

City Council
May 15, 2023

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 15, 2023 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Chris Wright, Mayor Pro Tem, Council Member Place 3
Patrick Souter, Council Member Place 2
Billie Wallace, Council Member Place 4
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Robert Brown, City Attorney
Amber Villarreal, 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

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

4. Public Comments

Alan Fox, 327 University, Waxahachie, Texas, thanked City Council for their service noting it is a collaboration with citizens to make Waxahachie successful.

5. Canvass and accept votes of City Council Election held on May 6, 2023

Mayor Hill canvassed the election returns of the City Council Election held on Saturday, May 6, 2023 as follows:

Place 4	Billie Wallace	3,523
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Total Votes Cast:		3,523
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Place 5	Travis M. Smith	2,627
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Place 5	Randy Melton	1,564
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Total Votes Cast:		4,191
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Action:

Patrick Souter moved to accept the election returns of the City Council General Election held on Saturday, May 6, 2023 as presented. Chris Wright seconded, All Ayes.

6. Administer Oath of Office to Council Member Place 4 and Council Member Place 5

City Secretary Amber Villarreal administered the Oaths of Office to Billie Wallace, Council Member Place 4 and Travis Smith, Council Member Place 5.

7. Organization of City Council

Action:

Patrick Souther moved David Hill be nominated and appointed as Mayor of the City of Waxahachie and Chris Wright be nominated and appointed as Mayor Pro Tem. Chris Wright seconded, the vote was as follows: Ayes: David Hill, Chris Wright, Patrick Souter, and Travis Smith. Noes: Billie Wallace.

The motion carried.

8. Consent Agenda

- a. Minutes of the City Council meeting of May 1, 2023
- b. Event application for Police Memorial to be held May 16, 2023 at Downtown Waxahachie Pocket Park
- c. Event application for Corpus Christi Procession to be held June 11, 2023
- d. Accept the FY 2022-2023 Impact Fee Revenue and Expenditure Mid-Year Report
- e. Authorize funding from the Tax Increment Reinvestment Zone No. 1 (TIRZ) for Texas Theater renovation expenses
- f. Supplemental appropriation of \$76,810 from the Waxahachie Community Development Corporation (WCDC) for a Business Plan for Mid-Way Regional Airport
- g. Accept the Waxahachie Community Development Corporation Financial Report for year ended September 30, 2022
- h. Resolution to suspend the effective date of proposed gas utility rate increase by SiEnergy

RESOLUTION NO. 1341

A RESOLUTION BY THE CITY OF WAXAHACHIE, TEXAS AUTHORIZING AND APPROVING MEMBERSHIP IN THE CITIES SERVED BY SIENERGY (CITIES) FOR THE PURPOSE OF PROTECTING THE INTEREST OF THE CITY AND ITS CITIZENS WITH RESPECT TO SIENERGY MATTERS; FURTHER SUSPENDING THE JUNE 9, 2023 EFFECTIVE DATE OF THE STATEMENT OF INTENT OF SIENERGY, LP TO INCREASE RATES WITHIN INCORPORATED AREAS OF NORTH, CENTRAL, AND SOUTH TEXAS; TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; AUTHORIZING PARTICIPATION WITH THE CITIES SERVED BY SIENERGY; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE

PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

Action:

Travis Smith moved to approve items a. through d and items f. through h. on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all documents as necessary. Billie Wallace seconded, All Ayes.

Action:

Billie Wallace moved to approve item e. on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all documents as necessary. Patrick Souter seconded, the vote was as follows: Ayes: David Hill, Chris Wright, Patrick Souter, and Billie Wallace. Noes: None. Abstain: Travis Smith.

The motion carried.

9. Introduce Honorary Council Member

Council Member Patrick Souter presented Avery Mathis with a Certificate of Appreciation for serving as the May 2023 Honorary Council Member. Avery, the daughter of Shawna and Scott Mathis, is in the top 10% of her class and on the AB Honor Roll at Waxahachie High School (WHS). She has danced competitively since the age of ten and is currently on the Elite Scholar Team at Avant Garde Ballet Academy in Ennis. Avery is a second year Varsity member of the Cherokee Charmers Drill Team. She serves a public relations person for the DTC Council of the Charmers and a second-year member of the Cherokee Charmers elite team dance, C.C. & Company. Avery accepts all opportunities offered to her in the community from the Charmers and WHS. She founded the BrAvery Sock Foundation which is an organization that gives happy socks and toys to children in burn hospitals. Avery started the organization at the age of seven after experiencing a burn accident herself. The BrAvery Sock Foundation has collected over 200,000 socks and toys to provide to hospitals all over the nation. Looking forward, Avery is considering attending Penn State or NYU with a focus on pre-med, dance, or both. In Avery's spare time, she likes to read, enjoys the company of her friends, traveling, and shopping.

10. Present Proclamation recognizing May 21-27, 2023 as National Public Works Week

Mayor Hill presented proclamation recognizing May 21-27, 2023 as National Public Works Week.

Mayor Hill presented proclamation recognizing May 14-20, 2023 as National Police Week.

11. Consider a request by Anna Carrillo, Carrillo Engineering, for a Plat of the North Grove Center Addition, being 20.01 acres, located at the northeast corner of US Highway 77 and E North Grove Boulevard, situated in the Henri Sange Survey, Abstract 1009, and the Allen W. Brown Survey, Abstract 102, an addition to the City of Waxahachie (Property ID: 191121, 262125, & 262126) – Owner: HIGH FIVE TRUST – BJA (Mark) (SUB-15-2023)

Jennifer Pruitt, Senior Director of Planning, presented the case noting the applicant proposes to Plat the subject property into ten (10) lots for commercial use as part of the North Grove Center Planned Development (Ord. 3365). The proposed lots are in conformance with the zoning for the property, as well as the 2023 Waxahachie Thoroughfare Plan. With this plat, the applicant is proposing a variable-width Public Access Easement to allow for connectivity between all lots.

The applicant is seeking a variance from Section 3.6(b) of the Waxahachie Subdivision Ordinance; which requires each proposed lot to front onto a dedicated, improved public street. The applicant is seeking this variance to allow proposed Lot 1 & Lot 10 to have no frontage on a dedicated, improved public street. The location of Lot 1 & Lot 10 on the proposed Plat does conform with the concept plan for the development approved with Ordinance 3365. Lot 10 is proposed to front onto the Public Access Easement as opposed to a dedicated, improved public street. Lot 1 is proposed to serve only as a storm water detention lot and is required to be owned and maintained in perpetuity by the owner of Lot 9. Due to this, it will be possible to access the proposed Lot 1 through the internal drives of Lot 9. Considering all proposed lots will have reasonable access, staff is supportive of this variance request. Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends approval of the plat with the associated variance request.

Action:

Billie Wallace moved to approve SUB-15-2023, a Plat of the North Grove Center Addition, and the associated variance request, authorizing the City Manager and/or Mayor to execute all documents accordingly. Travis Smith seconded, All Ayes.

- 12. Continue Public Hearing on a request by Gilberto Escobedo, LGE Investment Homes LLC, for a Replat of Lot 1A of the Martin Addition, to create Lot 1AR & 1BR of the Martin Addition, two (2) residential lots, being 0.192 acres, located at 215 Finley Street (Property ID: 175899) – Owner: LGE INVESTMENT HOMES LLC (SUB-180-2022)**

Mayor Hill announced the applicant requested to withdraw SUB-180-2022.

- 13. Consider approval of SUB-180-2022**

No action taken.

- 14. Receive Fiscal Year 2023 2nd Quarter Financial Report**

Chad Tustison, Senior Finance Director, reviewed the Fiscal Year 2023 2nd quarter financial report noting revenues and expenses are performing as expected and are in line with the General Fund budget. Sales tax collections represent an increase of 8.6% over the prior year. Mr. Tustison reported the City is seeing additional interest income due to the higher interest rates offered by our local government investment pool. He explained building inspections and permits are trending slightly lower than budget. Expenditures in the General Fund for the 2nd quarter total 52% of the budget. Due to strong room occupancy rates, revenues from hotel/motel taxes are coming in above budget.

