael Scott gave the invocation. Council Member Melissa Olson led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Chris Wright, 808 W. Marvin, Waxahachie, Texas, thanked Mayor Pro Tem Billie Wallace and City employee Steve Brigman for their quick response to a construction complaint in a residential neighborhood. Mr. Wright requested all supplemental appropriation requests be placed on the regular agenda instead of the consent agenda.

Alan Fox, 327 University, Waxahachie, Texas, asked City Council, Parks Department, and Cemetery Board to work together to remember the cemetery vandalism differently. He expressed his appreciation of how the community responded to the vandalism and their willingness to help.

5. Consent Agenda

- a. Minutes of the City Council meeting of February 21, 2022
- b. Minutes of the City Council briefing of February 21, 2022
- c. Minutes of the City Council Work Session of February 21, 2022
- d. Event application for Cinco de Mayo Festival to be held May 7, 2022
- e. Supplemental appropriation for additional track repairs and increased scope of wrought iron fencing at the Sports Complex

- f. Supplemental appropriation to the FY21-22 Civic Center budget for increased costs associated with the restroom and dressing room renovations
- g. Supplemental appropriation for 2022 Crape Myrtle Festival fireworks show
- h. Professional Engineering Design Services agreement for Boat Dock Park Improvements

Action:

Mayor Pro Tem Billie Wallace moved to approve items a. through h. on the Consent Agenda. Council Member Melissa Olson seconded, All Ayes.

6. Consider City of Waxahachie Annual Financial Report for year ended September 30, 2021

Ms. Paula Lowe, Patillo, Brown, & Hill, L.L.P., presented the City of Waxahachie Annual Financial Report for the year ended September 30, 2021. Ms. Lowe reviewed the Independent Auditor's Report noting it is their opinion the city financial statements present fairly in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund and the aggregate remaining fund information of the City of Waxahachie, Texas, as of September 30, 2021, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with account principles generally accepted in the United States of America. Ms. Lowe reviewed the following financial highlights:

- All positive balances in all categories of Statement of Net Position
- Total Fund balance of \$47,208,244
- "Clean", unqualified opinion, which is the highest level that can be given

Ms. Lowe thanked Finance Director Chad Tustison, Assistant Finance Director Gail Turner, and their staff for their assistance during the audit process.

Mayor Barnes thanked the Finance Department for their hard work throughout the audit process.

Action:

Mayor Pro Tem Billie Wallace moved to accept the City of Waxahachie Annual Financial Report for year ended September 30, 2021 as presented. Council Member Melissa Olson seconded, All Ayes.

7. Discuss Solicitation Ordinance

Police Chief Wade Goolsby updated City Council on the process for permitting solicitors explaining the current ordinance requires a solicitor to obtain a permit from the Waxahachie Police Department. Applicants must provide their driver's license, fingerprints, application, and a criminal history check is conducted. Once all qualifications are met a picture id badge is issued to the applicant showing their name and expiration date for the permit. Permits are issued for 30 days at which time the applicant must reapply. Chief Goolsby noted 59 solicitor permits were issued in 2021 of which 62% were from out of state, 34% were from out of our city, and less than 1% resided in Waxahachie. He explained City Council can amend the ordinance to allow permits to extend past 30 days but noted criminal history can change within a month and recommended monthly criminal background screenings to renew permits.

Council Member Travis Smith asked if the ordinance allows for enforcement and Chief Goolsby explained it is the discretion of the officer to write a citation or inform a solicitor they need a permit. Mr. Smith asked if the ordinance can provide an exemption for citizens and City Attorney Robert Brown explained there has to be equal application of the law and locals cannot be exempted. He explained the purpose of the ordinance is to screen solicitors and provide a layer of protection for the citizens.

Council Member Melissa Olson asked for clarification on the distributing handbills to residents and Mr. Brown explained the ordinance allows from an exemption for a permit in regards to distributing religious or election material; however, solicitors of any type must abide by the law and not trespass on a homeowner's property that has a No Soliciting or No Trespassing sign.

Chad Hengst, 119 Sumac Drive, spoke in support of monthly criminal background checks but suggested removing monthly fingerprints and allowing photo badges to be valid for 6 months. He also requested an online renewal process to streamline permitting.

Alan Fox, 327 University, Waxahachie, Texas, encouraged informing the public about the solicitation ordinance and asked how to control those soliciting without permits.

Kevin Ivey, 1980 E. Highland, Waxahachie, Texas, expressed his appreciation for the process and noted he does not support online renewals unless they are able to be fully verified by the police department.

Council Member Smith and Council Member Olson asked if there is a way to streamline the renewal process. Police Chief Goolsby explained he is not opposed to eliminating fingerprints during the renewal process as long as the applicant's identity can be verified and noted he would still like applicants to renew their permits in person with a criminal background check.

Mayor Barnes directed Police Chief Goolsby to prepare a recommendation on how to streamline the renewal process. Mr. Brown explained he will review ordinances from other cities.

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

City Manager Michael Scott thanked the Finance Department for their work on the audit.

Council Member Melissa Olson thanked the residents, City Council, and Police Chief Wade Goolsby for their open discussion on the solicitation ordinance. Council Member Olson requested to consider streaming the briefing sessions.

Council Member Travis Smith spoke in support of streaming the briefing sessions and requested to add the value of the supplemental appropriations to the agenda items. Council Member Smith thanked Gumaro Martinez, Executive Director Park & Leisure Services, and the Communications and Marketing Department for their work during the assessment of the City Cemetery vandalism.

Deputy City Manager Albert Lawrence thanked the Finance Department for their work during the audit process.

9. Adjourn

There being no further business, the meeting adjourned at 8:01 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary