

City Council
February 19, 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 19, 2018 at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor
Chuck Beatty, Councilmember
David Hill, Councilmember

Council Members Absent: Mark Singleton, Mayor Pro Tem
Mary Lou Shipley, Councilmember

Others Present: Michael Scott, City Manager
Robert Brown, City Attorney
Amber Villarreal, Assistant 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

Planning Director Shon Brooks gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

5. Public Comments

None

6. Consent Agenda

- a. Minutes of the City Council meeting of February 5, 2018
- b. Minutes of the City Council Briefing Session of February 5, 2018
- c. Minutes of the regular Planning and Zoning Commission meeting of February 13, 2018
- d. Minutes of the Planning and Zoning Commission Briefing Session of February 13, 2018
- e. Minutes of the Waxahachie Community Development Corporation meeting of February 13, 2018
- f. Minutes of the Tax Increment Reinvestment Zone #1 meeting of February 15, 2018
- g. Minutes of the Heritage Preservation Commission meeting of January 11, 2018
- h. Monthly Code Enforcement Report for January 2018
- i. Monthly Violation Activity Statistics for January 2018
- j. Monthly Fire and EMS Report for January 2018
- k. Consider Resolution authorizing reimbursement of Operating Fund from proceeds of future debt for engineering design services associated with Phase 1 improvements to the Wastewater Treatment Plant
- l. Consider budget amendment for Sports Complex

RESOLUTION NO. 1234

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING ENGINEERING DESIGN SERVICES ASSOCIATED WITH PHASE 1 IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT.

Action:

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

7. Introduce Honorary Councilmember

Mayor Strength announced there was no Honorary Councilmember in attendance.

8. Request by Lykele Tamminga for a Preliminary Plat of Silo House Ranch for 4 lots, being 5.85 acres out of the S.C. White Survey, Abstract No. 1252 (Property ID 227069) in the Extra Territorial Jurisdiction – Owner: LYKELE K TAMMINGA (PP-17-0170)

Mr. Brooks presented PP-17-0170 noting the request will replat four lots in the ETJ. He requested approval subject to Staff Comments.

Action:

Councilmember David Hill moved to approve a request by Lykele Tamminga for a Preliminary Plat of Silo House Ranch for 4 lots, being 5.85 acres out of the S.C. White Survey, Abstract No. 1252 (Property ID 227069) in the Extra Territorial Jurisdiction – Owner: LYKELE K TAMMINGA (PP-17-0170) subject to Staff Comments. Councilmember Chuck Beatty seconded, All Ayes.

9. Public Hearing on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Commercial (C) zoning district to a Freestanding Planned Development (PD), with Concept Plan, for a mixed-use development located East of existing Camden Park Subdivision, being 272 S M DURRETT 169.121 ACRES (Property ID 182052) - Owner: DARELL THOMPSON SCHWAB (PD-18-0001)

Mayor Strength opened the Public Hearing.

Mr. Brooks requested approval for PD-18-0001, Camden Park. He noted this request is for 166.78 acres.

Mr. Jeff Crannell, Engineer for Camden Park, provided a brief overview of Camden Park Phase 3 noting the development will be mixed-use development providing quality entry-level housing. The area will include garden homes, a walking trail, amenity center with a swimming pool, and dog park.

There being no others to speak for or against PD-18-0001, Mayor Strength closed the Public Hearing.

10. Consider proposed Ordinance approving Zoning Change No. PD-18-0001

ORDINANCE NO. 3000

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM COMMERCIAL (C) TO A FREESTANDING PLANNED DEVELOPMENT (PD), WITH CONCEPT PLAN LOCATED EAST OF THE EXISTING CAMDEN PARK SUBDIVISION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 166.78 ACRES KNOWN AS PROPERTY ID 182052 OF THE S.M. DURRETT SURVEY, ABSTRACT NO. 272, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3000. Councilmember David Hill seconded, All Ayes.

11. Public Hearing on a request by Jerry Potter for a Replat of Lots 2R, 3, and 4 of Dawn Estates and a portion of Evan R. Balch Survey, A-89 and John B. and Ann Adams Survey, A-5, to create Lots 2R-A, 3R-A, 3R-B, and 4R, Dawn Estates, 45.336 acres on the Extra Territorial Jurisdiction (Property ID 256867, 235628, 219382, and 247556) – Owner: JERRY R & SHERRY POTTER and EARL R & DORTHA POTTER (RP-18-0002)

Mayor Strength opened the Public Hearing.

There being no others to speak for or against RP-18-0002, Mayor Strength closed the Public Hearing.

12. Consider approving RP-18-0002

Action:

Councilmember Chuck Beatty moved to approve a request by Jerry Potter for a Replat of Lots 2R, 3, and 4 of Dawn Estates and a portion of Evan R. Balch Survey, A-89 and John B. and Ann Adams Survey, A-5, to create Lots 2R-A, 3R-A, 3R-B, and 4R, Dawn Estates, 45.336 acres on the Extra Territorial Jurisdiction (Property ID 256867, 235628, 219382, and 247556) – Owner: JERRY R & SHERRY POTTER and EARL R & DORTHA POTTER (RP-18-0002). Mayor Kevin Strength seconded, All Ayes.

13. Public Hearing on a request by Michael Davis, Bannister Engineering LLC, for a Replat of Lot 8, Oak Branch Ranch Estates, Section 1, to create Lots 8R1, and 8R2, and 8R3, Oak Branch Ranch Estates, Section 1, 5.582 acres in the Extra Territorial Jurisdiction (Property ID 200834) – Owner: KENNETH & DAWN LAMBERT (RP-18-0003)

Mayor Strength opened the Public Hearing.

There being no others to speak for or against RP-18-0003, Mayor Strength closed the Public Hearing.

14. Consider approving RP-18-0003

Action:

Councilmember Chuck Beatty moved to approve a request by Michael Davis, Bannister Engineering LLC, for a Replat of Lot 8, Oak Branch Ranch Estates, Section 1, to create Lots 8R1, and 8R2, and 8R3, Oak Branch Ranch Estates, Section 1, 5.582 acres in the Extra Territorial Jurisdiction (Property ID 200834) – Owner: KENNETH & DAWN LAMBERT (RP-18-0003) subject to Staff Comments. Councilmember David Hill seconded, All Ayes.

15. Public Hearing on a request by Ronald Forman, Settler’s Glen, Ltd, for an Amendment to Ordinance No. 2153 for the Settler’s Glen Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0012)

Mayor Strength opened the Public Hearing.

Mr. Brooks provided a brief overview of PD-18-0012 (Settler’s Glen), PD-18-0013 (North Grove), and PD-18-0014 (Sheppard’s Place). He explained the three separate cases will increase the maximum lot coverage in the Single Family-3 base district from 35% to 50%.

There being no others to speak for or against PD-18-0012, Mayor Strength closed the Public Hearing.

16. Consider proposed Ordinance approving Zoning Change No. PD-18-0012

ORDINANCE NO. 3001

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), LOCATED IN THE SETTLER’S GLEN SUBDIVISION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 156.24 ACRES KNOWN AS THE SETTLER’S GLEN SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember David Hill moved to approve Ordinance No. 3001. Councilmember Chuck Beatty seconded, All Ayes.

17. **Public Hearing on a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2733 for the North Grove Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0013)**

Mayor Strength opened the Public Hearing.

There being no others to speak for or against PD-18-0013, Mayor Strength closed the Public Hearing.

18. **Consider proposed Ordinance approving Zoning Change No. PD-18-0013**

ORDINANCE NO. 3002

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-1, 2, AND 3, MULTI-FAMILY-1 AND GENERAL RETAIL (PD-SF-1,2, AND 3, MF-1, AND GR) TO PLANNED DEVELOPMENT-SINGLE FAMILY-1, 2, AND 3, MULTI-FAMILY-1 AND GENERAL RETAIL (PD-SF-1,2, AND 3, MF-1, AND GR), LOCATED IN THE NORTH GROVE SUBDIVISION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 733.23 ACRES KNOWN AS THE SETTLER'S GLEN SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3002. Councilmember David Hill seconded, All Ayes.

19. **Public Hearing on a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2219 for the Sheppard's Place Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0014)**

Mayor Strength opened the Public Hearing.

There being no others to speak for or against PD-18-0014, Mayor Strength closed the Public Hearing.

20. **Consider proposed Ordinance approving Zoning Change No. PD-18-0014**

ORDINANCE NO. 3003

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2) TO PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2), LOCATED IN THE SHEPPARD'S PLACE SUBDIVISION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 79.664 ACRES KNOWN AS THE SHEPPARD'S PLACE SUBDIVISION, AND

ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember David Hill moved to approve Ordinance No. 3003. Councilmember Chuck Beatty seconded, All Ayes.

21. Hear presentation from Ellis County Homeless Coalition

Ms. Melissa Rawlins, 963 El Camino, Waxahachie, thanked council for inviting her to present. She reported the Ellis County Homeless Coalition did a homeless count on January 25th and identified five at that time. She explained the coalition would like a plan to be in place for an emergency shelter. Ms. Rawlins provided a list of areas of concern and five long-term solutions addressing the homeless issue in Waxahachie. She requested a partnership with city staff and the coalition to work together to find a solution to provide assistance to the homeless in Waxahachie.

Mayor Strength asked where Ms. Rawlins would like to put the emergency shelter, she noted she'd like it to be near 855 Cantrell Street where transitional housing will not be seen from the road, and individuals can sleep where they'd like and have different activities for them to learn skills to become contributing members in the community. Mayor Strength explained the city has worked diligently to enhance the entry portals in to Waxahachie and he does not think this location would follow that vision for Waxahachie. Mayor Strength inquired about funding and Ms. Rawlins noted her coalition is researching different funding options for a peaceful area of land to setup transitional housing for the homeless including veterans and ex-offenders. Mayor Strength suggested looking at property in the county where the city does not regulate the land.

Ms. Joy Ranton, Director, provided a brief overview of Daniel's Den. She reported it was established in 1996 and offers emergency shelter 24/7 to anyone in Ellis County. She explained most transients do not like shelters; therefore, Daniel's Den will assist with purchasing bus tickets for those who are walking in extremely hot or cold weather. She reiterated that Daniel's Den can provide housing and services but they cannot provide the willingness to those who do not want to stay.

22. Consider proposed Ordinance adding overnight camping and temporary shelters to Chapter 21, Offenses and Miscellaneous Provisions of the Waxahachie City Code

ORDINANCE NO. 3004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ADDING ARTICLE XIII, "OVERNIGHT CAMPING AND TEMPORARY SHELTERS," TO CHAPTER 21, "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE WAXAHACHIE CITY CODE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE

Action:

Councilmember David Hill moved to approve Ordinance No. 3004. Mayor Kevin Strength seconded, All Ayes.

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

Mayor Strength thanked Ms. Melissa Rawlins for her efforts and stated they will continue to work together.

City Attorney Robert Brown asked for prayers for the families in Florida affected by the recent school shooting.

24. Adjourn

There being no further business, the meeting adjourned at 7:42 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary