

City Council
February 6, 2017

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, February 6, 2017 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: Paul Stevens, City Manager
Michael Scott, Assistant City Manager
Steve Chapman, City Attorney
Amber Villarreal, Assistant City Secretary

Mayor Kevin Strength called the meeting to order. Mayor Pro Tem Mark Singleton gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

CONSENT AGENDA:

- a. Minutes of the regular City Council meeting of January 17, 2017
- b. Minutes of the regular Planning and Zoning Commission meeting of January 24, 2017
- c. Minutes of the Tax Increment Reinvestment Zone No. 1 meeting of January 26, 2017
- d. Minutes of the Midway Airport Board meeting of January 12, 2017
- e. Approval of Tax Increment Reinvestment Zone District #1 funds for architectural services for installing a new fire suppression system at the Chautauqua Auditorium and 2017 Walk of Fame installation
- f. Approve member appointment to Heritage Preservation Commission
- g. Approve Waxahachie Police Department racial profiling report for 2016
- h. Approve Budget Amendment Request from General Fund
- i. Approve application for Valentine event at 717 W. Main St.
- j. Approve application for The Avenue Church "Amazing Race Family Edition" event
- k. Approve application for The Hachie 50 running race event
- l. Approve application for Crossroads of Texas Film Festival
- m. Set Public Hearings date of March 20, 2017 at 7:00 p.m. for first Public Hearing and 7:30 p.m. for second Public Hearing for a request by Walton Texas, LP for annexation of approximately 791 acres

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

Councilmember David Hill introduced Mr. Mitchell Travis Beddingfield as Honorary Councilmember for the month of February and recognized his parents in attendance. Mitchell is

a member of the debate team, interact club, president's club, and WHS Arrow newspaper staff. Mitchell advanced to state for the last two years with the WHS One Act Play team, and remains active in the theater department. He has been to region for UIL Headline writing twice, and he made it to state this past year, where he won fifth place. Mitchell is #9 in his class and strives to maintain high grades in all of his classes. He has been a member of the WHS cross country team for three of his four years, and physical fitness is an important part of his life. Mitchell is active in his church's youth group, and he tries to put God first in everything he does. He owes many of his achievements to the inspiration from his older brother, Coleman, and the incentive to be a worthy role model for his younger sister, Claire Marie. He plans to attend college at the University of Texas at Austin, where he will study journalism.

Planning Director Darren Groth presented Preliminary Plat of Lot 1, Block A, Waxahachie Nissan subdivision, being 5.309 acres situated in the John B. Bounds Survey, Abstract Number 99 - Owner: Texas Waxahachie Crossroads Realty, LLC (PLM2016-62). He reviewed the following case summary:

- Request is to Plat 5.309 acres into one commercial lot within the Waxahachie Nissan subdivision.
- Utilities services need to be install prior to the recording of the final plat.
- If approved, within 30 days the applicant shall provide one revised electronic plan set that incorporates all comments.

Councilmember David Hill moved to approve Lot 1, Block A, Waxahachie Nissan subdivision, being 5.309 acres situated in the John B. Bounds Survey, Abstract Number 99 - Owner: Texas Waxahachie Crossroads Realty, LLC (PLM2016-62). Councilmember Chuck Beatty seconded, All Ayes.

Mr. Groth presented Final Plat of Lot 1, Block A, Waxahachie Nissan subdivision, being 5.309 acres situated in the John B. Bounds Survey, Abstract Number 99 - Owner: Texas Waxahachie Crossroads Realty, LLC (FP2016-63). He reviewed the following case summary:

- Request is to Plat 5.309 acres into one commercial lot within the Waxahachie Nissan subdivision.
- Utilities services need to be install prior to the recording of the final plat.
- If approved, within 30 days the applicant shall provide one revised electronic plan set that incorporates all comments.

