

City Council
March 18, 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, March 18, 2019 at 7:00 p.m.

Council Members Present: David Hill, Mayor Pro Tem
Chuck Beatty, Councilmember
Mary Lou Shipley, Councilmember
Melissa Olson, Councilmember

Council Member Absent: Kevin Strength, Mayor

Others Present: Michael Scott, City Manager
Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Robert Brown, City Attorney
Amber Villarreal, Assistant City Secretary

1. Call to Order

Mayor Pro Tem 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. Consent Agenda

- a. Minutes of the City Council meeting of March 4, 2019
- b. Minutes of the City Council briefing of March 4, 2019
- c. Renewal of parking and loading zone lease spaces

Action:

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

5. Introduce Honorary Councilmember

Mayor Pro Tem Hill introduced Ms. Madison Zandt as the Honorary Councilmember for the month of March. Madison Zandt is the daughter of Erick and Jennifer Zandt. As a Senior she is actively involved in many activities, including being a member of WHS Choir, Advanced theater, musical theater, UIL One Act play team, and she also serves as the Indian mascot. You may recognize her as Mary Poppins in the WHS Dramas Department recent production of Mary Poppins. She will be playing the role of Velma Kelly in the production of Chicago. Madison has also competed in the Thespians Solo Musical Theatre competition in 2017 and 2018 and received a perfect score advancing her to the finals. She also was nominated for Best Featured Actress last spring at Dallas Summer Musicals. Madison has also been named All-American Mascot for three consecutive years. Even after being involved in multiple organizations, she has been able to achieve the A/B

honor roll in AP classes. She ranks 82 out of 512. Madison loves to give back to her community volunteering with Special Olympics, Meals On Wheels and especially loves visiting local elementary schools. She has achieved the Lifetime Presidential Volunteer Services Award achieving over 4,000 hours of community service in her lifetime. With big dreams to be on Broadway, she will attend The University of Central Oklahoma and major in Musical Theatre. Mayor Pro Tem Hill presented her with a Certificate of Appreciation for her participation in the Honorary Councilmember program.

6. Recognize Utilities Department for receiving the 2019 Best Tasting Surface Water Award from Texas Water Utilities Association

City Council recognized the Utilities Department for receiving the 2019 Best Tasting Surface Water Award from Texas Water Utilities Association. Utilities Director David Bailey recognized the surface water team and thanked them for their work. He explained this award is presented to only one surface water system annually in Texas. Winners were selected through analysis and tasting conducted by a panel of judges during a blind taste test. The competitors were made up of winners from nine TWUA Regional Best Tasting Water contests in 2018. The City of Waxahachie won the contest at the North Central Texas regional contest in May 2018 allowing them to compete statewide at the professional development event held in Corpus Christi.

City Manager Scott thanked the Utilities Department for their work.

7. Consider Waxahachie Community Development Corporation Financial Report for year ended September 30, 2018

Finance Director Charlie Harris presented the Waxahachie Community Development Corporation Financial Report for year ended September 30, 2018. He reviewed the Independent Auditor's report noting the financial statements presented fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Corporation, as of September 30, 2018, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America. Mr. Harris reviewed the following financial highlights:

- Received an increased credit rating from A- to A+
- Reviewed adopted budget versus actual budget. Budget adjustments for the year included Civic Center Projects, Amphitheater, and purchase of old Magnablend Property
- Healthy fund balance to operate for 157 days
- "Clean", unqualified opinion, which is the highest level that can be given

Action:

Councilmember Chuck Beatty moved to approve the Waxahachie Community Development Corporation Financial Report for year ended September 30, 2018 as presented. Councilmember Mary Lou Shipley seconded, All Ayes.

8. Consider Robert W. Sokoll Treatment Plant Financial Report for year ended September 30, 2018

Mr. Harris presented the Robert W. Sokoll Treatment Plant Financial Report for year ended September 30, 2018 noting the auditor's gave it a "clean", unqualified opinion with no management letter. He explained this audit is a bit unusual because it is contractually required to break even; therefore, adjustments are made at year-end to comply. The agreement between the city and Rockett Special Utility District states operating costs and repayment of debt is split 50/50.

Councilmember Melissa Olson inquired about "net position ending" balance. Mr. Harris explained the "net position ending" is not a cash base figure and includes the deficit, which includes the accumulated debt over time. Councilmember Olson asked if the Sokoll Plant is losing money every year and Mr. Harris explained on a cash basis you are breaking even annually but on an accrual basis you are showing a loss due to early year losses and depreciation.

City Manager Scott thanked Mr. Harris and the Finance Department for their work.

Action:

Councilmember Mary Lou Shipley moved to accept the Robert W. Sokoll Treatment Plant Financial Report for year ended September 30, 2018 as presented. Councilmember Chuck Beatty seconded, All Ayes.

9. Continue Public Hearing on a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for Trailer, Truck Sales or Rental use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0180)

Mayor Pro Tem Hill continued the Public Hearing for SU-18-0180.

Planning Director Shon Brooks presented the case and explained the Planning and Zoning Commission denied the request due to the 2015 stipulations not being met. Mr. Brooks explained the applicant has since provided fencing, paving, landscaping, and irrigation. He noted the shrubs planted aren't very substantial and requests additional consideration by city council. Mr. Brooks also noted the 2015 specific use permit stipulations required pavement along Interstate 35 for 400 ft. and 80 feet deep. The applicant put in 800 ft. along Interstate 35 and 40 feet deep.

Mr. Kevin McDonnel, 215 W. Second Street, Waxahachie, explained about \$220,000 has been spent to date for site compliance and the applicant was not aware that the landscaping was insufficient. He reported the signage was removed and fencing, landscape, and irrigation were added.

Councilmember Mary Lou Shipley asked the applicant if he discussed with city staff about not complying with the landscaping and paving requirement. She asked if he recalled at the last meeting being told he needed to hire a landscape professional and if he complied.

Mr. Walter Estrada, 115 Parks Branch Road, Red Oak, explained he selected plants from a list provided by the city. He stated he spoke with city staff about changes to the concrete but did not receive a final answer on the size of the paving. He noted he spoke with a local nursery.

Mr. Brooks reiterated the applicant received a list of the 2015 SUP stipulations, which included the paving dimensions. He explained the current landscaping does not serve the purpose for screening.

Councilmember Olson reminded the applicant she expressed concerns with the landscaping at the last meeting. She explained her understanding of the recent costs associated with the improvements but noted these were required to be completed since 2015.

Councilmember Chuck Beatty noted I35 should be aesthetically pleasing as a major thoroughfare for Waxahachie.

After a lengthy discussion, it was the consensus of city council to have the applicant address the landscaping issues with a professional landscape architect as previously requested.

Action:

Councilmember Chuck Beatty moved to continue the Public Hearing on to the April 1, 2019 City Council meeting. Councilmember Melissa Olson seconded, All Ayes.

10. Consider proposed Ordinance approving Zoning Change No. SU-18-0180

No action taken.

11. Consider proposed Ordinance creating Animal Care Advisory Committee and appoint members

Police Chief Wade Goolsby explained the Health and Safety Code Chapter 823, Sec. 823.005 requires that an Animal Control Advisory Committee be created to work with Animal Services to ensure that practices and procedures related to animal control are humane, consistent with industry standards and in the best interest of the community. He noted the committee is required to have one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization. Chief Goolsby presented the proposed ordinance including the list of qualified individuals to serve on the committee.

ORDINANCE NO. 3102

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ADDING ARTICLE VIII, "ANIMAL CARE ADVISORY COMMITTEE," TO CHAPTER 6, "ANIMALS AND FOWL," OF THE WAXAHACHIE CITY CODE AND PROVIDING FOR AN EFFECTIVE DATE.

Action:

Councilmember Mary Lou Shipley moved to approve Ordinance No. 3102 as presented. Councilmember Chuck Beatty seconded, All Ayes.

12. Consider award of a three-year master service agreement with Bureau Veritas North America, Inc. for health inspection services, on an as needed basis, through an inter-local purchasing agreement with the City of Midlothian

Assistant City Manager Tommy Ludwig explained staff is recommending a three-year master service agreement with Bureau Veritas North America, Inc. for third party health inspection services. He noted the City Health Inspector position is currently vacant and the contract would be utilized while searching to fill the position.

Action:

Councilmember Mary Lou Shipley moved to award a three-year master service agreement with Bureau Veritas North America, Inc. for health inspection services, on an as needed basis, through an inter-local purchasing agreement with the City of Midlothian as presented. Councilmember Chuck Beatty seconded, All Ayes.

13. Public Comments

None

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

Councilmember Melissa Olson thanked Ms. Madison Zandt for participating in the Honorary Councilmember program for March. She expressed her condolences for Public Works Director Jeff Chambers on the loss of his wife and requested continued prayers for City Secretary Lori Cartwright for improved health. Councilmember Olson announced March is MS Awareness Month and Poston Gardens is now open.

Councilmember Chuck Beatty thanked Ms. Zandt for her attendance and thanked the Utilities Department for their work.

Mayor Pro Tem David Hill thanked Ms. Zandt and her mother for their attendance at the council meeting. He asked for prayers for Mr. Chambers and our city staff battling health issues.

Councilmember Mary Lou Shipley thanked Ms. Zandt for her attendance and noted she looks forward to seeing her in the production of Chicago. She also asked for prayers for City Secretary Cartwright.

City Attorney Robert Brown echoed the prayers for City Secretary Cartwright.

Ms. Madison Zandt thanked city council for allowing her to participate in the Honorary Councilmember program.

Director of Communications and Marketing Amy Borders reminded everyone of the following events: Poston Gardens, open daily; Scarborough Renaissance Festival, opening the first weekend in April; Farmers Market, opening April 27th; Film and Music Festival, April 25th-28th. She encouraged everyone to visit waxahachiecvb.com for more events.

15. Adjourn

*There being no further business, Councilmember Chuck Beatty moved the meeting adjourn at 7:52 p.m. Councilmember Mary Lou Shipley seconded, **All Ayes.***

Respectfully submitted,

Amber Villarreal
Assistant City Secretary