

City Council  
April 2, 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 2, 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  
Lori Cartwright, City Secretary  
Terry Welch, City Attorney

**1. Call to Order**

Mayor Kevin Strength called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance**

**4. Texas Pledge of Allegiance**

Councilmember David Hill gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**5. Public Comments**

Mr. Vastem Tolbert, 1832 E. Highland Road, Waxahachie, expressed concern with the trash service not picking up the trash. He contacted the city and staff reached out to the waste company and trash is still not getting picked up. City Manager Michael Scott stated staff will take care of the issue.

Mr. Cutler Olson, 202 Stampede Street, Waxahachie, spoke on behalf of Mrs. Melissa Olson, encouraging City Council to consider streaming all meetings including briefings.

**6. Consent Agenda**

- a. Minutes of City Council meeting of March 19, 2018
- b. Minutes of City Council Briefing Session of March 19, 2018
- c. Minutes of Joint Work Session of City Council and Planning & Zoning Commission of March 26, 2018
- d. Minutes of Planning and Zoning Commission meeting of March 27, 2018
- e. Minutes of Planning and Zoning Commission Briefing Session of March 27, 2018
- f. Minutes of Waxahachie Community Development Corporation meeting of March 23, 2018

- g. Minutes of Senior Center Advisory Committee meeting of March 21, 2018
- h. Minutes of Keep Waxahachie Beautiful meeting of March 22, 2018
- i. Minutes of Mid-Way Regional Airport Board meeting of March 26, 2018
- j. Approve Crape Myrtle Fireworks Display to be held July 3, 2018
- k. Approve 4<sup>th</sup> of July parade route for 21st Annual Crape Myrtle Festival hosted by Chamber of Commerce
- l. Approve event application for Sims Library Summer Reading Program kickoff to be held May 19, 2018
- m. Approve Resolution supporting TxDOT grant for security fence at Mid-Way Regional Airport
- n. Consider authorization of a budget amendment to fund equipment and tools associated with the City's new Facilities Maintenance Coordinator position
- o. Consider authorization of a budget amendment for Shift Differential Pay at the Waste Water Treatment Plant
- p. Request by Ron Barson, Ledbetter Real Estate, LLC, for a Final Plat of North Grove Business Park Phases 2 & 4 for 7 lots, being 36.878 acres out of A.S. Pruett Survey, Abstract 848, John Shaver Survey, Abstract 1000, and E.C. Newton Survey, Abstract 791 (Property ID 189293 and 189294) – Owner: LEDBETTER REAL ESTATE LTD (FP-18-0019)

**RESOLUTION NO. 1237**

**WHEREAS**, the City of Midlothian and City of Waxahachie intend to make certain improvements to the Mid-Way Regional Airport; and

**WHEREAS**, the general description of the project is described as the construction of security fencing; and

**WHEREAS**, the City of Midlothian and City of Waxahachie intend to request financial assistance from the Texas Department of Transportation for these improvements; and

**WHEREAS**, total project cost are estimated to be \$790,000 and the City of Midlothian and City of Waxahachie will be responsible for the 10% of the total project costs currently estimated to be \$79,000; and

**WHEREAS**, the City of Midlothian and City of Waxahachie name the Texas Department of Transportation as its agent for the purposes of applying for, receiving and disbursing all funds for these improvements and for the administration of contracts necessary for the implementation of these improvements.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLOTHIAN, TEXAS THAT:**

The City of Waxahachie hereby directs the Mid-Way Regional Airport Board Chairman to execute on behalf of the City of Waxahachie, at the appropriate time, and with the appropriate authorizations of this governing body, all contracts and agreements with the State of Texas, represented by the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the improvements to the Mid-Way Regional Airport. The City of Waxahachie agrees to, with the City of Midlothian's participation for fifty percent (50%) of the two cities' obligations, construct the security fencing at Mid-Way Regional Airport, provide one-half (1/2) of the ten percent (10%) total project costs (estimated to be one-

half (1/2) of the \$79,000) and acknowledges that Texas Department of Transportation is agent for administration of federal and state funds for projects.

**RESOLVED THIS 2<sup>nd</sup> day of April, 2018.**

**Action:**

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

**7. Introduce Honorary Councilmember**

Councilmember Chuck Beatty introduced Mr. Raymond Kennedy as the Honorary Councilmember for the month of April 2018. Raymond Kennedy is the son of Hugh and Shannon Kennedy. He has one sister, Morgan Kennedy, who is currently in the 8th grade at Howard Junior High. Raymond is a 4 year starter for the Waxahachie Indians soccer team with multiple district accolades. He was also a 3 year letterman for the football team and the kicker for the past two years and won First-Team All-District Kicker his senior year. Raymond also participates in the school club known as TSA (Technology Student Association). He made it to the national level competition his sophomore and junior year. His junior year, he placed 1st in the state and 6th in the nation with his Architectural Design team. Raymond participates in the National Honors Society. He was nominated for Coronation his freshman and senior year, as well as nominated for Mr. WHS. Raymond plans on continuing his academic and athletic career at Paris Junior College in the fall.

**8. Consider request by Michael Westfall, Westfall Engineering, for a Preliminary Plat of Shaw Burgess Addition for 2 lots, being 14.252 acres in the F.M. Woodard Survey, Abstract 1120 (Property ID 192151) in the Extra Territorial Jurisdiction – Owner: HACHIE PROPERTIES LLC & A GARRETT REAL ESTATE VENTURES LLC (PP-18-0020)**

Mr. Shon Brooks, Director of Planning, reported the applicant wishes to subdivide one (1) lot into two (2) lots. He recommended approval subject to the knowledge that fire flow is not provided. He stated Item 9 is a companion case to the proposed Preliminary Plat.

**Action:**

*Councilmember David Hill moved to approve a request by Michael Westfall, Westfall Engineering, for a Preliminary Plat of Shaw Burgess Addition for 2 lots, being 14.252 acres in the F.M. Woodard Survey, Abstract 1120 (Property ID 192151) in the Extra Territorial Jurisdiction – Owner: HACHIE PROPERTIES LLC & A GARRETT REAL ESTATE VENTURES LLC (PP-18-0020) as presented. Mayor Pro Tem Mark Singleton seconded, All Ayes.*

**9. Consider request by Michael Westfall, Westfall Engineering, for a Final Plat of Shaw Burgess Addition for 2 lots, being 14.252 acres in the F.M. Woodard Survey, Abstract 1120 (Property ID 192151) in the Extra Territorial Jurisdiction – Owner: HACHIE PROPERTIES LLC & A GARRETT REAL ESTATE VENTURES LLC (FP-18-0021)**

**Action:**

*Mayor Pro Tem Mark Singleton moved to approve a request by Michael Westfall, Westfall Engineering, for a Final Plat of Shaw Burgess Addition for 2 lots, being 14.252 acres in the F.M. Woodard Survey, Abstract 1120 (Property ID 192151) in the Extra Territorial Jurisdiction – Owner: HACHIE PROPERTIES LLC & A GARRETT REAL ESTATE VENTURES LLC (FP-18-0021). Councilmember David Hill seconded, All Ayes.*

- 10. Public Hearing on a request by R. Deann Wells for a Replat of Lots 1A and 1B, Lindmark Estates - Revised to create Block A, Lot 1, Whiskey Creek Addition, 7.548 acres (Property ID 228819) – Owner: WELLS ERIC P & RONDA D (RP-18-0017)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant is taking two (2) lots and making them into one (1). He recommended approval subject to the water services being in place prior to platting.

There being no others to speak for or against RP-18-0017, Mayor Strength closed the Public Hearing.

- 11. Consider approving RP-18-0017**

**Action:**

*Councilmember Chuck Beatty moved to approve a request by R. Deann Wells for a Replat of Lots 1A and 1B, Lindmark Estates - Revised to create Block A, Lot 1, Whiskey Creek Addition, 7.548 acres (Property ID 228819) – Owner: WELLS ERIC P & RONDA D (RP-18-0017) as presented. Councilmember Mary Lou Shipley seconded, All Ayes.*

- 12. Public Hearing on a request by Michael Yarborough for a Replat of Lot 15 and 16 to create Lot 15R and Lot 16R, Brookbend Grove Phase 2, 2.124 acres (Property ID 208078 and 208079) – Owner: YARBOROUGH MICHAEL W & LOIS JANE and JOYCE S BRIDGES REVOCABLE LIVING TRUST (RP-18-0018)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant is moving one (1) lot line from one property to another. Staff recommended approval.

There being no others to speak for or against RP-18-0018, Mayor Strength closed the Public Hearing.

**13. Consider approving RP-18-0018**

**Action:**

*Mayor Pro Tem Mark Singleton moved to approve a request by Michael Yarborough for a Replat of Lot 15 and 16 to create Lot 15R and Lot 16R, Brookbend Grove Phase 2, 2.124 acres (Property ID 208078 and 208079) – Owner: YARBOROUGH MICHAEL W & LOIS JANE and JOYCE S BRIDGES REVOCABLE LIVING TRUST (RP-18-0018). Councilmember David Hill seconded, All Ayes.*

**14. Public Hearing on a request by Danny Scroggins for a Replat of Lot 9 to create Lot 9A and Lot 9B, Buena Vista Heights, 9.98 acres in the Extra Territorial Jurisdiction (Property ID 207864) – Owner: SCROGGINS DANNY E & JUDY A (RP-18-0024)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant wishes to take one (1) lot and subdivide into two (2) lots. Staff recommended approval.

Those who spoke in favor of RP-18-0024:

Ms. Angie Schindler, 727 Richard Road, Waxahachie

There being no others to speak for or against RP-18-0024, Mayor Strength closed the Public Hearing.

**15. Consider approving RP-18-0024**

**Action:**

*Councilmember Mary Lou Shipley moved to approve a request by Danny Scroggins for a Replat of Lot 9 to create Lot 9A and Lot 9B, Buena Vista Heights, 9.98 acres in the Extra Territorial Jurisdiction (Property ID 207864) – Owner: SCROGGINS DANNY E & JUDY A (RP-18-0024). Councilmember Chuck Beatty seconded, All Ayes.*

**16. Public Hearing on a request by Reginald Coulsell for a Specific Use Permit (SUP) to allow a Private Stables use within a Planned Development-23-Single Family-1 (PD-23-SF-1) zoning district, located North of Hunter Pass on FM 877, being 374 A B FLUERY 17.329 ACRES (Property ID 183557) - Owner: TAYLOR CRYSTAL & REGINALD COULSELL II (SU-18-0023)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant seeks to erect a stable for private use only and not to be used for commercial use. He stated the applicant plans to build a residence upon approval of the SUP. Mr. Brooks stated the stable will be located in the triangle of the property and the house situated close to Lake Waxahachie waterfront. Staff expressed concern of erecting an accessory building

without a primary structure on the property. Mr. Brooks suggested withholding of a building permit for the proposed structure until the residence is constructed and has received its final inspection. This would require the extension of the SUP approval. Staff recommended that the SUP approval for this proposal be extended to two (2) years from the date of approval.

There being no others to speak for or against SU-18-0023, Mayor Strength closed the Public Hearing.

**17. Consider proposed Ordinance approving Zoning Change No. SU-18-0023**

**ORDINANCE NO. 3010**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A PRIVATE STABLES USE WITHIN A PLANNED DEVELOPMENT-23-SINGLE FAMILY-1 (PD-23-SF-1) ZONING DISTRICT, LOCATED NORTH OF HUNTER PASS ON FM 877, BEING PROPERTY ID 183557, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING AB FLUERY, ABSTRACT NO. 374, 17.329 ACRES, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember David Hill moved to approve Ordinance No. 3010. Councilmember Chuck Beatty seconded, All Ayes.*

**18. Consider proposed Resolution approving submission of a Staffing for Adequate Fire & Emergency Response (SAFER) Grant**

Fire Chief Ricky Boyd reported the grant provides reimbursement of 75% (with a City match of 25%) of eligible costs for the first and second year and 35% (with a City match of 65%) of eligible costs for the third year. Chief Boyd stated at this time, this is not a request for the City's portion of funding and explained it is a request to apply. He noted the application period closes on April 27, 2018.

**RESOLUTION NO. 1238**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING SUBMISSION OF GRANT APPLICATION TITLED "STAFFING FOR ADEQUATE FIRE & EMERGENCY RESPONSE" TO THE ASSISTANCE TO FIREFIGHTERS (AFG) GRANT PROGRAM**

**Action:**

*Mayor Pro Tem Mark Singleton moved to approve Resolution No. 1238 as presented. Councilmember Mary Lou Shipley seconded, All Ayes.*

**19. Convene into Executive Session for discussion about the value or transfer of real property as permitted by the Texas Government Code, Section 551.072**

Mayor Strength announced at 7:21 p.m. the City Council would convene into Executive Session for discussion about the value or transfer of real property as permitted by the Texas Government Code, Section 551.072.

**20. Reconvene and take any necessary action**

The meeting reconvened at 8:00 p.m. Mayor Strength announced there is no action to be taken.

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

None

**22. Adjourn**

*There being no further business, Mayor Pro Tem Mark Singleton moved the meeting adjourn at 8:00 p.m. Councilmember Mary Lou Shipley seconded, All Ayes.*

Respectfully submitted,

Lori Cartwright  
City Secretary