Councilmember Shipley moved to approve Final Plat of Lot 1, Block A, Waxahachie Nissan subdivision, being 5.309 acres situated in the John B. Bounds Survey, Abstract Number 99 - Owner: Texas Waxahachie Crossroads Realty, LLC (FP2016-63). Councilmember Hill seconded, All Ayes.

Mr. Groth presented Final Plat of the Thompson Farm subdivision, being 3.942 acres situated in the F.M. Woodard Survey, Abstract Number 1120 in the Extra Territorial Jurisdiction (ETJ) – Owner: Neal David Thompson (FP2016-64). He reviewed the following case summary:

- Final Plat to create 1 lot in the Thompson Farm addition located in the City’s ETJ.
- Staff recommends APPROVAL, per staff comments.
- On January 24, 2017, P&Z voted 5-0 to recommend APPROVAL of their Consent Agenda, which included this plat.

Mayor Pro Tem Singleton moved to approve Final Plat of the Thompson Farm subdivision, being 3.942 acres situated in the F.M. Woodard Survey, Abstract Number 1120 in the Extra Territorial Jurisdiction (ETJ) – Owner: Neal David Thompson (FP2016-64). Councilmember Hill seconded, **All Ayes.**

Emily Protine, Community Outreach Liaison with Bonner Carrington, Inc., presented a proposed age restricted multi-family project to be located off of Highway 287 near Meghan Lane. She explained her company looked at the Comprehensive Plan and a market study for independent senior living to determine if there is a need for this type of housing in Waxahachie. Both confirmed there is a need. She explained the proposal includes 220 units, of which 40% will rent at market rate and 60% as affordable housing. The complex would be for active adults 55+ and include the following amenities: fully appointed clubhouse with resort style pool; Great Room for gatherings; movie theater; fitness studio; card room with billiards; social, recreational and cultural activities. Bonner Carrington has a fifteen-year track record and they design, develop, construct, manage, and maintain the apartment homes.

Ms. Protine explained there are two requests for council: 1. A Resolution approved by council by February 28th in support of the project and 2. Assistance with getting utilities to the land to help serve as a catalyst for development.

City Manager Paul Stevens noted council has approved support Resolutions in the past even for projects that didn’t get funded.

Economic Development Coordinator Kassandra Carroll reported Owens Corning is going to do an expansion and is requesting council approval to designate the expansion as an Enterprise Zone project. Ms. Sharon Welhouse, Ryan, present Resolution No. 1220 nominating Owens Corning for a Texas Enterprise Zone project. She noted the project is a \$20 million remodel and if approved they will submit their application on March 1st to the State for consideration.

RESOLUTION NO. 1220

A RESOLUTION APPROVING AND AUTHORIZING THE NOMINATION OF OWENS CORNING INSULATING SYSTEMS, LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK AS A TEXAS STATE ENTERPRISE PROJECT.

WHEREAS, the City of Waxahachie ("City") has previously passed Ordinance No. 2784, approved March 2, 2015, electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined in City Ordinance No. 2784; and

WHEREAS, the Office of the Governor Economic Development and Tourism, through the Economic Development Bank, will consider **Owens Corning Insulating Systems, LLC** ("**Owens Corning**") as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones, veterans and to economically disadvantaged individuals; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), **Owens Corning** has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that **Owens Corning** meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- a) **Owens Corning** is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction, located outside of an enterprise zone and at least thirty-five percent (35%) of the business' new employees will be residents of an enterprise zone, veterans, or economically disadvantaged individuals; and
- b) There has been and will continue to be a high level of cooperation between public, private and neighborhood entities within the area; and
- c) The designation of **Owens Corning** as a Texas Enterprise Project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that **Owens Corning** meets the criteria for tax relief and other incentives adopted by the City and nominates **Owens Corning** for enterprise project status on the grounds that this enterprise project will be located at the qualified business site, will create a higher level of employment, economic activity and stability in the area; and

WHEREAS, the City finds that it is in the best interest of the City to nominate **Owens Corning** as an enterprise project pursuant to the Act;

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

SECTION 1. That the findings of the City and its actions approving this Resolution taken at the council meeting are hereby approved and adopted.

SECTION 2. That **Owens Corning** is a “qualified business” as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Chapter 2303, Subchapter F of the Act.

SECTION 3. The Enterprise Project shall take effect on the date of designation of the enterprise project by OOGEDT and terminate five years from the date of designation.

SECTION 4. That this Resolution shall take effect immediately upon its passage and approval.

Plant Leader Greg Bowling explained the remodel will include replacing one of their assembly lines. Councilmember Shipley asked how long the line will be out of service and Mr. Bowling noted approximately two months.

Councilmember Beatty asked if the remodel will include a facelift to the current building. Mr. Bowling noted that is not in the budget at this time.

Councilmember Beatty moved to approve Resolution No. 1220 as presented. Councilmember Shipley seconded, *All Ayes.*

Assistant City Secretary Amber Villarreal presented Ordinance No. 2920 calling the Election to be held May 6, 2017:

ORDINANCE NO. 2920

AN ORDINANCE PROVIDING FOR THE ELECTION TO BE HELD TO ELECT TWO CITY COUNCIL MEMBERS; PROVIDING FOR A JOINT ELECTION WITH THE WAXAHACHIE INDEPENDENT SCHOOL DISTRICT; PROVIDING FOR A CONTRACT FOR ELECTION SERVICES WITH ELLIS COUNTY ELECTIONS ADMINISTRATION; DESIGNATING THE TIME AND PLACE OF SAID ELECTION; DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE

Mayor Pro Tem Singleton moved to approve Ordinance No. 2920 as presented calling the election for May 6, 2017. Councilmember Hill seconded, *All Ayes.*

Assistant City Secretary Amber Villarreal presented Resolution No. 1221 providing a Joint Election with the Waxahachie Independent School District to be held May 6, 2017:

RESOLUTION NO. 1221

JOINT ELECTION WITH WAXAHACHIE INDEPENDENT SCHOOL DISTRICT

WHEREAS, Sec. 11.0581 of the Texas Education Code requires School Districts to hold their Board of Trustees Elections on the same day and jointly with:

1. The election for the members of the governing body of a municipality located in the School District; or
2. The general election for State and County officers;

WHEREAS, the City of Waxahachie (“City”) and the Waxahachie Independent School District (“School District”) anticipate holding an election on May 6, 2017;

WHEREAS, the City has expressed its willingness to hold its election jointly with the School District;

WHEREAS, Section 11.0581(c) requires that the voters of a joint election held under Sec. 11.0581 of the Texas Education Code be served by common polling places consistent with Section 271.003(b) of the Election Code;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE:

THAT the City of Waxahachie agrees to hold its May 6, 2017 election jointly with the Waxahachie Independent School District under the terms of the attached Joint Election Agreement, which is incorporated by reference for approval purposes, and that the Mayor of the City of Waxahachie is authorized to execute this Agreement.

THAT the Waxahachie Independent School District current election day polling place at the cafeteria of Marvin Elementary School, 110 Brown Street in Waxahachie, serve as the common polling location for the City’s joint elections with the Waxahachie Independent School District.

Mayor Pro Tem Singleton moved to approve Resolution No. 1221 as presented. Councilmember Hill seconded, *All Ayes.*

Citizens’ Petitions and Requests:

None

Comments by Mayor, City Council, City Attorney and City Manager:

Mayor Strength, City Manager Paul Stevens, and Councilmember Hill thanked Mr. Mitchell Beddingfield for his participation as Honorary Councilmember.

Mayor Strength announced at 7:32 p.m. the City Council would convene into Executive Session to deliberate about real property as permitted by the *Texas Government Code, Section 551.072*.

The meeting reconvened at 7:50 p.m.

No action taken.

There being no further business, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary