

City Council  
April 16, 2018

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, April 16, 2018 at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor  
Mark Singleton, Mayor Pro Tem  
Chuck Beatty, Councilmember  
David Hill, Councilmember  
Mary Lou Shipley, 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 Kevin Strength called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance**

**4. Texas Pledge of Allegiance**

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

**5. Public Comments**

Ms. Amy Hedtke, 106 Vanderbilt Lane, Waxahachie, noted early voting starts on Monday and encouraged all to vote down the WISD bond. She stated citizens need tax relief and the school district needs to act in the best interest of the citizens.

Ms. Melissa Olson, 202 Stampede Street, Waxahachie, thanked the Council for denying the Oncor request to change rates noting their requests are unreasonable and the residents of Waxahachie do not need to feel the unnecessary financial burden that Oncor proposes to be placed on them. Ms. Olson reported the Texas Municipal League (TML) says the vast majority of cases the city officials choose to seek voter input through a bond election. They go on to say the law also gives cities and counties the flexibility to issue debt through Certificate of Obligation on a shorter timeline. This enables them to take advantage of a favorable interest rate or opportunity to acquire a property, to make necessary emergency repairs of a disaster, or address a critical public need without having to wait for the next uniform election date on the calendar. Ms. Olson stated it has been overused and why the city has a high debt. She stated many people have just received their tax appraisals and the city has a direct impact on the citizens. She asked Council not be influenced by their personal business dealings and abstain from voting on issues they may have a financial interest in or have business partners with. Ms. Olson stated that is not what is best for Waxahachie noting people should always come before profit.

**6. Consent Agenda**

- a. Minutes of the City Council meeting of April 2, 2018
- b. Minutes of the City Council Briefing Session of April 2, 2018
- c. Minutes of the Joint Work Session of City Council and WISD Board of Trustees meeting of March 29, 2018
- d. Minutes of the Waxahachie Community Development Corporation meeting of April 10, 2018
- e. Minutes of the Firemen's Relief and Retirement Fund meeting of April 9, 2018
- f. Minutes of the Heritage Preservation Commission meeting of March 8, 2018
- g. Monthly Violation Activity Statistics Report for March 2018
- h. Monthly Fire and EMS Report for March 2018
- i. Monthly Crime Report for March 2018
- j. Approve Application for Community Outreach event to be held May 5, 2018

**Action:**

*Councilmember Chuck Beatty moved to approve items a. through j. on the Consent Agenda. Councilmember Mary Lou Shipley seconded, All Ayes.*

**7. Introduce Honorary Councilmember**

Councilmember Chuck Beatty introduced Mr. Raymond Kennedy as the Honorary Councilmember for the month of April 2018 and presented him with a Certificate of Appreciation for his participation in the Honorary Councilmember program.

**8. Present Proclamation proclaiming April as "Alcohol Awareness Month"**

Mayor Strength read a Proclamation proclaiming April as "Alcohol Awareness Month" and presented it to Ms. Shari Phillips, IMPACT Communities/DFC Program Manager. Ms. Phillips reported the Texas Department of State Health Services recently awarded the City of Waxahachie with the designation of Honorable Mention for the city's efforts to improve the health of the community.

**9. Consider proposed Ordinance adding Panhandling to Chapter 21, Offenses and Miscellaneous Provisions of the Waxahachie City Code**

Police Chief Wade Goolsby stated over the past year the Police Department has had an increase in complaints and issues related to panhandling. He presented Ordinance 3011 noting it restricts hours, locations, and the methods used to panhandle. Chief Goolsby stated the Ordinance is not intended to prevent people from asking for help, it is merely to provide some regulations to control aggressive panhandling or scams that take advantage of people's good will.

**ORDINANCE NO. 3011**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ADDING ARTICLE XIV, "PANHANDLING," TO CHAPTER 21, "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE WAXAHACHIE CITY CODE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE;**

**PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Action:**

*Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 3011. Councilmember Mary Lou Shipley seconded, All Ayes.*

**10. Consider proposed Ordinance re-establishing classified positions under Civil Service**

Chief Goolsby reported the Waxahachie School District Board recently met and authorized the addition of one more police officer to the School Resource Officer (SRO) program. He explained this allows the Police Department to fill that position. Chief Goolsby stated the terms are the same between the School District and City noting the District pays during the school year and City pays during the summer months.

**ORDINANCE NO. 3012**

**AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ESTABLISHING AND RE-ESTABLISHING CLASSIFIED POSITIONS UNDER CIVIL SERVICE IN THE FIRE AND POLICE DEPARTMENTS, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE**

**Action:**

*Councilmember David Hill moved to approve Ordinance No. 3012. Mayor Pro Tem Mark Singleton seconded, All Ayes.*

**11. Consider proposed Resolution denying Oncor Electric's application to change rates**

Mr. Doug Barnes, Director of Economic Development, presented Resolution No. 1239 denying a rate increase proposed by Oncor. He stated the rates will be negotiated to lower the rates to make it applicable for a rate case presentation.

