

City Council  
January 3, 2011

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, January 3, 2011, at 7:00 p.m.

Council Members Present: N.B. "Buck" Jordan, Mayor  
John Wray, Mayor Pro Tem  
Chuck Beatty, Councilman  
Kevin Strength, Councilman  
Mark Singleton, 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 Buck Jordan 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 December 6, 2010
- b. Minutes of the Planning & Zoning Commission meeting of December 22, 2010
- c. Minutes of the Heritage Preservation Commission meeting of November 11, 2010
- d. Monthly Building Report for November 2010
- e. Monthly Violation Activity Statistics for November 2010
- f. Monthly Fire and EMS Report for October and November 2010
- g. Monthly Code Enforcement Report for October and November 2010
- h. Set City Council meeting date of Tuesday, January 18, 2011

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

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Mayor Buck Jordan opened the Public Hearing on Zoning Amendment Request No. 2010-16: Request by TC Signs, for a Specific Use Permit within a Heavy Industrial (HI) Zoning District for a pole sign for future retail site to be located at 5400 N. IH35E, being 9.914 acres- Owner: Kantex Landco, LLC.

Planning Director Clyde Melick reported the Applicant requested a pole sign for the purpose of putting "for sale or lease" and a phone number on the sign. He noted the Applicant compromised with the Planning and Zoning Commission that the sign not be built until a Certificate of Occupancy is issued for a conforming business.

There being no others to speak for or against Zoning Amendment Request No. 2010-16, Mayor Jordan closed the Public Hearing.

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City Attorney Steve Chapman presented Ordinance No. 2598:

ORDINANCE NO. 2598

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT FOR 9.914 ACRES, PETER B. STOUT SURVEY, ABSTRACT NO. 1003, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, LOCATED AT 5400 N. IH-35E, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING HEAVY INDUSTRIAL (HI) TO HEAVY INDUSTRIAL WITH SPECIFIC USE PERMIT (HI W/SUP), FOR THE PURPOSE OF ERECTING A POLE SIGN FOR FUTURE RETAIL SITE, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Councilman Kevin Strength moved to approve Ordinance No. 2598 as presented. Mayor Pro Tem John Wray seconded, All Ayes.

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City Attorney Steve Chapman presented Ordinance No. 2599 annexing property owned by Brett Hess, Hachie Properties for annexation of approximately 4.385 acres extending in a southerly direction extending approximately 400 feet total from the Corporate City limits.

ORDINANCE NO. 2599

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WAXAHACHIE, AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY LIES ADJACENT TO THE PRESENT BOUNDARY LIMITS OF THE CITY OF WAXAHACHIE IN THE PARTICULARS STATED IN THE ORDINANCE, AND DECLARING AN EMERGENCY.

Councilman Mark Singleton moved to approve Ordinance No. 2599 as presented. Councilman Chuck Beatty seconded, All Ayes.

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City Manager Paul Stevens presented Resolution No. 1144 authorizing the submission of a request to participate in a single family reservation system program, authorizing agreement execution authority, and obligating the amount of match funds and cash reserves required for the single family reservation system program offered by the Texas Department of Housing and Community Affairs. He reported the City received enough funds for eleven (11) transactions

and noted when the City gets to the end of the funds, we can apply for more. He noted four (4) homes have been purchased and three (3) homes in line to do.

*RESOLUTION NO. 1144*

A RESOLUTION AUTHORIZING THE SUBMISSION OF A REQUEST TO PARTICIPATE IN A SINGLE FAMILY RESERVATION SYSTEM PROGRAM, AUTHORIZING AGREEMENT EXECUTION AUTHORITY, AND OBLIGATING THE AMOUNT OF MATCH FUNDS AND CASH RESERVES REQUIRED FOR THE SINGLE FAMILY RESERVATION SYSTEM PROGRAM OFFERED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

WHEREAS, the City of Waxahachie (the "City") is intending to request to participate in the Texas Department of Housing and Community Affairs ("TDHCA") Reservation System Program for single family activities to provide housing assistance to very low and moderate income families who reside within the city limits and ETJ of Waxahachie;

NOW, THEREFORE,

BE IT RESOLVED, that the City of Waxahachie submit a request to participate in the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, SINGLE FAMILY RESERVATION SYSTEM PROGRAM to support the efforts of the City to assist low and moderate income families who reside within the City Limits and ETJ of the City of Waxahachie through the provision of single family housing activities; and

BE IT RESOLVED FURTHER, that Paul Stevens, City Manager of the City of Waxahachie is authorized for, on behalf of, and in the name of the City to apply, negotiate and procure grants and loans from, and to enter into agreements with, the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; and

BE IT RESOLVED FURTHER, that the City Manager be, and he hereby is, authorized and directed to execute and deliver any and all instruments necessary to effectuate such grants and loans; and

BE IT RESOLVED FURTHER, that the City of Waxahachie does hereby agree to provide match in the amounts of 5% of the total project funds utilized for homebuyer assistance and 12.5% of housing rehabilitation/reconstruction projects in funds from non-federal resources including waived fees, the value, cash, the value of city lots donated to the program, and volunteer labor, if said match is required by TDHCA, to further affordable housing and other eligible match activities as match for the funds drawn in the Reservation System Program for; and

BE IT RESOLVED FURTHER, that the City of Waxahachie does hereby agree to specify and utilize funds identified in the City's current contract number 1001153 to provide a Cash Reserve designated for the TDHCA Reserve System Program.

These funds may be used to pay program costs before receiving reimbursements from the State of Texas Reservation System Program.

**Councilman Chuck Beatty moved to approve Resolution No. 1144 as presented.** Mayor Pro Tem John Wray seconded, **All Ayes.**

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Utility Director David Bailey presented a proposed Professional Services Contract with MWH for assistance with components of the Sanitary Sewer System Overflow Initiative Program. Mr. Bailey noted MWH has previously assisted the City in this program and Staff has been very satisfied with their work. He reported the contract is in the amount of \$30,000.00 and the fund has been budgeted and approved in the current 2010-2011 fiscal year budget.

**Councilman Mark Singleton moved to approve the Professional Services Contract with MWH for assistance with components of the Sanitary Sewer System Overflow Initiative Program in the amount of \$30,000.00.** Mayor Pro Tem John Wray seconded, **All Ayes.**

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#### **CITIZENS' PETITIONS AND REQUESTS**

Chamber of Commerce President Debra Wakeland reported Bethlehem Revisited was a great event averaging \$1.00 per visitor. She noted the Chamber is looking forward to a great 2011.

Economic Development Director Doug Barnes announced Staff worked with the State for stimulus funds for energy conservation with energy usage in water and sewer motors which increases the performance. Staff submitted the project to the State and was notified there is \$86,350 we can access. He noted Staff will learn soon how we can access the funds.

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

Councilman Chuck Beatty announced the Martin Luther King celebration will held on Monday, January 17, 2011 and will provide more information soon.

City Manager Paul Stevens noted he appreciates Mr. Barnes and Mr. Bailey's hard work they did getting the stimulus funds for energy conservation.

Councilman Mark Singleton announced his engagement and noted copper thieves cut the power to his finance's office. He asked everyone to be attentive to their surroundings and report any unusual activity.

Mayor Jordan announced that Waxahachie 101 will began on Thursday, January 6<sup>th</sup> at 8:00 a.m. City Manager Paul Stevens noted this will be the 3<sup>rd</sup> year of Waxahachie 101.

City Council  
January 3, 2011  
Page 5

***There being no further business, Councilman Chuck Beatty moved the meeting adjourned at 7:38 p.m.*** Councilman Kevin Strength seconded, All ***Ayes.***

Respectfully submitted,

Lori Saunders  
City Secretary