

City Council
August 18, 2014

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, August 18, 2014, 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
Lori Saunders, City Secretary

Mayor Kevin Strength called the meeting to order. Mayor Pro Tem Mark Singleton gave the invocation, led the pledge of allegiance and the Texas pledge of allegiance.

CONSENT AGENDA:

- a. Minutes of the regular City Council meeting of August 4, 2014
- b. Minutes of a City Council work session of August 1, 2014
- c. Minutes of the regular Planning & Zoning Commission meeting of August 13, 2014
- d. Minutes of the Cemetery Board meetings of Augusts 7, 2014 and August 14, 2014
- e. Minutes of the Park Board meeting of August 7, 2014
- f. Minutes of the Impact Fee Advisory meeting of August 5, 2014
- g. Minutes of the Heritage Preservation Commission meeting of June 12, 2014
- h. Monthly Code Enforcement Report for July 2014
- i. Monthly Violation Activity Statistics for July 2014
- j. Monthly Building Report for July 2014
- k. Monthly Fire and EMS reports for June and July 2014
- l. Monthly Crime report for June 2014
- m. Approve budget amendment requested by Public Works Department
- n. Approve budget amendment requested by Police Department
- o. Approve Taxi Cab license

Councilmember Chuck Beatty moved to approved Items a. through o. on the Consent Agenda.
Councilmember Mary Lou Shipley seconded. **All Ayes.**

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

City Manager Paul Stevens presented proposed Ordinance No. 2757 as follows:

ORDINANCE NO. 2757

AN ORDINANCE PROHIBITING SMOKING IN WORK PLACES AND PUBLIC PLACES AND AS MORE FULLY DESCRIBED IN THE ORDINANCE AND SETTING AN EFFECTIVE DATE.

Mr. Stevens noted the American Heart Association and Impact Waxahachie requested to include prohibiting e-cigarettes.

Ms. Rachel Kane, American Heart Association, presented statistics of health consequences of Waxahachie spoke in favor of the proposed ordinance. Several members representing Impact Waxahachie spoke in favor of the proposed Ordinance. One audience member opposed the proposed ordinance.

After a lengthy discussion, Councilmember Chuck Beatty moved to approve Ordinance No. 2757 to include prohibiting e-cigarettes and setting an effective date of September 18, 2014. Councilmember Mary Lou Shipley seconded, the vote was as follows:

Ayes: Kevin Strength
Chuck Beatty
David Hill
Mary Lou Shipley

Noes: Mark Singleton

The motion carried.

Utilities Director David Bailey presented an Engineer Services Agreement between the City and Alan Plummer Associates, Inc. for the coating system on membrane basins at the Robert W. Sokoll Water Treatment Plant. Engineering services for document preparation and bid phase services and services during construction total \$50,825.00.

Mayor Pro Tem Mark Singleton moved to approve an Engineer Services Agreement between the City of Waxahachie and Alan Plummer Associates, Inc. as presented. Councilmember Mary Lou Shipley seconded, All Ayes.

Planning Director Clyde Melick presented the semi-annual report on the Impact Fee Program. His memo serves as his report:

MEMORANDUM

TO: IMPACT FEE ADVISORY COMMITTEE
FROM: CLYDE MELICK, DIRECTOR OF PLANNING
DATE: July 24, 2014
SUBJECT: SEMI-ANNUAL REPORT ON THE COLLECTION OF IMPACT FEES AND PROGRESS OF THE CAPITAL IMPROVEMENTS PLAN

As required by law, the Impact Fee Advisory Committee must receive a semi-annual report with respect to the progress of the capital improvements plan and report to the City Council any perceived inequities in implementing the plan or imposing the impact fee. This memo serves as the report.

In your capacity as the Impact Fee Advisory Committee, you should also advise the City Council of the need to update or revise the land use assumptions, capital improvements plan and the impact fee. This was done most recently as part of the update to our Water and Wastewater Impact fee and the adoption of the Roadway Impact fee. In 2003, it was recommended and adopted to increase the impact fee amount from 15% to 25%. The City began collecting the new amount on September 1, 2003. The city council choose to keep the collection amount at 25%. We began collecting roadway impact fees on lots platted previous to November 17th 2008, on November 17, 2009. We completed an update of the Impact Fee Program on October 21, 2013

Impact Fee Rate and Amount Collected

The 25% collection rate that was adopted amounts to \$1,499.00 for water and \$1,987.00 for wastewater per service unit this totals \$3,486.00. This amount replaces the 25% collection rate which was \$1,357.14 per service unit for the water impact fee and \$958.12 per service unit for the wastewater impact fee. You may recall that a service unit is based on a standard residential water meter. The impact fee amount increases based on the larger meter size. The roadway impact fee is determined based on service area as well as the Vehicle – Mile Equivalency table.

The collection of roadway impact fees for single family dwellings was suspended until 2012. In August of 2012 this abatement program was discontinued.

Roadway Impact Fees

The amount collected since the inception of impact fees is as follows:

Service Area 1	Service Area 2	Service Area 3	Service Area 4	Service Area 5	Service Area 6	Service Area 7
\$79,067.90	\$814,176.62	\$12,584.04	\$90,465.08	\$81,310.78	\$47,870.45	\$95,984.12

At this time we have reimbursed the city for capital outlays on three capital projects. These are the rebuilding of Broadhead Road in Service Area 5, for \$25,821.00, Stadium Drive in Service Area 4, \$16,000.00, and Parks School House Road in Service Area 6, \$29,563.00. Over the past three years the city has abated over \$400,000.00 in Roadway Impact Fees for single family dwellings. This program ended in October 2012. The City will begin engineering on the East-West Connector between Hwy 77 and FM 813. This road is in Service Area 2 and is estimated to cost 3.2 million dollars.

Water and Wastewater Impact Fees

	<u>WATER</u>	<u>SEWER</u>	<u>TOTAL</u>
2014 to date	\$197,118.00	\$288,788.75	\$485,907.25
2013	\$433,211.00	\$570,205.00	\$1,003,416.00
2012	\$345,155.00	\$415,202.00	\$760,357.00
2011	\$173,134.50	\$218,757.00	\$391,891.50
2010	\$338,502.00	\$393,880.00	\$732,383.00
2009	\$521,623.00	\$383,341.00	\$895,964.00
2008	\$825,567.64	\$485,543.62	\$1,311,111.26
Total since Adoption	\$5,887,615.83	\$4,705,408.78	\$10,593,024.61

As the economy has picked up so have home permits, commercial permits and overall growth. This growth will help fuel all of these funds to allow us to continue to build the Capital Improvements Plan.

Capital Improvements Plan

Since the adoption of impact fees, several impact fee projects that are listed on the Capital Improvements Plan (CIP) have recently been completed or are currently under construction. Currently a large portion of the impact fees we are collecting are helping to fund our debt service on various Capital Improvement Projects. Past and current capital improvement projects are as follows:

Water System Improvements

- Solon Elevated Storage Rehab - Engineering
- Ph II Sokoll Water Transmission Line – Under Construction
- Cosmocel Water Line upsize -Complete
- Indian Tower Pump Station and Ground Storage – Complete
- 18” Offsite Water Line from Indian Tower to Brown Street/287 Bypass - Complete
- Bardwell Water Line direct connection to Lake Waxahachie Raw Water Pump Station Number 1 - Complete
- Water Treatment Plant Improvements – Chlorination building - Complete
- Howard Road 18” Water Line – Complete
- Water Treatment Plant Phase IB Improvements– Complete
- Oversize participation of St. Paul Episcopal Church 24” water line –Complete
- FM 664 2.0 MG Elevated Storage Tank – Complete
- Indian Pump Station Addition of Pumps #3 and #4 – Complete
- Water Treatment Plant Expansion to 18.0 MGD - Complete
- Spur 394 12and 24-inch Water Lines – Complete
- R.W. Sokoll Water Treatment Plant 48” Raw Water Line – Complete
- R.W. Sokoll Phase I Transmission Line – Complete
- Highway 287 Bypass 12” & 18” Water Lines – Complete

- Howard Road 12” Water Line Phase II – Complete
- Cantrell Street Water Line - Complete
- Robert W. Sokoll 20.0 MGD Water Treatment Plant -Complete

Wastewater System Improvements

- Grand Avenue Lift Station Reliever - Complete
- North East Trunk Sewer - Complete
- Wastewater Treatment Plant Odor Abatement – Complete
- Broadhead Road Sewer Line and Lift Station – Complete
- Grove Creek Sewer Line and Lift Station – Complete
- Country Club Sewer Line – Complete
- West Waxahachie Creek Trunk Sewer Line and Lift Station – Complete
- Wastewater Treatment Plant Expansion – Complete
- South Prong of Grove Creek Trunk Sewer-Phase I (A Texas Capital Fund Grant was received from the State to pay for this project for the new Cardinal CG Plant. Future phases will extend this line further west) – Complete
- Southeast Service Area Lift Station and Force Main – Complete
- Phase I Northeast Trunk Parallel Gravity Sewer Line – Complete
- R.W. Sokoll WTP 18” Sanitary Sewer Line - Complete
- Phase II 48” Northeast Trunk Sewer Line – Complete
- South Grove Creek 18” Trunk Sewer Oversize Participation - Complete
- Northeast Trunk Sewer Capacity Expansion - Engineering phase & ROW Acquisition

Mayor Pro Tem Mark Singleton moved to accept the semi-annual report on the Impact Fee Program. Councilmember Chuck Beatty seconded, **All Ayes.**

Mayor Strength opened the Public Hearing on an Ordinance of the City of Waxahachie, Texas, amending the Waxahachie Zoning Ordinance Section 33 Use Charts, Section 33.4-Utility, Service and Other Uses, and Section A-3 Definitions.

Ms. Derica Peters, Planning & Development Coordinator, reviewed the following types of solar panels:

Rooftop solar panel: 6” max between roof and panel, same pitch as roof, or screened

Small in-ground system: energy used on-site, system is less than 1,000 square feet

Large in-ground system: energy used on-site, system is more than 1,000 square feet

Solar panel farm: in-ground system, principal use of property is solar panel, energy is re-distributed back to the electric grid for public utilities

Ms. Peters reviewed the New & Unlisted Use – Solar Panels Use Chart requiring a Specific Use Permit in all zoning districts for rooftop solar panels.

There being no others to speak for or against an Ordinance of the City of Waxahachie, Texas, amending the Waxahachie Zoning Ordinance Section 33 Use Charts, Section 33.4-Utility, Service and Other Uses, and Section A-3 Definitions, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2758:

ORDINANCE NO. 2758

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING SECTION 33.4 AND SECTION a-3 OF THE WAXAHACHIE ZONING ORDINANCE BY AMENDING USE ALLOWED IN SPECIFIED ZONING DISTRICT AND TO DEFIVE A NEW USE AND SPECIFY ZONING DISTRICTS, AND SETTING AN EFFECTIVE DATE, DECLARING AN EMERGENCY AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Mary Lou Shipley moved to approve Ordinance No. 2758 as presented. Councilmember Chuck Beatty seconded, **All Ayes.**

CITIZENS' PETITIONS AND REQUEST

None

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

Councilmember Mary Lou Shipley thanked the audience members representing the smoke-free ordinance.

Councilmember Chuck Beatty announced August 19th is Operation First Day of School.

Mayor Pro Tem Mark Singleton thanked Impact Waxahachie for their participation with the smoke-free ordinance and encouraged the youth to get involved.

Director of Communications and Marketing, Amy Hollywood, reminded Council of the date and time for Council photos being September 2nd at 6:00 p.m.

There being no further business the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Lori Saunders
City Secretary