**RESOLUTION NO. 1239**

**A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; 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:**

*Mayor Pro Tem Mark Singleton moved to approve Resolution No. 1239 as presented. Councilmember David Hill seconded, All Ayes.*

**12. Consider authorizing a contract with Brown and Gay Engineers, Inc. for utility locates and engineering design services for water and sewer utility relocations associated with the TxDOT Viaduct Project along Highway 77 and Monroe Street.**

Mr. Tommy Ludwig, Executive Director of Development Services, reported the Professional Agreement with Brown and Gay Engineers, Inc. allows us to move forward with the engineering design for utility relocations proposed by the viaduct realignment. He stated staff anticipates the contract will be engineered by April 2019.

Mayor Kevin Strength stated the city is working with property owners that are being relocated.

**Action:**

*Councilmember Mary Lou Shipley moved to authorize a contract with Brown and Gay Engineers, Inc. for utility locates and engineering design services for water and sewer utility relocations associated with the TxDOT Viaduct Project along Highway 77 and Monroe Street. Councilmember David Hill seconded, All Ayes.*

**13. Consider proposed Resolution authorizing the reimbursement of the operating fund from proceeds of future debt for utility locates and engineering design services for water and sewer utility relocations associated with the TxDOT Viaduct Project along Highway 77 and Monroe Street**

Mr. Ludwig presented Resolution No. 1240 noting it is a companion to Item 12. He noted it will reimburse expenditures with future debt.

**RESOLUTION NO. 1240**

**A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING UTILITY LOCATES AND ENGINEERING DESIGN SERVICES FOR WATER AND SEWER UTILITY RELOCATIONS ASSOCIATED WITH THE TXDOT VIADUCT PROJECT ALONG HIGHWAY 77 AND MONROE STREET**

**Action:**

*Mayor Pro Tem Mark Singleton moved to approve Resolution No. 1240. Councilmember Chuck Beatty seconded, All Ayes.*

**14. Consider authorizing the award of a bid to Circle H Contractors associated with water system improvements for the Katy Lake on the Green Subdivision**

Mr. Ludwig reported Circle H Contractors had the lowest bid in the amount of \$398,372.80. He stated it also provides better connectivity through the 791 Service Area and facilitating future development west of Interstate IH35E. Completion date is September 2018.

Mayor Pro Tem Mark Singleton stated this will correct issues and open up development opportunities improving the entire area.

**Action:**

*Mayor Pro Tem Mark Singleton moved to award a bid to Circle H Contractors associated with water system improvements for the Katy Lake on the Green Subdivision in the amount of \$398,372.80. Councilmember Mary Lou Shipley seconded, All Ayes.*

**15. Consider proposed Resolution authorizing the reimbursement of Working Capital from proceeds of future debt for water system improvement for the Katy Lake on the Green Subdivision**

Mr. Ludwig presented Resolution No. 1241 noting it is a companion to Item 14. He noted it will reimburse expenditures with future debt.

**RESOLUTION NO. 1241**

**A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING WATER SYSTEM IMPROVEMENTS FOR THE KATY LAKE ON THE GREEN SUBDIVISION**

**Action:**

*Councilmember Chuck Beatty moved to approve Resolution No. 1241. Councilmember Mary Lou Shipley seconded, All Ayes.*

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

City Manager Michael Scott announced the dedication to the new Waxahachie High School is Saturday, April 28, 2018. He stated IH35 is getting very close to seeing paving and painting on the overpasses noting the color schemes are off of FM 1446. Mr. Scott announced that Ms. Yasmin Barnes submitted her resignation.

Mayor Pro Tem Mark Singleton referenced the IH35 project noting it was worked on in 2000 and thought it would go in 2005 and here we are and finally again, an estimate of how long it takes to become fruition. He commended city staff on how well things are going noting the staff is doing extremely well and we all look better because of it.

Councilmember David Hill thanked Honorary Councilmember Raymond Kennedy for his participation in the Honorary Councilmember program.

Ms. Amy Borders, Director of Communications and Marketing, announced the Council meeting is being live streamed on the city's YouTube channel and it will also be on the new website when it goes live. She stated this weekend is the 5th Annual Crossroads of Texas Film Festival. She stated more music was added and the events will be held at the Chautauqua Auditorium. Ms. Borders stated there are also ladies camping in the park.

**17. Adjourn**

There being no further business, the meeting adjourned at 7:41 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary