

City Council
September 5, 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 Tuesday, September 5, 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: Michael Scott, Assistant City Manager
Robert Brown, City Attorney
Lori Saunders, City Secretary

1. Call to Order

Mayor Strength called the meeting to order.

2. Invocation

3. Pledge of Allegiance

4. Texas Pledge of Allegiance

Mayor Pro Tem Mark Singleton gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

5. First Public Hearing at 7:00 p.m. and Second Public Hearing at 7:30 p.m. to consider requested annexation by James R. Anderson for annexation of 131.827 acres generally situated South of FM Road 879 and East of US Highway 77

Mayor Strength opened the First Public Hearing.

There being no one to speak for or against the requested annexation by James R. Anderson for the annexation of 131.827 acres generally situated South of FM Road 879 and East of US Highway 77, Mayor Strength closed the First Public Hearing.

6. Public Comments:

None

7. Consent Agenda

- a. Minutes of City Council regular meeting of August 21, 2017
- b. Minutes of City Council work session of August 21, 2017
- c. Minutes of City Council special meeting of August 23, 2017
- d. Minutes of City Council special meeting of August 25, 2017
- e. Minutes of City Council work session of August 29, 2017
- f. Minutes of City Council special meeting of September 1, 2017
- g. Minutes of Planning & Zoning Commission meeting of August 22, 2016

- h. Minutes of Keep Waxahachie Beautiful meeting of August 29, 2017
- i. Budget Amendment request – I-35 Overpass Street Lights
- j. Budget Amendment request from Waxahachie Fire Department
- k. Street closures for 22nd Annual Texas Country Reporter Festival
- l. Oddfest 2017 event to be held October 7, 2017
- m. Award bid for Mowing Services
- n. Parade route for Waxahachie ISD Homecoming Parade on October 13, 2017
- o. Request by Jeff Crannell, Crannell Engineering, for a Final Plat of Camden Park, Phase 1 Addition for 98 residential lots, being 47.58 acres in the Silas M. Duritt Survey, Abstract Number 272 – Owner: DFW 70-36 LLC (FP-17-0102)

Action:

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

8. Introduce Honorary Councilmember

Mayor Strength announced there is not an Honorary Councilmember for the meeting.

9. Second Public Hearing on the proposed Tax Rate for fiscal year 2017-2018

Mayor Strength opened the Second Public Hearing on the proposed Tax Rate for fiscal year 2017-2018.

Assistant City Manager Michael Scott reported the tax rate will remain the same as last year being 0.68.

Finance Director Charles Harris reported the following:

Operations and Maintenance	0.47342	69.6%
Library	0.03658	5.4%
Interest & Sinking (Debt)	0.17000	25.0%

There being no others to speak for or against the Public Hearing on the proposed Tax Rate for fiscal year 2017-2018, Mayor Strength closed the Second Public Hearing.

10. Public Hearing on the City of Waxahachie Budget for fiscal year 2017-2018

Mayor Strength opened the Public Hearing on the City of Waxahachie Budget for fiscal year 2017-2018.

Finance Director Charles Harris reported the proposed Budget for Fiscal Year 2017-2018 had an adjustment adding \$200.00 to the Fire Department bringing the total proposed Budget to \$37,701,090.

There being no others to speak for or against the proposed budget for fiscal year 2017-2018, Mayor Strength closed the Public Hearing.

11. Presentation of “Life Savings Award” by Waxahachie Police Department

Police Chief Wade Goolsby, reported earlier this summer Ms. Jade Flores was traveling on the I-35 service road when her vehicle hydroplaned and flipped into a creek. Mr. George Avalos and his son, Jorge, acted quickly and saved her life. Chief Goolsby presented the men with a Life Savings Award and Ms. Flores thanked them with a beautiful song.

12. Public Hearing on a request by Brad Yates, Colonial Restoration, for a Replat of all of Block 76A and Lots 3A and 3B in Block 75 of the Original Town Addition to create Lot 3R-1, Part of Block 75 and all of Block 76A of the Town Addition, 0.5224 acres – Owner: GWC-TX Investments (RP-17-0101)

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the applicant is taking four (4) lots to create one (1) lot.

There being no others to speak for or against RP-17-0101, Mayor Strength closed the Public Hearing.

13. Consider approving RP-17-0101

Action:

After a brief discussion, Councilmember David Hill moved to approve a request by Brad Yates, Colonial Restoration, for a Replat of all of Block 76A and Lots 3A and 3B in Block 75 of the Original Town Addition to create Lot 3R-1, Part of Block 75 and all of Block 76A of the Town Addition, 0.5224 acres – Owner: GWC-TX Investments (RP-17-0101). Councilmember Mary Lou Shipley seconded, All Ayes.

Item 5 Continued:

At 7:30 p.m. Mayor Strength opened the Second Public Hearing.

There being no others to speak for or against the requested annexation by James R. Anderson for the annexation of 131.827 acres generally situated South of FM Road 879 and East of US Highway 77, Mayor Strength closed the Second Public Hearing.

14. Public Hearing on a request by Harlen Roberts for a Zoning Change from a Single Family-2 (SF2) zoning district to Planned Development-Single Family-2 (PD-SF2), with Concept Plan for a Detached Single-Family Dwelling located at 203 Lynn Street, being LOT 85A FERRIS 2ND-REV .1204 AC - Owner: ROBERTS HARLEN & CINDY (PD-17-0063)

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported this case is pertaining to decreases in setbacks and allowances in order to build a single-family residence which would not be in conformance with today's single-family 2 zoning requirements.

Mayor Pro Tem Mark Singleton asked if this pertains to the infill construction. Mr. Michael Scott, Assistant City Manager, stated it would be based on the interpretation of some of the things we are talking about changing. He noted one thing the applicant wants to alleviate is the white stone that was originally submitted which did not match the surrounding neighborhood.

There being no others to speak for or against PD-17-0063, Mayor Strength closed the Public Hearing.

15. Consider proposed Ordinance approving PD-17-0063

ORDINANCE NO. 2962

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-2 (SF-2) TO PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF2), WITH CONCEPT PLAN LOCATED AT 203 LYNN STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.1204 ACRES KNOWN AS LOT 85A, (PROPERTY ID 268632) OF THE FERRIS SECOND REVISION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2962, subject to being considered as infill redevelopment and waiving impact fees as well as water tap fees. Councilmember David Hill seconded, All Ayes.

16. Public Hearing on a request by Hani Al-Wahban Texas Tires, for a Specific Use Permit (SUP) to allow Tire Installation and Repair with Outside Storage use within a General Retail (GR) zoning district, located at 110 N Highway 77, being 50A FERRIS 2ND 0.332 ACRES – Owner: JANNAHS REAL ESTATE LLC, MUSTAFA AL-WAHBAN, AND OMAR AL-WAHBAN (SU-17-0097)

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, stated the applicant has a Certificate of Occupancy for General Retail for a tire accessory store. He reported Staff observed outside sales of tires with additional items. Mr. Brooks stated the applicant requested a continuance at the Planning and Zoning Commission meeting of August 22, 2017.

Mayor Strength asked if the applicant is complying with the Ordinance. Mr. Brooks stated the applicant is non-compliant with outside storage.

Assistant City Manager Michael Scott reported Staff has not received a site plan to show designation for outside storage. The applicant in the audience stated they have the site plan for Council's review. Mr. Scott stated Staff hasn't had a chance to review the site plan.

17. Consider proposed Ordinance approving SU-17-0097

Action:

After further discussion, Mayor Pro Tem moved to continue a request by Hani Al-Wahban Texas Tires, for a Specific Use Permit (SUP) to allow Tire Installation and Repair with Outside Storage use within a General Retail (GR) zoning district, located at 110 N Highway 77, being 50A FERRIS 2ND 0.332 ACRES – Owner: JANNAHS REAL ESTATE LLC, MUSTAFA AL-WAHBAN, AND OMAR AL-WAHBAN (SU-17-0097) to the City Council meeting of September 18, 2017. Councilmember Chuck Beatty seconded, All Ayes.

18. Public Hearing on a request by Mary Graf for a Zoning Change from a Single Family-1 (SF1) zoning district to Planned Development-Single Family-1 (PD-SF1), with Concept Plan, located at 111 Farley Street, being LOT 6-7 & 8A & 8B & 9-10 GETZENDANER-REV - Owner: FOUNDATION OF LIFE CHURCH (PD-17-0107)

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, announced the Planning and Zoning Commission continued PD-17-0107 to their meeting of September 26, 2017 and requested City Council to continue to their meeting of October 2, 2017.

19. Consider proposed Ordinance approving PD-17-0107

Action:

Mayor Pro Tem Mark Singleton moved to continue request by Mary Graf for a Zoning Change from a Single Family-1 (SF1) zoning district to Planned Development-Single Family-1 (PD-SF1), with Concept Plan, located at 111 Farley Street, being LOT 6-7 & 8A & 8B & 9-10 GETZENDANER-REV - Owner: FOUNDATION OF LIFE CHURCH (PD-17-0107) to the City Council meeting of October 2, 2017. Councilmember Mary Lou Shipley seconded, All Ayes.

20. Consider award of bid for Country Drive

Mr. Jeff Chambers, Director of Public Works, announced bids were opened and received on August 24, 2017. Five bids were received with Reyes Group Ltd. having the lowest bid in the amount of \$154,555.00. Mr. Chambers stated, after further review, Staff recommends awarding the bid to Reyes Group Ltd. as presented.

Action:

Councilmember Chuck Beatty moved to award the bid to Reyes Group Ltd. in the total amount of \$154,555.00 for Country Drive. Mayor Pro Tem Mark Singleton seconded, All Ayes.

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

Mr. Scott asked Fire Chief Ricky Boyd to present update of Fire Personnel deployed to Houston. Chief Boyd reported a team of 6 was deployed last week and they took the boat and did 52 rescues in one day. A second team of 4 relieved the first team and ran calls out of Port Arthur. Chief Boyd stated he appreciates the support of Council.

Councilmember Mary Lou Shipley stated the situation at Lake Waxahachie was much better over the Labor Day Holiday. She noted much work needs to be done, but traffic was better.

Councilmember Chuck Beatty welcomed Councilmember David Hill back from his vacation.

Mayor Pro Tem Mark Singleton thanked Chief Boyd for their support to Houston.

City Attorney Robert Brown stated he has been attending City Council meetings for over 30 years and was moved by Ms. Flores' beautiful song of thanksgiving.

22. Adjourn

There being no further business, the meeting adjourned at 7:56 p.m.

Respectfully submitted,

Lori Saunders
City Secretary