

City Council
October 7, 2019

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, October 7, 2019 at 7:00 p.m.

Councilmembers Present: David Hill, Mayor
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Councilmember
Kevin Strength, Councilmember
Melissa Olson, Councilmember

Others Present: Michael Scott, City Manager
Albert Lawrence, 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

City Manager Michael Scott gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Mr. Alan Fox, 327 University, Waxahachie, expressed his support for the City to dedicate land for Hope Clinic stating they have helped and served many people in Waxahachie. He stated they are one of the beautiful things living here. Mr. Fox spoke regarding the incentives for Showbiz Cinemas noting he loves new businesses but his concern is for how long will the tax incentive be and if they are not paying full property taxes, then the people will have to pick up the slack.

5. Consent Agenda

- a. Minutes of the City Council meeting of September 16, 2019
- b. Minutes of the City Council briefing of September 16, 2019
- c. Interlocal Agreement with Frisco for Purchasing Goods and Services
- d. Approve route for Waxahachie ISD Homecoming Parade to be held on October 18, 2019
- e. Approve Lease Agreement with Motorola
- f. Tinkergarten Fall Lantern Walk to be held November 3, 2019
- g. Fall Carnival at The Avenue to be held on October 26, 2019
- h. Lighted Night Parade and Community Tree Lighting to be held December 3, 2019

Action:

Councilmember Melissa Olson moved to approve items a. through h. on the Consent Agenda. Councilmember Chuck Beatty seconded, All Ayes.

6. Introduce Honorary Councilmember

Mayor Hill introduced Ms. Madison Shappard as the Honorary Councilmember for the month of October. Ms. Shappard is taking a dual credit chemistry class through UT Tyler. She enjoys nature walks and reading in a cozy spot. She plans on attending the University of North Texas to study in the science or engineering field. She is an ongoing Girl Scout for 11 years and during that time has learned how to money manage and run her own business. Ms. Shappard attends Global High where she is the Vice President of the Interact Club and President of the Pride Club.

7. Continue Public Hearing on a request by Dorothea M. Russell for a Replat of Lot B, Block 206, Town Addition, to create Lots 1-2, Block A, Russell Replat, 0.4523 acres (Property ID 171519) – Owner: DOROTHEA M RUSSELL AND DELBERT EARL RUSSELL (RP-19-0110)

Mayor Hill continued the Public Hearing.

Planning Director Shon Brooks presented case RP-19-0110 noting this is a replat on Marvin and Dunlap Street to divide 1 lot into 2. Mr. Brooks stated the replat meets all subdivision regulations and Staff recommends approval.

There being no others to speak for or against RP-19-0110, Mayor Hill closed the Public Hearing.

8. Consider approval of RP-19-0110

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve a request by Dorothea M. Russell for a Replat of Lot B, Block 206, Town Addition, to create Lots 1-2, Block A, Russell Replat, 0.4523 acres (Property ID 171519) – Owner: DOROTHEA M RUSSELL AND DELBERT EARL RUSSELL (RP-19-0110). Councilmember Melissa Olson seconded, All Ayes.

9. Consider City commitment to dedicate land for Hope Clinic

Mr. Scott stated the request is a consideration of the City committing to a future donation of land that is approximately 5 acres and accommodate a 25,000 square feet building for Hope Clinic's growing needs. The land being proposed is located on Coleman Street, across from the new police station. Mr. Scott noted the formal documents for the donation will be drafted by legal and brought back to Council for adoption in the coming months once the survey is completed.

Action:

*Mayor Pro Tem Mary Lou Shipley moved to make commitment to dedicate land to Hope Clinic and directing Staff to move forward with detailed documents. Councilmember Melissa Olson seconded. The vote was as follows: Ayes: David Hill, Mary Lou Shipley, and Melissa Olson. Noes: Chuck Beatty and Kevin Strength. **The motion carried.***

10. Consider Economic Development Commission recommendation of incentives for Showbiz Cinemas to construct an entertainment center

Economic Development Director Doug Barnes introduced Mr. Chris Cline, Vice President of Development at Showbiz Cinemas. Mr. Cline presented a slideshow and renderings of future improvements of Showbiz Cinemas noting their existing movie theater will include luxury electric recliner retrofits and technology upgrades in all auditoriums, an expanded lobby with a full bar and concessions, a 14-lane bowling expansion, and an arcade and redemption room. Mr. Cline asked if City Council had any questions.

Councilmember Melissa Olson expressed her concerns with a full alcohol bar and taking money from similar local businesses.

Mayor Hill asked Mr. Barnes to discuss the fiscal impact and Mr. Barnes reviewed the following:

- The Chapter 380 Agreement was developed based on an estimate of additional annual taxable sales of \$4,188,887. The City's 15% share of additional sales tax is estimated to be \$94,250 during the 10-year agreement.
- The Waxahachie Community Development Corporation (4B) will receive 100% of their half-cent portion of sales tax; which is an estimated \$209,444 during the 10-year agreement.
- Additionally, City's 15% share of new Ad Valorem revenues on the improvements are estimated to be \$82,487 during the 10-year agreement.
- Independent impact analysis anticipates 8.8 years payback at 11.3% return on investment.

RESOLUTION NO. 1276

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF WAXAHACHIE, CREPE MYRTLE ENTERPRISES, LLC, AND SHOWBIZ CINEMAS, LLC.

Action:

*Councilmember Kevin Strength moved to approve Resolution No. 1276 as presented. Mayor Pro Tem Mary Lou Shipley seconded. The vote was as follows: Ayes: David Hill, Mary Lou Shipley, Chuck Beatty, and Kevin Strength. Noes: Melissa Olson. **The motion carried.***

11. Consider proposed Ordinance repealing and replacing Chapter 6 (Animal and Fowl) of the Code of Ordinances

Mayor Hill announced the item will be pulled from the agenda and brought back for discussion at the next City Council meeting.

Action:

*Councilmember Chuck Beatty moved to table the proposed Ordinance repealing and replacing Chapter 6 (Animal and Fowl) of the Code of Ordinances to the City Council meeting of October 21, 2019. Councilmember Kevin Strength seconded, **All Ayes.***

12. Consider award of bid for Grove Creek Force Main and Gravity Outfall Sewer Line Project

Mr. David Bailey, Utilities Director, reported that this bid recommendation is a companion project to the Grove Creek Lift Station Expansion project noting the lowest bidder was Circle H Contractors, LP in the amount of \$1,259,128.75. He explained this project will install approximately 2,800 linear feet of new 18" diameter re-directed force main and approximately 4,500 linear feet of 24 inch diameter gravity sewer line.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve the bid for the Grove Creek Force Main and Gravity Outfall Sewer Line Project to Circle H Contractors in the amount of \$1,259,128.75. Councilmember Chuck Beatty seconded, All Ayes.

13. Consider Resolution approving application for 2019 Assistance to Firefighters Grant

Fire Chief Ricky Boyd explained this is a request for approval to apply for the 2019 AFG Operations and Safety Grant noting they have several old SCBA air-paks that have had quite a few repairs. He stated 32 are eligible for replacement under this grant. Chief Boyd stated the grant is expected to open in December.

RESOLUTION NO. 1277

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING SUBMISSION OF GRANT APPLICATION TITLED "OPERATIONS AND SAFETY" TO THE ASSISTANCE TO FIREFIGHTERS (AFG) GRANT PROGRAM

Action:

Councilmember Kevin Strength moved to approve Resolution No. 1277. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

14. Convene into Executive Session for deliberation regarding Economic Development Negotiations as permitted by the Texas Government Code, Section 551.087 and to review Performance Evaluation for City Manager as permitted by the Texas Government Code, Section 551.074

Mayor Hill announced at 7:36 p.m. the City Council would convene into Executive Session for deliberation regarding Economic Development Negotiations as permitted by the Texas Government Code, Section 551.087 and to review Performance Evaluation for City Manager as permitted by the Texas Government Code, Section 551.074.

15. Reconvene and take any necessary action

The meeting reconvened at 9:11 p.m.

Mayor Hill stated there will be no action taken on the Economic Development negotiations. Mayor Pro Tem Mary Lou Shipley noted City Council had a favorable performance evaluation for the city manager.

Action:

Mayor Pro Tem Mary Lou Shipley moved to continue the city manager contract, extending it for a 5 year period, and establishing an increased salary with all details to be set out in a formal contract to be signed by the parties. Councilmember Chuck Beatty seconded, All Ayes.

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

Councilmember Kevin Strength thanked City Manager Michael Scott for his work with staff.

Councilmember Chuck Beatty echoed Councilmember Kevin Strength's remarks about City Manager Michael Scott.

Mayor Pro Tem Mary Lou Shipley thanked City Manager Michael Scott for his efficiency and patience.

Councilmember Melissa Olson echoed Council's comments about City Manager Michael Scott and encouraged the public to visit the City of Waxahachie and Waxahachie Convention & Visitors Bureau's website for upcoming events.

City Attorney Robert Brown thanked City Manager Michael Scott for his work and management.

City Secretary Lori Cartwright thanked City Manager Michael Scott for his leadership.

Mayor David Hill thanked City Manager Michael Scott for his work and commented that he is proud of how Mr. Scott conducts himself and admires his faith noting City Council has confidence in him.

17. Adjourn

There being no further business, the meeting adjourned at 9:16 p.m.

Respectfully submitted,

Clarice Crocker
Acting Assistant City Secretary