

City Council
April 4, 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, April 4, 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
David Hill, Council Member Place 1
Melissa Olson, Council Member Place 3
Travis Smith, Council Member Place 5

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

Pastor Adrian Cooper, Legacy Life Church, gave the invocation. Mayor Pro Tem Billie Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

None

5. Consent Agenda

- a. Minutes of the City Council meeting of March 21, 2022
- b. Minutes of the City Council briefing of March 21, 2022
- c. Event application for Old Time American Music event to be held May 21, 2022
- d. Event application for Spook Out Homelessness event to be held October 22, 2022
- e. Renewal of Facilities Maintenance Agreement with AHI Facility Services, Inc.
- f. Service Contract with Andale Construction, Inc. for High Density Mineral Bond Seal, Pavement Preservation

Action:

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

6. Recognize Downtown Waxahachie as a Great Neighborhood for the 2022 Great Places in Texas program

Senior Director of Planning Jennifer Pruitt presented the Mayor and City Council with an award on behalf of the Texas Chapter of the American Planning Association. She explained, Downtown Waxahachie was selected as a Great Neighborhood for the 2022 Great Places in Texas program. The TXAPA chapter is proud to recognize our Great Neighborhood as an example of planning excellence in the state of Texas. Downtown Waxahachie is one of six Cities selected for this prestigious award. This year the selection process was competitive, and many places were nominated for this distinct designation. While many of the nominated places were good examples of planning, those selected for designation illustrate most effectively what it means to be a “great” place, including design, functionality, sustainability, character, quality, and community participation.

Mayor Barnes thanked Ms. Pruitt, Downtown Development Director Anita Simpson, and Executive Director of Development Services Shon Brooks.

7. Public Hearing on a request by Brandon Layman, 7 Brew Drive-Thru Coffee, for a Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned Development-42-Commercial (PD-42-C) zoning district located East of Highway 77 and North of Country Meadows Blvd (Property ID 224192) - Owner: WILLIAM C & SALLY R ESTES LIVING TRUST (ZDC-22-2022)

Ms. Pruitt presented the case noting the applicant is requesting approval of a Specific Use Permit (SUP) to allow a drive-through establishment (7 Brew Coffee) on 0.597 acres. Staff and the Planning and Zoning Commission recommended approval subject to the following staff comments:

1. A mutually agreed upon Development Agreement will be required for the development.
2. All necessary building permits will need to be issued by the City of Waxahachie Building and Community Services Department prior to construction on the site.
3. The applicant shall incorporate at least one (1) crape myrtle into the Landscape Plan.

Ms. Pruitt reviewed the elevation façade option 1 as proposed by the applicant. The operational plan will consist of a drive-through concept only without inside dining. Ms. Pruitt explained the proposal meets or exceeds all City landscaping requirements and the applicant has agreed to add four (4) crape myrtle trees to the Landscape Plan.

Mayor Barnes opened the Public Hearing.

There being no others to speak for or against ZDC-22-2022, Mayor Barnes closed the Public Hearing.

Council Member Travis Smith asked if approval of this business will hinder development of the adjacent land and Ms. Pruitt explained there will be an access easement between the lots to allow for future development.

8. Consider proposed Ordinance approving ZDC-22-2022

ORDINANCE NO. 3321

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE THROUGH ESTABLISHMENT USE WITHIN A PLANNED DEVELOPMENT-42-COMMERCIAL (PD-42-C) ZONING DISTRICT, LOCATED NORTH OF 1760 N US HIGHWAY 77, AT THE INTERSECTION OF COUNTRY MEADOWS BOULEVARD & N US HIGHWAY 77, BEING A PORTION OF PROPERTY ID 224192, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK A, IN THE 7 BREWS ADDITION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Mayor Pro Tem Billie Wallace moved to approve Ordinance No. 3321. Council Member Melissa Olson seconded, All Ayes.

9. Consider Development Agreement for ZDC-22-2022

Action:

Mayor Pro Tem Billie Wallace moved to approve a Development Agreement for ZDC-22-2022. Council Member Melissa Olson seconded, All Ayes.

10. Consider the approval of a ground lease and construction agreement with Don Jackson Construction Company, Inc. for the development of six new private box hangars at Mid-Way Regional Airport

Richard Abernethy, Director of Administrative Services, requested approval of a ground lease and construction agreement with Don Jackson Construction Company, Inc. for the development of six new private box hangars at Mid-Way Regional Airport. He explained the Airport Board advertised a Request for Proposal for Private Investment for new hangar development and received three proposals. The Airport Board unanimously recommended approval of the ground lease and construction agreement at their February 10, 2022 meeting. Don Jackson Construction Company, Inc. will construct six private box hangars, infrastructure for a new taxiway, and parking solely at their expense. He explained this a private development on land at the Airport and there is no cost to the City of Waxahachie or City of Midlothian and the Airport will receive revenue from the resale of the hangars as well as annual revenue from the ground lease.

Action:

Mayor Pro Tem Billie Wallace moved to approve a ground lease and construction agreement with Don Jackson Construction Company, Inc. for the development of six new private box hangars at Mid-Way Regional Airport. Council Member Melissa Olson seconded, All Ayes.

Council Member Travis Smith thanked the Airport Board for their work expanding at the airport without fiscally impacting either cities.

11. Consider supplemental appropriation for two replacement outdoor warning sirens

Thomas Griffith, Emergency Management Coordinator, requested approval of a budget amendment to purchase two new outdoor warning sirens and a control unit. He explained the new sirens will replace a malfunctioned siren located at Lee Penn Park and the other at Estes Electric on FM 66.

Action:

Mayor Pro Tem Billie Wallace moved to approve a supplemental appropriation for two replacement outdoor warning sirens in the amount of \$63,700. Council Member Melissa Olson seconded, All Ayes.

12. Consider request for additional funding for the construction of Fire Station 4

Fire Chief Ricky Boyd requested approval of additional funding for the construction of Fire Station 4 in the amount of \$3,650,000 due to the increased cost in construction. He explained Fire Station 4 has been planned for several years and staffing has been phased in through previous years in preparation for its opening.

Action:

Mayor Pro Tem Billie Wallace moved to approve a additional funding for the construction of Fire Station 4 in the amount of \$3,650,000. Council Member Travis Smith seconded, All Ayes.

13. Consider Professional Services Agreement Amendment with Kimley Horn for design and construction oversight related services for the Wastewater Treatment Plant Improvement Project Change Order No. 10

James Gaertner, Director of Engineering and Public Works, requested approval of a contract amendment in the amount of \$273,610 to the engineering services and construction management contract with Kimley-Horn for the Jefferson Lift Station Capacity Expansion. He explained this item is a companion to the Bar Constructors Change Order #10 for this project. This project will be funded through Coronavirus Local Fire Fiscal Recovery Funds (CLFRF).

Action:

Mayor Pro Tem Billie Wallace moved to approve a professional services agreement amendment with Kimley-Horn for design and construction oversight related services for the Wastewater Treatment Plant Improvement Project Change Order No. 10 in the amount of \$273,610. Council Member Melissa Olson seconded, All Ayes.

14. Consider approving Change Order No. 10 for the Wastewater Treatment Plant Improvement Project to BAR Constructors

Action:

Mayor Pro Tem Billie Wallace moved to approve Change Order No. 10 for the Wastewater Treatment Plant Improvement Project to Bar Constructors. Council Member Melissa Olson seconded, All Ayes.

15. Consider approving Change Order No. 1 with Clark Electric, Inc. for the Raw Water Pump Station No. 2 Generator and Howard Road Water Treatment Plant Electrical Improvements Project

Mr. Gaertner requested approval of Change Order No. 1 with Clark Electric, Inc. to add two backwash pump variable frequency drives in association with the Howard Road SWTP High Service Electrical Improvements and Raw Water Pump Station No. 2 Generator Project in the amount of \$91,822.

Action:

Mayor Pro Tem Billie Wallace moved to approve Change Order No. 1 with Clark Electric, Inc. for the Raw Water Pump Station No. 2 Generator and Howard Road Water Treatment Plant Electrical Improvements Project in the amount of \$91,822. Council Member Melissa Olson seconded, All Ayes.

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

Mayor Pro Tem Billie Wallace thanked City Manager Michael Scott and City employees for the quick response on citizen issues and requested repairs.

City Manager Michael Scott thanked City Council for their support on the City projects presented. He announced the City Council retreat will be held April 25th and April 26th at the Waxahachie Civic Center. Mr. Scott thanked Senior Director of Planning Jennifer Pruitt and Executive Director of Development Services Shon Brooks for their effort in applying for the APA award.

Council Member Travis Smith thanked Gumaro Martinez, Executive Director of Parks and Leisure Services and Police Chief Wade Goolsby for their work on repairing the Cemetery vandalism. He thanked Deputy City Manager Albert Lawrence for his accessibility and responsiveness to Council concerns. Mr. Smith announced the Crossroads of Texas Film and Music Festival will be April 28-30, 2022.

Deputy City Manager Albert Lawrence recognized the Convention and Visitors Bureau staff noting the Chamber of Commerce President thanked them for all their work in helping him with his first year. Mr. Lawrence recognized all City staff for their willingness to go above and beyond for our City.

Executive Director of Development Services Shon Brooks thanked James Gaertner, Director of Public Works and Engineering, for his assistance presenting the Utilities' agenda items.

17. Adjourn

There being no further business, the meeting adjourned at 7:27 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary