

City Council
February 6, 2017

A work session of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Conference Room at City Hall, 401 S. Rogers on Monday, February 6, 2017, at 6:15 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: Paul Stevens, City Manager
Michael Scott, Assistant City Manager
Steve Chapman, City Attorney
Amber Villarreal, Assistant City Secretary
Darren Groth, Director of Planning
Johnny Bray, Director of Building & Community Services
James Gaertner, City Engineer
Ricky Boyd, Fire Chief
Dennis Crecelius, Fire Marshal
Jeff Chambers, Director of Public Works

Mayor Kevin Strength called the meeting to order.

City Manager Paul Stevens made a presentation about Building Codes noting in 2001 the State Legislature adopted the International Residential Code (IRC) and National Electric Code (NEC) as the standard building codes for residential construction at the request of the homebuilders to have uniformity. Legislature also adopted the Energy Efficiency Chapter of the IRC for single-family construction and the IECC for all other residential, commercial, and industrial construction. Cities are authorized to make amendments to meet local concerns; however, local amendments may not result in less stringent energy efficiency requirements in nonattainment areas such as Ellis County. Legislature required the Texas Board of Plumbing Examiners to adopt the Uniform Plumbing Code (UPC) and the International Plumbing Code (IPC) which also allows cities to amend the plumbing codes to conform to local concerns that do not substantially vary from board rules or other rules of the State. In 2005 the Legislature adopted the International Building Code (IBC) as the municipal building code for commercial and multi-family construction. The National Electric Code (NEC) applies to all commercial buildings and cities may adopt amendments to both. For cities in Texas, any structure built within the city must comply with the requirements of the International Codes whether the city enforces the codes or not. The North Central Texas Council of Governments (NCTCOG) has a Regional Codes Coordinating Committee (RRCC) and five advisory board comprised of local public and private code professionals that review the latest editions of the codes and recommends uniform amendments for the North Central Texas region. The fifty states and the District of Columbia have adopted the International Codes.

Mayor Pro Tem Mark Singleton expressed concern with the city enforcing these codes. He noted some of the requirements don't use "common sense" and would like to adopt some kind of document with these codes that authorizes staff to allow variances to some of the requirements. Mr. Singleton indicated he doesn't want to continue to adopt newer versions of the codes because he believes that is only piling on to the rules that are already in place. He would like to start over and have council review each section of the code to determine what they will adopt.

Mayor Strength confirmed that in order for the local highways to receive state money the city must adhere to these standards.

Councilmember David Hill noted the amendments to the codes are all upgrades and builders must comply to the codes regardless of inspectors or city rules.

Councilmember Mary Lou Shipley pointed out that the codes were derived from some sort of need because it took a lot of work from a lot of people. The need for uniformity was the driving factor. Councilmember Shipley stated she was not aware of any complaints from builders in the

city regarding these codes. She asked if it was normal to do what Mayor Pro Tem Singleton is requesting. Director of Building and Community Services Johnny Bray noted typically cities rely on other cities, staff, North Central Texas Council of Government, and the sixteen committees that make changes to the codes.

Fire Chief Ricky Boyd reminded council that if the city chooses to adopt an older version of the code, the city loses points for its ISO rating which could possibly increase homeowner's insurance premiums.

The worksession convened at 7:03 p.m. for the regular council meeting.

The worksession reconvened at 7:53 p.m.

Mayor Pro Tem Singleton discussed simplifying the codes to decrease unnecessary spending and adopt a Comprehensive Plan to be used strictly as a guiding document allowing staff to use their discretion.

Councilmember Shipley stated she doesn't mind simplifying the codes, but doesn't want to make it more confusing or harder on the builders and inspectors. She noted discretion is dependent upon each person and that can cause problems.

Fire Marshal Dennis Crecelius noted variances are given in different situations; however, they aren't given in any instance that would put the citizens, the city, or himself in jeopardy.

Councilmember Chuck Beatty noted his interest is in keeping the citizens of Waxahachie safe.

Mayor Strength stated there has to be rules put in place before the council votes to get rid of the current codes.

City Manager Stevens noted although some codes don't seem like they are "common sense" there is reasonable science and engineering behind them.

Council was reminded that the codes are adopted by the State of Texas.

After a lengthy discussion, the meeting adjourned at 8:24 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary