

City Council
October 1, 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, October 1, 2018 at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor
Chuck Beatty, Councilmember
Mary Lou Shipley, Councilmember

Council Members Absent: David Hill, Mayor Pro Tem
Melissa Olson, 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 and Texas Pledge of Allegiance

Councilmember Mary Lou Shipley 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 September 4, 2018
- b. Minutes of the City Council meeting of September 17, 2018
- c. Minutes of the Special City Council meeting of September 20, 2018
- d. City Manager's appointment of member to Civil Service Commission
- e. Oddfest 2018 event to be held October 6, 2018
- f. Parade route for Waxahachie ISD Homecoming Parade to be held on October 26, 2018
- g. 6th Annual YMCA Santa Run to be held on December 15, 2018
- h. Tulip Trot event to be held March 30, 2019

Action:

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

5. Introduce Honorary Councilmember

Councilmember Shipley introduced Ming Ye as the Honorary Councilmember for the month of October. She is the daughter of Hua Nan Ye and Sai Ying Chen. Ming is in the Waxahachie Wind Ensemble which was named the 2017-2018 TMEA Honor Band in the spring of last year. She is a drum major in the band program that won third place in the UIL State Marching Contest last year. Ming participated in Belles and Beaus as well as many UIL math events. She is also the

secretary of the National Honor Society program. She enjoys hanging out with friends, staying up late doing homework, and working at her restaurant, the Asian King Buffet. Ming keeps high A's in all her classes and is at the top of her class. She plans to study accounting in college next fall.

6. Continue Public Hearing on a request by Marvin E. Singleton III, CNB of Texas, for a Replat of part of Lot 1A, Ferris Addition, to create Lot 1AR, Ferris Addition, 0.773 acres (Property ID 173282) – Owner: CITIZENS BANK OF TEXAS (RP-18-0136)

Mayor Strength continued the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the applicant seeks to Replat Lot 1 and set boundary lines by plat with Ellis County. He stated staff recommends approval with the requirement that the applicant acquires signatures of surrounding property owners on the plat indicating their acceptance of re-platting of this land. Mr. Brooks stated the applicant requested a hardship waiver.

Mr. Mark Singleton, applicant, 125 Willowcrest, Waxahachie, stated boundary lines for this piece of property has been uncontested for approximately 45 years. He stated the Prosperity Bank property is the only property owner that would have an issue and they have no issues. Mr. Singleton asked Council to grant the Hardship Waiver due to acquiring surrounding property owner's signatures would be difficult.

There being no others to speak for or against RP-18-0136, Mayor Strength closed the Public Hearing.

7. Consider approving RP-18-0136

Action:

Councilmember Chuck Beatty moved to approve a request by Marvin E. Singleton III, CNB of Texas, for a Replat of part of Lot 1A, Ferris Addition, to create Lot 1AR, Ferris Addition, 0.773 acres (Property ID 173282) – Owner: CITIZENS BANK OF TEXAS (RP-18-0136) subject to staff comments and approving hardship waiver. Mayor Kevin Strength seconded, All Ayes.

8. Public Hearing on a request by Iran Magallon for a Replat of Lots 4 and 12, Lindmark Estates Revised, to create Lots 1 and 2, R and M Estates, 13.821 acres (Property ID 230996) – Owner: REYES TOMAS & RITA (RP-18-0143)

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant seeks to move the lot line requiring a replat of Lots 1 and 2. He stated the request does meet the requirements of the Subdivision Ordinance and recommended approval.

There being no others to speak for or against RP-18-0143, Mayor Strength closed the Public Hearing.

9. Consider approving RP-18-0143

Action:

Councilmember Mary Lou Shipley moved to approve a request by Iran Magallon for a Replat of Lots 4 and 12, Lindmark Estates Revised, to create Lots 1 and 2, R and M Estates, 13.821 acres (Property ID 230996) – Owner: REYES TOMAS & RITA (RP-18-0143). Councilmember Chuck Beatty seconded, All Ayes.

10. Public Hearing on a request by Ron Barson, Ledbetter Real Estate, for a Replat of Lot 2, Block E to create Lots 2R and 3, Block E, North Grove Business Park Phases Two and Four, 4.983 acres (Property ID 189293 and 189294) – Owner: LEDBETTER REAL ESTATE LTD (RP-18-0139)

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the requested Replat encompasses an entire block and recommended approval.

Councilmember Shipley asked if the park land fees have been paid. Mr. Brooks stated not at this time but will be paid prior to filing.

There being no others to speak for or against RP-18-0139, Mayor Strength closed the Public Hearing.

11. Consider approving RP-18-0139

Action:

Councilmember Chuck Beatty moved to approve a request by Ron Barson, Ledbetter Real Estate, for a Replat of Lot 2, Block E to create Lots 2R and 3, Block E, North Grove Business Park Phases Two and Four, 4.983 acres (Property ID 189293 and 189294) – Owner: LEDBETTER REAL ESTATE LTD (RP-18-0139). Mayor Kevin Strength seconded, All Ayes.

12. Consider request by James McDill, Davis & McDill, for a Preliminary Plat of Oxford Ranch Two Phase 2 for 48 lots, being a 69.645 acre addition in the T. Cassidy Survey, Abstract 255 and the H.G. Hurst Survey, Abstract 458 (Property ID 181695) in the Extra Territorial Jurisdiction – Owner: HARLAN PROPERTIES INC (PP-18-0147)

Mr. Brooks reported the first Preliminary Plat submittal has expired and being resubmitted for consideration. The applicant is working with staff and county for construction. Phase 1 is currently under development.

Action:

Councilmember Mary Lou Shipley moved to approve a request by James McDill, Davis & McDill, for a Preliminary Plat of Oxford Ranch Two Phase 2 for 48 lots, being a 69.645 acre addition in the T. Cassidy Survey, Abstract 255 and the H.G. Hurst Survey, Abstract 458

(Property ID 181695) in the Extra Territorial Jurisdiction – Owner: HARLAN PROPERTIES INC (PP-18-0147). Councilmember Chuck Beatty seconded, All Ayes.

- 13. Consider request by Mathew Williamson, Gateway Engineering, for a Preliminary Plat of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey Abstract 1080 (Property ID 264879) – Owner: MARK ON 287 OWNER LLC (PP-18-0146)**

Mr. Brooks stated agenda items 13 and 14 are the same property. He stated is was previously zoned Multi Family- 2 and recommended approval.

Mr. Brooks stated the applicant proposes establishing a property line and Right-of-Way (ROW). The proposed ROW includes a north/west connection and east/west connection which are major parts of the Thoroughfare Plan. He reported The Mark on 287 is working with the Waxahachie Independent School District and City to have access to the new high school. Mr. Brooks explained the developer agreement insures the City gets the ROW dedication over to Ovilla Road.

Action:

Councilmember Chuck Beatty moved to approve a request by Mathew Williamson, Gateway Engineering, for a Preliminary Plat of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey Abstract 1080 (Property ID 264879) – Owner: MARK ON 287 OWNER LLC (PP-18-0146). Councilmember Mary Lou Shipley seconded, All Ayes.

- 14. Consider a development agreement with the Mark on 287 and the Waxahachie Independent School District for the dedication of right of way and the construction of roadways associated with the City’s Thoroughfare Plan**

Action:

Councilmember Mary Lou Shipley moved to approve a development agreement with the Mark on 287 and the Waxahachie Independent School District for the dedication of right of way and the construction of roadways associated with the City’s Thoroughfare Plan. Councilmember Chuck Beatty seconded, All Ayes.

- 15. Consider a service contract with Tyler Technologies, Inc. for the purchase of EnerGov Life Cycle Management Software and five years of associated maintenance and support services**

Mr. Tommy Ludwig, Executive Director of Development Services, reported the EnerGov Life Cycle Management Software will enhance the City’s operational efficiency by providing a single platform to track development activity, the ability for staff to perform simultaneous electronic plan reviews, and allowing customers to apply for permits, submit plans, submit payments, and schedule inspections online. He stated the five year contract with Tyler Technologies, Inc. is in the amount of \$486,602 noting the annual maintenance cost in year two through year five range from \$50,560 to \$56,321. Mr. Ludwig stated the City reserves the right to terminate the agreement for lack of funding in future years at no penalty.

Councilmember Shipley asked how long before it is up and running. Mr. Ludwig stated it will be fully operational in six to nine months.

Action:

Councilmember Mary Lou Shipley moved to approve a service contract with Tyler Technologies, Inc. for the purchase of EnerGov Life Cycle Management Software and five years of associated maintenance and support services. Councilmember Chuck Beatty seconded, All Ayes.

16. Public Comments

Mr. Alan Fox, 327 University, Waxahachie, referenced the City's requirements of names and addresses for audience members wanting to speak. He encouraged council to keep this practice in place.

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

Director of Planning Shon Brooks announced the Planning Department received a Certificate of Achievement for Planning Excellence award from the American Planning Association Texas Chapter.

Assistant City Manager Albert Lawrence thanked city staff for the past few weeks with recent events and employees working extra hours making the events a positive experience for visitors. He referenced the recent weather events and thanked city staff for keeping people safe noting city employees are appreciated.

Councilmember Chuck Beatty thanked Honorary Councilmember Ming Ye for her attendance.

City Manager Michael Scott wished everyone a new fiscal year.

Mayor Kevin Strength thanked Parks Director John Smith and his staff for their assistance during the Chautauqua event over the weekend helping participants due to the rain. He thanked Mr. Scott for his leadership this past year.

Councilmember Mary Lou Shipley stated the Chautauqua event this past weekend was very successful despite the rain and thanked the organization that put it on. She thanked Mr. Lawrence and Mr. Ludwig for the work they put in selecting the new software for the Building and Community Services Department noting it will be good for the employees and citizens.

City Attorney Robert Brown thanked Honorary Councilmember Ming Ye for her attendance.

Director of Communications and Marketing Amy Borders announced the groundbreaking for the amphitheater is Tuesday, October 2, 2018 at 3:00 p.m.

18. Adjourn

*There being no further business, Councilmember Mary Lou Shipley moved the meeting adjourn at 7:32 p.m. Councilmember Chuck Beatty seconded, **All Ayes.***

Respectfully submitted,

Lori Cartwright
City Secretary