Action:

Billie Wallace moved to accept the Fiscal Year 2023 2nd quarter financial report. Travis Smith seconded, All Ayes.

15. Consider proposed Resolution adopting financial policies for the City of Waxahachie

Mr. Tustison requested adoption of the proposed financial policies. He explained the financial policies provide baseline standards and guidelines for financial decision making and set the strategic intent for financial management. They are central to a strategic, long-term approach to the practice of strong stewardship over City funds. According to the Government Finance Officers Association, formal written policies help cities:

- Institutionalize good financial management practices
- Clarify strategic intent for financial management
- Define boundaries
- Support good bond ratings
- Promote long-term strategic thinking
- Manage risks to financial condition
- Comply with established public management best practices

The City currently maintains an internal set of financial policies. For the last two years, staff has included these financial policies in the annual budget document. These policies, as outlined in the attached document, provide basic standards and best practices on various financial topics including the Annual Budget, Reserve Policies, Capital Expenditures, Debt Management, and Financial Reporting.

Since the approval of the FY 2023 Budget, the financial policy document has been updated to include a section on Debt Management. This section provides standards around the issuance of debt, use of an independent financial advisor and bond counsel, bond ratings, capital planning, and federal reporting guidelines. It is the intent of City staff to bring forward any changes to the policies as needed throughout the year, or as part of the annual budget adoption process.

RESOLUTION NO. 1342

A RESOLUTION APPROVING FINANCIAL POLICIES FOR THE CITY OF WAXAHACHIE, TEXAS; RE-AFFIRMING AND EXPANDING PREVIOUS POLICIES; REPEALING PRIOR RESOLUTIONS; AND ESTABLISHING AN EFFECTIVE DATE

Action:

Chris Wright moved to approve the proposed Resolution formally adopting financial policies for the City of Waxahachie. Patrick Souter seconded, All Ayes.

16. Consider approval of a Master Agreement with Westhill Construction, Inc. for miscellaneous asphalt and concrete work

James Gaertner, Executive Director of Public Works & Utilities, requested approval of a master agreement with Westhill Construction, Inc. for miscellaneous asphalt and concrete work at various locations throughout the city. Mr. Gaertner explained utilizing the interlocal cooperative

purchase agreement currently in place with the City of Fort Worth, the City of Waxahachie will be able to leverage its buying power. Since the City of Fort Worth has larger scale needs and budget, we can obtain better unit pricing and achieve more cost savings than bidding the work out ourselves. The master agreement is necessary to support multiple departments' asphalt and concrete needs throughout the City of Waxahachie. The goal is to maintain a reasonable repair schedule, minimize public disruptions, and ensure repairs do not adversely impact the quality of life of the residents of the city.

Action:

Chris Wright moved to approve a master agreement with Westhill Construction, Inc. for miscellaneous asphalt and concrete work at various locations throughout the city via an interlocal agreement with the City of Fort Worth. Billie Wallace seconded, All Ayes.

17. Consider authorizing a budget amendment for engineering of a 6-inch water line along Patrick Street

David Bailey, Senior Director of Utilities, requested approval of a budget amendment for engineering of a 6-inch water line along Patrick Street. Patrick Street water line engineering will be added to the 2022 Water & Sewer Rehab Project. Mr. Bailey explained the proposed Patrick Street water line replacement is approximately 830 linear feet of a new 6-inch PVC water line. This proposed water line is replacing an aging 6-inch cast iron water line that runs from the Waxahachie Housing Authority to Textile Street. The requested budget amendment is necessary to supplement the engineering cost.

Mr. Bailey explained the total engineering cost for the Patrick St water line is \$32,120. The 2022 Water & Sewer Rehab project has engineering savings in the amount \$28,385, which will be used to fund the majority of the additional engineering for Patrick Street. The BNSF Railroad 18" Water Line Phase I & II Project construction is complete and City staff is requesting a budget amendment to transfer \$3,735 to the 2022 Water & Sewer Rehab Project. Funding for construction of the 2022 Water & Sewer Rehab Project will be funded from the 2023 bonds and water operating funds.

Action:

Travis Smith moved to approve a budget amendment to transfer project savings of \$3,735 from the BNSF Railroad 18" Water Line Phase I & II Project into the 2022 Water & Sewer Rehab Project. Billie Wallace seconded, All Ayes.

18. Consider contract approval and authorization of funding from Park Dedication Fees for Pickleball Courts

Kyle Cooper, Senior Director of Parks and Recreation, requested approval to authorize funding from the Park Dedication Fee Fund, in the amount of \$64,633, for the renovation of the Salvation Army's unused tennis courts, which will be converted into three Pickleball courts. Additionally, Mr. Cooper requested approval of the related contracts with CourTex Construction Inc. and Bob Owens Electrical Co. for the project.

Mr. Cooper explained at the City Council retreat in January, the Parks Department presented various options to augment the inventory of park and recreation amenities by introducing pickleball courts. The direction provided by the Council was to present pricing for the conversion of an unused tennis court at the Salvation Army into three Pickleball courts. It was determined that this option would be ideal to gauge the community's interest in pickleball and cost significantly less than a design-build pickleball facility.

Staff solicited and received three proposals for the pickleball court conversion project with CourtTex Construction Inc. submitting the lowest proposal. The project scope includes resurfacing the existing tennis court, as well as, providing three nets, six pole lights, 6-ft tall windscreens surrounding the court, and two additional entry gates. As part of the installation of the light poles, it was determined that a separate electrical contractor will be required to wire and connect them to a new electrical service. Staff solicited and received three proposals with Bob Owens Electric Co. submitting the lowest proposal. The total cost of the project is \$58,758; however, staff is requesting an additional 10% contingency of \$5,875 to account for any unforeseen expenditures, bringing the total funding request to \$64,633.

Action:

Chris Wright moved to approve contracts with CourTex Construction Inc. for the Pickleball Court Conversion Project and with Bob Owens Electric Company for electrical services, as well as, authorize funding not to exceed \$64,633 from the Park Dedication Fee Fund and authorize the City Manager to execute all necessary documents. Travis Smith seconded, All Ayes.

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

City Staff and the City Attorney congratulated Billie Wallace and Travis Smith for being re-elected to serve on City Council.

Council Member Travis Smith congratulated Billie Wallace and noted it is an honor to serve.

Council Member Billie Wallace congratulated Travis Smith and stated it is an honor to serve on City Council. She thanked Avery Mathis for her attendance and acknowledged her accomplishments. Ms. Wallace expressed her support to appoint the Mayor through a transparent process by agreeing on a rotation plan for Council members or allowing citizens to elect a Mayor.

City Manager Michael Scott recognized and thanked the Public Works Department, Police Department, and Finance Department.

Mayor Pro Tem Chris Wright thanked Avery Mathis, Public Works Department, Police Department, Finance Department, and Parks Department for their efforts. Mr. Wright recognized Mayor Hill's dedication of extra time to serve the citizens and expressed his support for him as Mayor. He spoke in opposition to having a rotation plan for Council Members to serve as Mayor and noted he is not opposed to voters electing a Mayor as long as there is a list of requirements to serve.

Council Member Patrick Souter echoed Mr. Wright's comments and expressed his support for Mayor Hill. Mr. Souter extended his prayers for the community of Allen, Texas and encouraged everyone to check on those who are isolated or disconnected. He read an email from Sergeant Brad Elliott, Ellis County Sheriff's Office, recognizing Matt Massey and Michael Valencia for their outstanding assistance with the Strut Your Mut event this past weekend at Getzendaner Park.

Avery Mathis, May Honorary Council Member, expressed thanks for her participation at the City Council meeting.

Mayor David Hill stated it is an honor to serve the City of Waxahachie. He expressed thanks to the Finance, Utilities, Public Works, Fire, and Police Departments. He welcomed Billie Wallace and Travis Smith back to City Council.

20. Adjourn

There being no further business, the meeting adjourned at 8:06 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary