

City Council  
March 1, 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, March 1, 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 Chuck Beatty gave the invocation and led the Pledge of Allegiance.

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**CONSENT AGENDA:**

- a. Minutes of the regular City Council meeting of February 15, 2010
- b. Minutes of the Firemen's Relief and Retirement Fund meeting of February 15, 2010
- c. Minutes of the Cemetery Board meeting of February 11, 2010
- d. Minutes of the Tax Increment Reinvestment Zone No. 1 meeting of January 22, 2010
- e. Minutes of the Planning and Zoning Commission meeting of February 24, 2010

**Councilman Chuck Beatty moved to approve Items a. through e. on the Consent Agenda.**  
Mayor Pro Tem Buck Jordan seconded, **All Ayes.**

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Councilman John Wray introduced Mr. Brad Yates as Honorary Councilmember for the Month of March and noted Mr. Yates attended TCU where he played football. He and his wife, Lorinda have two children, attend First United Methodist Church and is very active in the community. Mr. Yates is a local building contractor specializing in renovating older homes and is instrumental in updating numerous properties in the city.

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Mayor Ron Wilkinson read a Proclamation designating March as "Moral Courage Month" and presented it to Mr. Gary Bassett, Chairman and Mr. Roy Orr, Vice Chairman of the Moral Courage Foundation Board of Directors.

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Mayor Ron Wilkinson read a Proclamation for “March for Meals Awareness Month in Ellis County” and presented it to Mrs. Marion Reynolds.

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Ms. Lisa Canton, Director of Development, Hope Clinic, presented an update of the Clinic’s progress. She reported in 2008 a Planning Grant allowed Hope Clinic to conduct a needs assessment in Ellis County which resulted in seven (7) indicators of unmet health care needs, which became the determining factor in the development of Hope Clinic’s goal. Ms. Canton noted their cliental includes uninsured workers, elderly, indigent and self pay. Hope Clinic’s goals are to provide access to comprehensive outpatient health care for the uninsured and underserved residents; decrease unnecessary ER visits for primary care; provide a medical home to Medicare and Medicaid patients; provide the target population with better access to dental care; and provide transportation to patients who are unable to get to their appointments. Hope Clinic is increasing awareness of their clinic through current and upcoming projects. Ms. Canton reported future needs are to increase the number of providers; provide more clinic and parking space; improve computer technology and electronic medical records training. She noted their obstacle in achieving these goals is money, space, and people resources. Ms. Canton announced Hope Clinic looks for contribution opportunities through Corporations, Grants, fundraising, City, individuals and churches.

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Mayor Ron Wilkinson opened the Public Hearing on Zoning Amendment Request No. 2010-10: Request by Jesse Guzman, for a Specific Use Permit within a Light Industrial (LI) Zoning District for a dealership to sell Class 8 trucks to be located at 7240 N. I-35E, being 29.019 acres in the J H Lawrence Survey, Abstract No. 633 – Owner: Celadon Trucking Services.

Mr. Jesse Guzman, Terminal Manager for Celadon, 7240 N. I-35E, Waxahachie, requested approval to open a used truck sales on Celadon’s existing property. He explained it will have a separate entry, employ ten (10) sales positions, and offer a bumper to bumper warranty and the owner can go to any Celadon dealership for repairs.

Planning Director Clyde Melick reported Celadon has twenty-nine (29) acres and will take in four (4) acres for truck sales. He noted the Applicant agreed to Staff Comments and to adhere to the City’s landscape Ordinance.

There being no others to speak for or against Zoning Amendment Request No. 2010-01, Mayor Wilkinson closed the Public Hearing.

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City Attorney Steve Chapman presented Ordinance No. 2564

**ORDINANCE NO. 2564**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT FOR PART OF THE J.H. LAWRENCE SURVEY, ABST. NO. 633, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS LOCATED AT 7240 N. IH-35E, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LIGHT INDUSTRIAL TO LIGHT INDUSTRIAL WITH SPECIFIC USE PERMIT (SUP), FOR THE PURPOSE OF TRAILER AND TRUCK SALES AND RENTAL AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Councilman John Wray moved to approve Ordinance No. 2564 as presented, subject to Staff Comments.** Councilman Joe Jenkins seconded, **All Ayes.**

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Mayor Ron Wilkinson opened the Public Hearing on a request from H. Glen and Vicki E. Rowe for the Final Plat of Lot 8R, Pecan Valley, being a Replat of Lots 8 and 9, 2.208 acres, Pecan Valley, located at 111 & 113 Pecan Valley Lane – Owner: H. Glen and Vicki E. Rowe (RP 2010-01).

Planning Director Clyde Melick reported the Applicant wishes to replat two lots into one in order to build a house. He noted the Applicant agrees to all Staff Comments.

There being no others to speak for or against Replat No. 2010-01, Mayor Wilkinson closed the Public Hearing.

**Councilman Joe Jenkins moved to approve a request from H. Glen and Vicki E. Rowe for the Final Plat of Lot 8R, Pecan Valley, being a Replat of Lots 8 and 9, 2.208 acres, Pecan Valley, located at 111 & 113 Pecan Valley Lane – Owner: H. Glen and Vicki E. Rowe (RP 2010-01).** Councilman Chuck Beatty seconded, **All Ayes.**

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City Manager Paul Stevens noted the alley in Indian Hills that serves Sagebrush Lane, Chieftain Drive, Redman Drive, Indian Trace, Kiowa Lane and Buffalo Creek Circle is in need of being replaced. He reported City Staff performed a visual survey and the alley is in such poor condition that it can't even be patched. He recommended the entire pavement be replaced. Mr. Stevens reported \$725,000 is budgeted for street repairs and the cost to replace the pavement will be approximately \$260,000. He noted the first step is to hire an Engineer and hopefully have the replacement completed by the fiscal year end.

Mayor Wilkinson asked how the cost will be incurred. Mr. Stevens noted the City will be responsible for the alley replacement and the \$725,000 is in the General Fund.

**After a lengthy discussion, Councilman John Wray moved to approve the alley replacement.**

Mayor Ron Wilkinson asked John if he wants to put a cost amount on his motion. City Manager Paul Stevens, noted it will have to go out for bids and the city will hire an Engineer, and come back to City Council for approval; therefore, there is not an actual cost at this time.

After further discussion, Councilman John Wray removed his motion.

**Councilman John Wray moved to authorize City Staff to obtain an Engineer to propose a cost of alley replacement as presented above.** Councilman Joe Jenkins seconded, **All Ayes.**

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**CITIZENS PETITIONS AND REQUEST**

Spencer and Trina Thompson announced Troop 1880 is attendance to earn their Citizenship in the Community badges.

Mrs. Debra Wakeland, President & CEO of the Chamber of Commerce noted the Chamber Banquet was a great success and announced the Life Style show will be Saturday, March 6, 2010 at the Waxahachie Civic Center.

Mrs. Anita Williamson, Downtown Director, announced the City was awarded the Texas Treasurer Award from First Lady Anita Perry and the Texas Historical Commission. She noted The Texas Historical Commission will be at the City Council meeting of March 15<sup>th</sup> to formally present City Council with the award. Mrs. Williamson noted the City recently hosted the Main Street Conference and received positive feedback from numerous attendees. She thanked the Mayor and City Council, City Manager and Assistant City Manager for allowing her to work as the Downtown Director.

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

Michael Scott, Assistant City Manager, announced the bid opening for the MKT Depot Project will be held Friday, March 5<sup>th</sup> at 10:30 a.m. in the Council Chamber.

Amy Hollywood announced the road dedication for Parks School House Road will be held on Thursday, March 11<sup>th</sup> at 4:30 p.m. and the dedication for Broadhead Road will be held on Thursday, March 18<sup>th</sup> at 4:30 p.m.

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Mayor Ron Wilkinson announced at 8:20 p.m. the City Council would convene into Executive Session to:

- a. Hear update on Pending or contemplated litigation/consultation with Attorney in regard to billboard advertising case as permitted by **Texas Government Code, Section 551.071**

City Council reconvened at 8:35 p.m.

Mayor Ron Wilkinson announced in Cause No. 76200, City of Waxahachie, Texas (Plaintiff) vs. Primary Media, LTD (Defendant), Final Judgment has been rendered ordering Primary Media, LTD to remove two (2) billboards. The City of Waxahachie has been awarded \$10,000.00. In the event this matter is appealed, the City shall recover an additional \$5,000.00 for responding to such appeal and in the event petition for review is granted, the City shall recover an additional \$5,000.00 for responding to the Supreme Court. Mayor Wilkinson congratulated City Attorney Jim Chapman and thanked him for his excellent work on this case.

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There being no further business, the meeting adjourned at 8:37 p.m.

Respectfully submitted,

Lori Saunders  
City Secretary