

City Council
May 16, 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, May 16, 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
Travis Smith, Council Member Place 5
Chris Wright, Council Member Place 3

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 James Worley, Lighthouse Baptist Church, gave the invocation. Council Member Melissa Olson led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Alan Fox, 327 University, Waxahachie, Texas, congratulated David Hill for being elected to continue serving as Council Member Place 1. He expressed his thankfulness to the great citizens and Council Members with integrity. Mr. Fox thanked Council Member Melissa Olson for bringing truth to the Council and for representing the people in a dignified way. He also thanked Ms. Olson's family for their support and stated Waxahachie is proud of Council Member Olson.

5. Canvass and accept votes of City Council Election held on May 7, 2022

Mayor Barnes canvassed the election returns of the City Council Election held on Saturday, May 7, 2022 as follows:

Place 1	David Hill	1,799
Place 1	Darrin Robinson	570
Total Votes Cast:		2,369
Place 2	Doug Barnes	1,017
Place 2	Johnny Bryant	671

Place 2	Patrick Souter	726
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Total Votes Cast:		2,414
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Place 3	Chris Wright	1,383
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Place 3	Melissa Olson	1,089
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Total Votes Cast:		2,472
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Action:

Council Member Travis Smith moved to accept the election returns of the City Council General Election held on Saturday, May 7, 2022 as presented. Mayor Pro Tem Billie Wallace seconded, All Ayes.

Mayor Barnes presented flowers to Ms. Melissa Olson and thanked her for her service to Waxahachie.

Ms. Olson congratulated Chris Wright for his win of Place 3 and encouraged City Council to continue doing what is best for the citizens of Waxahachie.

6. Administer Oath of Office to Council Member Place 1 and Council Member Place 3

City Secretary Amber Villarreal administered the Oaths of Office to David Hill, Council Member Place 1 and Chris Wright, Council Member Place 3.

7. Consent Agenda

- a. Minutes of the City Council meeting of May 2, 2022
- b. Minutes of the City Council briefing of May 2, 2022
- c. Minutes of the City Council special meeting of May 9, 2022
- d. Fourth of July parade route for the 24th Annual Crape Myrtle Festival
- e. Application for Seasonal Vendor Permit at Lake Waxahachie
- f. Event application for Summer Kick Off to be held May 28, 2022
- g. Event application for Freedom Church Movie Night to be held May 29, 2022
- h. Event application for Soldiers for Christ Gospel Event to be held July 2, 2022
- i. Supplemental appropriation from the General Fund for legal services in the amount of \$95,000
- j. Authorizing use of Park Dedication Fee funds for Lee Penn Pool & Bathhouse Project in the amount of \$108,137
- k. Receive Fiscal Year 2022 2nd Quarter Financial Report

Action:

Council Member Travis Smith moved to approve items a. through k. on the Consent Agenda as presented. Mayor Pro Tem Billie Wallace seconded, All Ayes.

8. **Public Hearing on a request by Dean Settlemyer, Just Settle Investments, LLC for a Replat of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022)**

Mayor Barnes opened the Public Hearing and announced the applicant requested to continue the Public Hearing to the June 6, 2022 City Council meeting.

9. **Consider approval of SUB-35-2022**

Action:

Mayor Pro Tem Billie Wallace moved to continue the public hearing on a request by Dean Settlemyer, Just Settle Investments, LLC for a Replat of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022) to the June 6, 2022 City Council meeting. Mayor Doug Barnes seconded, All Ayes.

10. **Public Hearing and consider an Ordinance accepting and approving an updated Service And Assessment Plan and an Improvement Area #3 Assessment Roll for the North Grove Public Improvement District; making a finding of special benefit to the property in Improvement Area #3 of the District; levying special assessments against property within Improvement Area #3 of the District and establishing a lien on such property; providing for payment of the assessments in accordance with Chapter 372, Texas Local Government Code, as amended; providing for the method of assessment and the payment of the assessments, providing penalties and interest on delinquent assessments, providing for severability, and providing an effective date**

Mayor Barnes opened the Public Hearing.

There being no others to speak, Mayor Barnes closed the Public Hearing.

ORDINANCE NO. 3326

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE ACCEPTING AND APPROVING AN UPDATED SERVICE AND ASSESSMENT PLAN AND AN IMPROVEMENT AREA #3 ASSESSMENT ROLL FOR THE NORTH GROVE PUBLIC IMPROVEMENT DISTRICT; MAKING A FINDING OF SPECIAL BENEFIT TO THE PROPERTY IN IMPROVEMENT AREA #3 OF THE DISTRICT; LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY WITHIN IMPROVEMENT AREA #3 OF THE DISTRICT AND ESTABLISHING A LIEN ON SUCH PROPERTY; PROVIDING FOR PAYMENT OF THE ASSESSMENTS IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE ASSESSMENTS, PROVIDING PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Action:

Mayor Pro Tem Billie Wallace moved to approve Ordinance No. 3326. Council Member David Hill seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Travis Smith. Noes: Chris Wright.

