

City Council
February 5, 2018

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 5, 2018 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, City Manager
Robert Brown, City Attorney
Lori Cartwright, City Secretary

1. Call to Order

Mayor Kevin Strength called the meeting to order.

2. Invocation

3. Pledge of Allegiance

4. Texas Pledge of Allegiance

Councilmember Mary Lou Shipley gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

Mayor Strength moved to Item 20. Citizens' Petitions and Requests:

Ms. Rhendi Heibel, 1111 Ovilla Road, Waxahachie, stated she recently became concerned with government debt in Waxahachie noting since 2016 the city is \$200 million dollars in debt.

Ms. Melissa Olson, 202 Stampede Street, Waxahachie, addressed the recently passed roofing ordinance and asked Council to repeal the ordinance noting three tab shingles are causing homeowners insurance to increase.

5. Consent Agenda

- a. Minutes of the regular City Council meeting of January 16, 2018
- b. Minutes of the City Council Briefing Session of January 16, 2018
- c. Minutes of the regular Planning and Zoning Commission meeting of January 23, 2018
- d. Minutes of the Planning & Zoning Commission Briefing Session of January 23, 2018
- e. Minutes of the Keep Waxahachie Beautiful Committee meeting of January 25, 2018
- f. Minutes of the Senior Center Advisory Board meeting of January 17, 2018
- g. Minutes of the Mid-Way Regional Airport Board meeting of January 11, 2018
- h. Approve Waxahachie Police Department Racial Profiling Report for 2017
- i. Approve application for Cinco de Mayo event

Action:

Councilmember Chuck Beatty moved to approve items a. through i. on the Consent Agenda. Councilmember David Hill seconded, All Ayes.

6. Introduce Honorary Councilmember

Councilmember David Hill introduced Ms. Mason Yarbrough as the Honorary Councilmember. Her parents are Jeffrey and Tara and she is a triplet to Jackson and Garrett. Mason is a Waxahachie High School student and in the fall will attend the University of Texas at Austin and major in advertising.

7. Request to appear by Amber Caverly to request street closure for Craft Beer Festival to be held on June 16, 2018

Ms. Amber Caverly, owner of The Velvet Angel, requested street closure for the Craft Beer Festival on June 16, 2018. The event is hosted by the Downtown Merchants Association and will take place from 10:00 a.m. to 5:00 p.m. Ms. Caverly requested to close Jefferson Street from Rogers Street to College Street from 8:00 a.m. to 6:00 p.m. noting the only businesses directly affected are Dove's Nest and The Velvet Angel.

Action:

Mayor Pro Tem Mark Singleton moved to approve street closure for Craft Beer Festival as presented. Councilmember Mary Lou Shipley seconded, All Ayes.

8. Public Hearing on a request by Chris Stryker for a Replat of Lots 11 and 12, Spring Creek-REV, to create Lot 1, Rock Bottom Ranch, 3.7583 acres (Property ID 206166) – Owner: STRYKER TAMARA L & CHRISTOPHER P (RP-17-0162)

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the applicant seeks to create one lot from two lots. Staff recommended approval.

There being no others to speak for or against RP-17-0162, Mayor Strength closed the Public Hearing.

9. Consider approving RP-17-0162

Action:

Councilmember David Hill moved to approve a request by Chris Stryker for a Replat of Lots 11 and 12, Spring Creek-REV, to create Lot 1, Rock Bottom Ranch, 3.7583 acres (Property ID 206166) – Owner: STRYKER TAMARA L & CHRISTOPHER P (RP-17-0162). Mayor Pro Tem Mark Singleton seconded, All Ayes.

- 10. Consider request by Brandon O’Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171)**

Mr. Shon Brooks requested approval per staff comments noting staff is waiting on a Traffic Impact Analysis (TIA).

Mayor Pro Tem Mark Singleton expressed concern with traffic connectivity through the development and recommended to table the request until the TIA is complete and give Council time to review the overall traffic study.

Mr. Ken Davis, Pape-Dawson Engineers, Inc., reviewed the Preliminary Plat depicting the traffic connections to Arbors Development, FM 813, and North Grove Blvd. He stated if the TIA reflects additional connections, they will conform.

Mr. Brett Hess, 327 Blue Ribbon Road, Waxahachie, stated with the number of proposed lots and working with his Engineer, they meet the connectivity of the development. He stated Phase 1 will have approximately 112 high-end lots and not a lot of traffic due to low density.

Action:

After further discussion, Councilmember Chuck Beatty moved to approve a request by Brandon O’Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171).

The motion died due to lack of second.

Mayor Pro Tem Mark Singleton moved to table a request by Brandon O’Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171) until the Traffic Impact Analysis is complete. Councilmember Mary Lou Shipley seconded, All Ayes.

- 11. Consider Landscape Plan for Dove Hollow as a companion to PP-17-0171 – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC**

Action:

Mayor Pro Tem Mark Singleton moved to table the Landscape Plan for Dove Hollow as a companion to PP-17-0171 – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC. Councilmember David Hill seconded, All Ayes.

- 12. Continue Public Hearing on a request by the City of Waxahachie to amend the City of Waxahachie Zoning Ordinance, Ordinance No. 2287, as amended, to Sections 31.A.1 through 31.A.9, to update said sections of the Zoning Ordinance, relating to the Historic Overlay District, and establishing rules relating to historic structures (TA-17-0164)**

Mayor Strength continued the Public Hearing.

Ms. Becky Kauffman, 817 W. Main Street, Waxahachie, Chairman, Waxahachie Preservation Commission, reported the Ordinance preserves the uniqueness of Waxahachie and allows property within a Historic Overlay District to receive a historical appraised tax value exemption of twenty-five percent of the City's portion of the property taxes on the appraised value of the property based on certain criteria.

Those who spoke against:

Ms. Rhendi Heibel, 1111 Ovilla Road, Waxahachie
Ms. Melissa Olson, 202 Stampede Street, Waxahachie

Spoke for:

Ms. Jane Wedding, 210 S. Hawkins, Waxahachie
Ms. Kathleen Bowen, 527 West Jefferson, Waxahachie

There being no others to speak for or against TA-17-0164, Mayor Strength closed the Public Hearing.

- 13. Consider proposed Ordinance approving Zoning Change No. TA-17-0164**

ORDINANCE NO. 2996

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING THE CITY ZONING ORDINANCE, ORDINANCE NO. 2287, AS AMENDED, TO SECTIONS 31.A.1 THROUGH 31.A.9, TO UPDATE SAID SECTIONS OF THE ZONING ORDINANCE, RELATING TO THE HISTORIC OVERLAY DISTRICT, AND ESTABLISHING RULES RELATING TO HISTORIC STRUCTURES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Action:

Councilmember Mary Lou Shipley moved to approve Ordinance No. 2996. Councilmember David Hill seconded, All Ayes.

- 14. Consider proposed Ordinance amending Sections 24.51 through 24.60 of the City's Code of Ordinances, and matters relating to the Heritage Preservation Commission; and the Historic Overlay Districts; providing for severability and conflicts; and providing an effective date**

Ms. Kauffman presented Ordinance No. 2997 for consideration.

ORDINANCE NO. 2997

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING SECTIONS 24.51 THROUGH 24.60 OF THE CITY'S CODE OF ORDINANCES, AND MATTERS RELATING TO THE HERITAGE PRESERVATION COMMISSION; AND THE HISTORIC OVERLAY DISTRICTS; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Action:

Councilmember David Hill moved to approve Ordinance No. 2997. Councilmember Mary Lou Shipley seconded, All Ayes.

15. Consider proposed Ordinance regarding adoption of a Step Pay Plan for Police and Fire Departments under Civil Service

Ms. Yasmin Barnes reported the proposed Ordinance reflects an updated pay schedule for both Police and Fire personnel noting the pay schedules are a direct result of the recently completed compensation study.

ORDINANCE NO. 2998

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS REPEALING ALL ORDINANCES TO THE CONTRARY AND ADOPTING THIS ORDINANCE REGARDING ADOPTION OF A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; AND ESTABLISHING AN EFFECTIVE DATE.

Action:

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2998. Councilmember Chuck Beatty seconded, All Ayes.

16. Consider proposed Ordinance ordering an election to be held to elect three 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

City Secretary Lori Cartwright presented Ordinance 2999 calling the City Council election to be held on May 5, 2018.

ORDINANCE NO. 2999

AN ORDINANCE ORDERING AN ELECTION TO BE HELD TO ELECT THREE 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**

Action:

Councilmember David Hill moved to approve Ordinance No. 2999. Councilmember Mary Lou Shipley seconded, All Ayes.

17. Consider proposed Resolution approving grant for acquiring two surveillance trailers to assist the Waxahachie Police Department in preventing crimes

Police Chief Wade Goolsby presented Resolution No. 1233 supporting a grant to obtain surveillance trailers.

RESOLUTION NO. 1233

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING SUBMISSION OF GRANT APPLICATION TITLED “ENHANCEMENT OF CRIME PREVENTION THROUGH SURVEILLANCE TRAILER ACQUISITION” TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION

Action:

Councilmember Mary Lou Shipley moved to approve Resolution No. 1233. Mayor Pro Tem Mark Singleton seconded, All Ayes.

18. Consider authorization of a budget amendment to increase appropriations in the Utilities Department water operating fund

Mr. Tommy Ludwig, Executive Director of Development Services, requested a budget amendment appropriating an additional \$30,786 in funding for engineering design services associated with the Howard Road Water Treatment Plant Clarifier Replacement.

Action:

Mayor Pro Tem Mark Singleton moved to approve a budget amendment to increase appropriations in the Utilities Department water operating fund as presented. Councilmember David Hill seconded, All Ayes.

19. Consider development agreement with WP Legacy Limited for construction of Garden Valley Parkway Extension through Buffalo Ridge Subdivision

City Manager Michael Scott reported the Development Agreement depicts one-half of the costs of the roadway would be reimbursable in the form of impact fee waivers noting the agreement is similar to the agreement used in the construction of the initial phases of Garden Valley.

Action:

Councilmember Chuck Beatty moved to approve an agreement with WP Legacy Limited for construction of Garden Valley Parkway Extension through Buffalo Ridge Subdivision. Councilmember Mary Lou Shipley seconded, All Ayes.

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

Mayor and City Council thanked Honorary Councilmember Mason Yarbrough for her attendance.

City Manager Michael Scott stated he anticipates North Grove Boulevard to open in the next couple of weeks and will be inviting Council to the grand opening.

Mayor Kevin Strength stated there are a lot of new faces at City Hall and thanked Mr. Scott for his leadership.

Mayor Pro Tem Mark Singleton referenced the North Grove Development noting it is important to manage the development. He referenced the Heritage Preservation Commission and its importance noting it is a delicate balance of historic needs and the value of property.

Councilmember David Hill stated as a builder, there are International Building Codes the city must follow and one being the roofing and shingle codes.

22. Adjourn

There being no further business, the meeting adjourned at 8:04 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary