

City Council  
April 19, 2010

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 19, 2010, at 7:00 p.m.

Council Members Present: Ron Wilkinson, Mayor  
N.B. (Buck) Jordan, Mayor Pro Tem  
Chuck Beatty, Councilman  
Joe Jenkins, Councilman  
John Wray, Councilman

Others Present: Paul Stevens, City Manager  
Michael Scott, Assistant City Manager  
Steve Chapman, City Attorney  
Lori Saunders, City Secretary

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Mayor Ron Wilkinson called the meeting to order and Councilman Joe Jenkins gave the invocation and led the Pledge of Allegiance.

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**CONSENT AGENDA:**

- a. Minutes of the regular City Council meeting of April 5, 2010
- b. Minutes of the Firemen's Relief & Retirement Fund meeting of April 5, 2010
- c. Minutes of the Cemetery Board meeting of April 1, 2010
- d. Minutes of the Park Board meeting of April 1, 2010
- e. Minutes of the Waxahachie Community Development Corporation meeting of April 13, 2010
- f. Minutes of the Tax Investment Reinvestment Zone meeting of April 13, 2010
- g. Minutes of the Heritage Preservation Commission meeting of March 11, 2010
- h. Monthly Building Report for March 2010
- i. Monthly Code Enforcement Report for March 2010
- j. Monthly Violation Activity Statistics for March 2010
- k. Monthly Crime Report for March 2010
- l. Monthly Nicholas P. Sims Library Report for February 2010

**Councilman Chuck Beatty moved to approve Items a. through l. on the Consent Agenda.**

Mayor Pro Tem Buck Jordan seconded, **All Ayes.**

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Mayor Pro Tem Buck Jordan introduced Mr. Ray Pike as the Honorary Councilmember for the month of April and presented him with a Certificate of Appreciation for his participation.

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Police Chief Chuck Edge reported the Waxahachie Police Department Explorer Post recently competed in a competition against seventy-seven (77) other teams from three different states and announced that the WPD Explorer Post won four trophies in the competition, a first, a second and a third in three separate events, and an overall third place trophy for the entire competition. Chief Edge recognized the Explorer's in attendance and noted the trophies speak highly of their determination, dedication, training, commitment, teamwork and character in being a part of the Explorer program. He noted these fine men aid the Police Department and community in many outreach programs and the Police Department is proud of their accomplishments and service. Chief Edge recognized Officer Wess Winn who heads up the Explorer program and coached them during their preparation for the competition.

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Mayor Ron Wilkinson read a Proclamation designating April 18–24, 2010 as “Crime Victims’ Rights Week” and presented it to Ms. Suzette Pylant, advocate for Mothers against Drunk Drivers, and Rex and Janice Carey.

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Mr. Wally Mendez, Ellis County Hispanic Organization, announced the Second Annual Cinco de Mayo Fiesta will be held May 1, 2010 from 11:00 a.m. to 8:00 p.m. at Singleton Plaza. He noted the Fiesta is family friendly with children’s activities, food vendors, dancers, mariachis and bands. He requested barricades to block Singleton Plaza. Mr. Mendez noted the Ellis County Hispanic Organization is starting a scholarship program for the WISD Seniors.

**The consensus of City Council was to approve the barricades as requested.**

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Utility Director David Bailey announced the following bids were received on Wednesday, April 7, 2010 for a Stainless Steel Sludge Trailer:

<b>Bidder</b>	<b>Bid Amount</b>	<b>Trade Allowance</b>	<b>Total Bid</b>
Utility Trailer of Dallas, Inc.	\$48,745.00	\$7,500.00	\$41,245.00
Steco	\$45,760.00	No Allowance	\$45,760.00

Mr. Bailey reported City Staff has reviewed the bids and recommended to award the bid to Utility Trailers of Dallas, Inc. in the amount of \$41,245.00. He noted this is a budgeted capital item approved in the wastewater treatment plant 2009-2010 budget.

**Councilman Chuck Beatty moved to award the bid for a stainless steel sludge trailer to Utility Trailer of Dallas, Inc. in the amount of \$41,245.00.** Councilman John Wray seconded, **All Ayes.**

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City Manager Paul Stevens discussed an agreement with the Texas Department of Rural Affairs for the closeout of the Housing Infrastructure Fund Grant for Clift Estates. He explained with the grant, there were a total of 13 homes to be completed by April 2010 or the City would have to pay back the grant. With the downturn of the economy and the housing market, the homes have not sold as quickly as they did in the earlier phases. Mr. Stevens noted, in order to satisfy the agreement, the city would have to do as follows:

1. The City will agree to construct and sell a total of at least thirteen (13) homes in the Cliff Estates Phase IV Subdivision of which at least 51% (or seven homes) must be owned and occupied by low to moderate-income persons. The closing on all homes must occur by June 30, 2014;
2. To accomplish the construction and sale of the home described above, the City will agree to take the following actions:
  - a. Secure approval from the Waxahachie City Council to enter into this agreement,
  - b. Obtain a Letter of Credit in the amount of \$375,037.15, to expire no sooner than September 1, 2014, to secure performance of this agreement,
  - c. Secure a written commitment from a housing builder to construct the homes described in this agreement;
  - d. Successfully complete the construction, sale, and closing of the homes as described in Paragraph 1 above, and
  - e. Submit evidence satisfactory to TDRA to document the number of houses sold and the number sold to low-to moderate-income persons.
3. The City will agree to report quarterly regarding the number of houses sold and the number sold to low-to moderate-income persons.
4. The City will agree to annually repay grant funds for homes that will not be constructed according to the following schedule:
  - a. \$25,000 due June 30, 2011
  - b. \$25,000 due June 30, 2012
  - c. \$25,000 due June 2013; and
  - d. Balance of grant funds drawn to date due June 30, 2014.

If at any point the City reports to TDRA that at least 13 homes have been constructed and sold, of which at least 51% are owned and occupied by low to moderate-income persons, no further payments will be required.

Mr. Stevens noted if City Council is in agreement, he will bring a formal agreement back for approval.

Mayor Wilkinson asked if the developer would be responsible for any of the repay and how much. He recommended to list in the formal agreement as to who is responsible for what amount. Mr. Stevens noted he will research the amount and incorporate it into the formal agreement.

**Councilman John Wray moved to approve the Agreement with the Texas Department of Rural Affairs for the closeout of the Housing Infrastructure Fund grant for Clift Estates.**  
Councilman Joe Jenkins seconded, **All Ayes.**

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**CITIZENS' PETITIONS AND REQUEST**

Mrs. Debra Wakeland, President and CEO of the Chamber of Commerce, announced the Homebuilders luncheon will be held on Wednesday, April 21, 2010, Gingerbread Classic Golf Tournament will be held on June 4, 2010 and noted Mr. Andy Biery at Mid-Way Regional Airport is doing a great job working with the Chamber.

An audience member spoke on the Waxahachie Baylor hospital no longer providing services for deliveries of babies and emergency services for children and asked City Council if they could have some influence on the hospitals decision.

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**COMMENTS BY MAYOR, CITY COUNCIL, CITY ATTORNEY AND CITY MANAGER**

City Manager Paul Stevens announced Sales Tax is up .8%. Mr. Stevens noted he serves on the Waxahachie Baylor Hospital Board and can get some information to the Council as to the reason why some of the decisions were made and report back at a future Council meeting.

Mayor Ron Wilkinson noted the hospital acted in good faith and stated there are some that disagree with their decision but believes City Council agrees that the Hospital Board acted, in what they regarded, the best interest of the hospital. He noted he doesn't mind discussing the issue but felt City Council needs to stay out of their business.

Public Relations Manager Amy Hollywood announced the Senior/Senior Prom will be held Tuesday, April 27, 2010 at the Senior Center. She noted this will be a great inter-generational time for all. Next week "Seniors helping Seniors", involving approximately 400 students, will be working in the community to assist senior citizens. Mrs. Hollywood announced the Tree Planting Program is underway and trees are available for purchase.

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There being no further business, the meeting adjourned at 7:44 p.m.

Respectfully submitted,  
Lori Saunders  
City Secretary