The motion carried.

- 11. Consider an Ordinance authorizing the issuance of the “City of Waxahachie, Texas, Special Assessment Revenue Bonds, Series 2022 (North Grove Public Improvement District Improvement Areas #2-3 Project)”;** approving and authorizing an indenture of trust, a bond purchase agreement, an official statement, a continuing disclosure agreement and other agreements and documents in connection therewith; making findings with respect to the issuance of such bonds; and providing an effective date

Ms. Marti Shew, Hilltop Securities, explained approval of the proposed Ordinance is the final step in the bond issuance process for North Grove Public Improvement District Improvement Areas #2 and #3. She noted the Ordinance will approve levying the assessments for the repayment of the bonds.

ORDINANCE NO. 3327

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE “CITY OF WAXAHACHIE, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2022 (NORTH GROVE PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREAS #2-3 PROJECT)”; APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, A LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE.

Council Member Chris Wright requested clarification on how property owners are notified that they are in a Public Improvement District. Ms. Shew explained there is a legal requirement for property owners to be informed during the purchase of the property and noted recent legislation now requires property owners to sign a disclosure notice prior to closing.

Council Member Travis Smith inquired about the importance to adopt the current bond rates and Ms. Shew explained with the volatility and pressure in the market, rates have increased. Ms. Shew noted it is in the best interest of the City to adopt now due to the anticipated rate increases expected.

Action:

Mayor Pro Tem Billie Wallace moved to approve Ordinance No. 3327. Council Member David Hill seconded, All Ayes.

- 12. Consider proposed Ordinance ordering a Runoff Election for At-Large Council Member Place 2**

City Secretary Amber Villarreal presented the proposed Ordinance ordering the runoff for At-Large Council Member Place 2 to be held June 18, 2022. She explained a supplemental appropriation will be forthcoming to cover the cost of the runoff.

ORDINANCE NO. 3328

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ORDERING THAT A RUNOFF ELECTION BE HELD ON SATURDAY, JUNE 18, 2022, FOR THE PURPOSE OF ELECTING AN AT-LARGE COUNCIL MEMBER FOR PLACE 2; PROVIDING FOR A CONTRACT FOR ELECTION SERVICES WITH THE ELLIS COUNTY ELECTIONS ADMINISTRATOR; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

Action:

Mayor Pro Tem Billie Wallace moved to approve Ordinance No. 3328. Council Member Travis Smith seconded, All Ayes.

13. Consider Cardinal Road Self Storage Oversized Participation Agreement for 24-inch Water Line and utilization of Water Impact Fee Funds in the amount of \$129,812.61

David Bailey, Director of Utilities, requested approval of the Oversized Participation Agreement to provide for the extension of a 24-inch water line along Cardinal Road. He explained the water line will be installed along the northern right-of-way of Cardinal Road for approximately 310-linear feet.

Action:

Mayor Pro Tem Billie Wallace moved to approve the Cardinal Road Self Storage Oversized Participation Agreement in the amount of \$129,812.61. Council Member Travis Smith seconded, All Ayes.

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

City Secretary Amber Villarreal thanked Ms. Melissa Olson for her service to the City and support of staff. She welcomed new Council Member Chris Wright and congratulated Council Member David Hill for his re-election.

City Attorney Robert Brown thanked Ms. Olson for her service on City Council and for challenging him as a City Attorney.

Council Member David Hill noted he is proud of Ms. Olson and wished her well.

Mayor Pro Tem Billie Wallace echoed comments about Ms. Olson and noted she is proud to have served along side her. She welcomed Council Member Wright and congratulated Council Member Hill.

City Manager Michael Scott recognized Ms. Olson's service and noted she will be missed. Mr. Scott welcomed Council Member Wright and congratulated Council Member Hill. Mr. Scott announced there will be a beam signing on Wednesday, May 18th at 11 a.m. for the City Hall Annex.

Council Member Chris Wright thanked Ms. Olson for being gracious and helpful to him and noted he is following in the footsteps to continue Ms. Olson's lead on transparency. Council Member Wright requested City Council Briefings be streamed and the quarterly financial reports to be moved to the regular agenda. Mr. Wright thanked his wife, daughter, and son in-law for their support and encouragement during the election.

Council Member Travis Smith thanked Ms. Olson for her service to Waxahachie and her efforts to bring and improve transparency. He also thanked Ms. Olson's family for their support during her tenure.

Deputy City Manager Albert Lawrence congratulated David Hill and Chris Wright on their elections. He thanked Ms. Olson for her support of staff and for never abandoning her responsibilities as a Council Member.

Mayor Doug Barnes stated Ms. Olson is a true asset to the City Council and noted he hopes she continues to make suggestions and provide guidance for Waxahachie. He thanked Ms. Olson's family for their support. Mayor Barnes congratulated Chris Wright and David Hill on their election wins.

15. Adjourn

There being no further business, the meeting adjourned at 7:34 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary