

City Council  
December 6, 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, December 6, 2010, at 7:00 p.m.

Council Members Present: John Wray, Mayor Pro Tem  
Chuck Beatty, Councilman  
Kevin Strength, Councilman  
Mark Singleton, Councilman

Member Absent: N.B. "Buck" Jordan, Mayor

Others Present: Michael Scott, Assistant City Manager  
Steve Chapman, City Attorney  
Amber Villarreal, Assistant City Secretary

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Mayor Pro Tem John Wray called the meeting to order, gave the invocation and led the Pledge of Allegiance.

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**CONSENT AGENDA:**

- a. Minutes of the regular City Council meeting of November 15, 2010
- b. Minutes of the Planning & Zoning Commission meeting of December 1, 2010
- c. Renewal of Mobile Home Park and Taxi Cab Licenses

**Councilman Chuck Beatty moved to approve Items a. and c. on the Consent Agenda.**  
Councilman Kevin Strength seconded, **All Ayes.**

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Mayor Pro Tem John Wray noted there was not an Honorary Council Member for December.

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Downtown Development Director Anita Williamson noted she attended the Main Street Conference in El Paso November 9-12 and the city was received national Main Street Recognition. She reminded the council of the report she handed out to them in July and noted the report scored 103 points out of 105 allowing the city to be recognized again this year. She noted the Downtown Parking Garage did not win for Best Public Improvement this year, but the MKT Depot will be nominated next year for Best Restoration.

The council and staff commended Mrs. Williamson for her hard work and excellent score on the report.

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Mrs. Williamson noted the Farmer's Market had a really good 2009 season and it continues to grow and be utilized by citizens. She noted the 2010 Season Total was about 24% higher than the 2009 Season Total and the 2009 Season Total was about 50% more than the 2008 Season.

Mayor Pro Tem John Wray asked if there were any improvements or changes Mrs. Williamson would like to see for next year and she noted she would like to see more food vendors participate. Councilman Mark Singleton asked how many more vendor spaces are available and Mrs. Williamson noted there were eighteen (18) spaces on Franklin Street and more that wrapped around the west side of the Courthouse and one weekend there were twenty-seven (27) vendors with room for more.

Councilman Chuck Beatty asked about the vendors' participation in the Bob Phillips' festival. Mrs. Williamson noted the market was allowed fourteen (14) vendors to participate and the biggest total of the season was reported for that day even with the festival ending early.

Assistant City Manager Michael Scott recognized Anita Williamson and the committees she is on noting the Farmer's Market has definitely grown from the first year.

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Deanne and Charles Crumpley, representing the Environmental Hall of Fame, recognized the city's green energy initiatives, community recycling program, and wind system support and noted they are looking forward to the city's continued efforts and success. Mr. and Mrs. Crumpley presented an award inducting the City of Waxahachie into the Environmental Hall of Fame to Mayor Pro Tem John Wray.

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Mayor Pro Tem John Wray opened the First Public Hearing on a request by Brett Hess, Hi View Real Estate, for annexation of an approximate 4.3 acre tract located in the Williams Baskins Survey near Hunter Pass Road.

Andrew Garrett, 601 Meadow Lark, Ovilla, TX, representing the property owner, requested approval of the annexation request.

Planning Director Clyde Melick noted the frontage of the property is already in the city limits and the annexation would put the whole piece of property in the city limits. He presented the Service Plan for the area.

There being no other to speak for or against the request, Mayor Pro Tem Wray closed the Public Hearing.

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Mayor Pro Tem John Wray opened the Public Hearing on an Ordinance amending the City of Waxahachie, Texas, Zoning Ordinance, providing for an Overlay District to allow for Residential Infill Development, declaring an emergency and setting an effective date.

Planning Director Clyde Melick noted for the past year and a half the city has been working on an Infill Overlay District to allow for residential development. He noted there are several small lots within the city that do not comply with the Zoning Ordinance and therefore, are unable to be developed without appealing to the Zoning Board of Adjustment. Some of the advantages of infill development is that the lots are ready to be used, have water and sewer connections, and paved roads. Mr. Melick reviewed the proposed ordinance including front yard setback, maximum lot coverage, side yards, garage requirements, and minimum lot size. The ordinance will allow flexibility to the builders and contractors and keep the surrounding property owners' property values. Mr. Melick also reviewed incentives such as allowing platting fees to be refunded if developer is trying to combine lots and waiving impact fees. Mayor Pro Tem Wray noted he likes the incentives and Mr. Melick noted the incentives will hopefully be coming in January. Mr. Melick explained the criteria for the infill development is that lots must have been initially platted before 1980. Councilman Singleton questioned how staff arrived at the year 1980 and Mr. Melick noted research was done on when developments were platted and 1980 included several additions.

Councilman Singleton expressed his desire to keep multiplex homes and structures from popping up in the middle of single family neighborhoods. Mr. Melick noted those type of zoning changes would require Public Hearings and property owner notifications.

Assistant City Manager Michael Scott noted this section of the Zoning Ordinance can be amended and modified as needed.

There being no others to speak for or against the request, Mayor Pro Tem Wray closed the Public Hearing.

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Mayor Pro Tem John Wray opened the Second Public Hearing on a request by Brett Hess, Hi View Real Estate, for annexation of an approximate 4.3 acre tract located in the Williams Baskins Survey near Hunter Pass Road.

There being no other to speak for or against the request, Mayor Pro Tem Wray closed the Public Hearing.

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City Attorney Steve Chapman presented Ordinance No. 2596 approving the Infill Overlay District.

**ORDINANCE NO. 2596**

**AN ORDINANCE AMENDING THE WAXAHACHIE CODE OF ORDINANCES, ZONING ORDINANCE, BY ADDING A NEW SECTION 31.B, AN OVERLAY DISTRICT FOR INFILL DEVELOPMENT, WHICH**

**SETS STANDARDS FOR AND REGULATES THE CONSTRUCTION OF RESIDENTIAL STRUCTURES ON LOTS THAT WERE PLATTED BEFORE 1980, AND MEETING OTHER REQUIREMENTS, DECLARING AN EMERGENCY, AND SETTING AN EFFECTIVE DATE.**

Councilman Kevin Strength moved to approve Ordinance No. 2596 as presented. Councilman Chuck Beatty seconded, All Ayes.

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Planning Director Clyde Melick requested approval of the Final Plat of Lot 2, Chapman Place Business Addition, being a 0.6282 Acre Addition in the William Baskins Survey, Abstract 148— Owner: Steven F. Chapman & Richard A. Chapman (FP 2010-20). He noted the location is south of the Braums Addition next to Sleep Quarters and the property owners are working on a cross access agreement.

Councilman Mark Singleton moved to approve the Final Plat of Lot 2, Chapman Place Business Addition, being a 0.6282 Acre Addition in the William Baskins Survey, Abstract 148— Owner: Steven F. Chapman & Richard A. Chapman (FP 2010-20), subject to staff comments. Councilman Kevin Strength seconded, All Ayes.

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**CITIZENS' PETITIONS AND REQUESTS**

President and CEO of the Chamber of Commerce Debra Wakeland noted the MKT Depot Grand Opening is scheduled for Wednesday, December 8, 2010 at 4:00 p.m. She also noted the Chamber is working with the Farmer's Market Vendors for spaces in next year's Bob Phillips' Festival. She invited council to attend the 12 @ 12 next week and the Chamber Christmas Party on Friday, December 17<sup>th</sup> beginning at 4:30 p.m. at the Rogers Hotel.

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

John Wray recognized the Boy Scout in the audience working on his citizenship badge and welcomed him back to future meetings.

Assistant City Manager Michael Scott noted the sound system has recently been worked to enhance sound in the council chambers. He also noted, due to the lack of business, the next council meeting may be cancelled.

Community Relations Manager Amy Hollywood reminded everyone of the MKT Depot Grand Opening and noted she is currently accepting applicants for Waxahachie 101 which will begin in January 2011.

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***There being no further business, the meeting adjourned at 7:47 p.m.***

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary