

City Council
January 21, 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 Tuesday, January 21, 2014, at 7:00 p.m.

Council Members Present: John Wray, Mayor
Kevin Strength, Mayor Pro Tem
Chuck Beatty, Councilman
Mike Ramsey, Councilman

Member Absent: Mark Singleton, Councilman

Others Present: Paul Stevens, City Manager
Michael Scott, Assistant City Manager
Steve Chapman, City Attorney
Amber Villarreal, Assistant City Secretary

Mayor John Wray called the meeting to order. Councilman Chuck Beatty 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 January 6, 2014
- b. Minutes of the Emergency City Council meeting of January 10, 2014
- c. Minutes of the City Council and Waxahachie PID workshop of January 10, 2014
- d. Minutes of the regular Planning and Zoning Commission meeting of January 8, 2014
- e. Minutes of the Firemen's Relief and Retirement Fund meeting of January 14, 2014
- f. Minutes of the Mid-Way Airport meeting of November 14, 2013
- g. Monthly Code Enforcement Report for December 2013
- h. Monthly Violation Activity Statistics for December 2013
- i. Monthly Crime Report for December 2013
- j. Monthly Fire and EMS Report for December 2013
- k. Monthly Building Report for December 2013
- l. Approve Wrecker Service through December 31, 2014
- m. Approve wedding and reception at Chautauqua Auditorium on March 22, 2014

Councilman Chuck Beatty moved to approved Items a. through m. on the Consent Agenda.
Mayor Pro Tem Kevin Strength seconded, **All Ayes.**

Mayor John Wray explained there is a vacancy on the city council due to the unexpired term of the late councilman Jordan and acting under the authority of the Charter, the council can appoint someone to fill the term until May 2014.

Mayor Pro Tem Kevin Strength moved Mike Ramsey be nominated to fill the unexpired term of Buck Jordan. Councilman Chuck Beatty seconded, **All Ayes.**

City Attorney Steve Chapman administered the Oath of Office to George M. (Mike) Ramsey.

Mayor Wray noted Mr. Ramsey is a long term resident of Waxahachie and volunteers in several areas of the community.

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

Mayor Wray presented a Proclamation to Marni White, Big Brothers Big Sisters, proclaiming January 2014 as “National Mentoring Month.” Ms. White recognized the participants of Big Brothers Big Sisters in attendance.

Mr. Tommy Tabor, 1301 E. Debbie Lane, Mansfield, Texas, requested approval of the Preliminary Plat of Aday Estates being a 43.90 acre tract of land out of the J. Drinkard Survey, Abstract No. 273-Owner: Don G. & Margaret E. Walker (PLM 2013-34). He noted the proposed subdivision will be located on FM 66 and be thirty-six (36) one acre lots.

Planning Director Clyde Melick noted the applicant is in agreement to enter a Homeowner’s Association. Mayor Pro Tem Strength noted he reviewed the draft agreement and had a few corrections. Mr. Melick noted a modified agreement will be filed at the final plat stage.

Mayor Pro Tem Strength moved to approve the Preliminary Plat of Aday Estates being a 43.90 acre tract of land out of the J. Drinkard Survey, Abstract No. 273-Owner: Don G. & Margaret E. Walker (PLM 2013-34). Councilman Beatty seconded, **All Ayes.**

William Smith, 1506 Creekford Dr., Arlington, Texas, requested approval of the Preliminary Plat for Sandstone Ranch being 66.601 acres in the Robert Russell Survey, A-91, being 126 lots-Owner: Jimmy Morrow (PLM 2013-37). He noted the lots sizes changed from 12,000sf to 16,000sf to comply with city ordinance.

Councilman Beatty moved to approve the Preliminary Plat for Sandstone Ranch being 66.601 acres in the Robert Russell Survey, A-91, being 126 lots-Owner: Jimmy Morrow (PLM 2013-37). Mayor Pro Tem Strength seconded, **All Ayes.**

City Manager Paul Stevens presented Resolution No. 1182 ordering the creation of a nonprofit Corporation under the Texas Education Code and include the Articles of Incorporation and the Bylaws. He included recommendations by council for the initial Board of Directors.

RESOLUTION NO. 1182

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WAXAHACHIE NAMING THE INCORPORATORS AND INITIAL
BOARD OF DIRECTORS TO THE WAXAHACHIE EDUCATION
FINANCE CORPORATION AND MAKING CERTAIN FINDINGS
RELATING THERETO**

WHEREAS, on December 16, 2013, this City Council approved the creation of a nonprofit corporation named the WAXAHACHIE EDUCATION FINANCE CORPORATION (the "Corporation") for the purpose of providing financing for needed facilities and improvements for institutions of higher education and accredited primary or secondary schools or authorized charter schools in the State of Texas; and

WHEREAS, this City Council reserved to a later meeting naming the incorporators and initial board of directors for the Corporation; and

WHEREAS, this meeting is open to the public as required by law and public notice of the time, place and purpose of this meeting was given as required by Chapter 551, Texas Government Code, as amended;

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

Section 1. The findings and declarations contained in the preambles of this Resolution are incorporated herein as part of this Resolution.

Section 2. This City Council hereby names the following individuals as the incorporators of the Corporation: Chuck Beatty, Kevin Strength, and Mark Singleton.

Section 3. This City Council hereby names the following individuals to serve as the initial board of directors of the Corporation: Kevin Kosoris, Bob Lynn, Ginger Cole, John Sanders, Brad Yates, Jim Cooper, Melissa Ballard, Jim Odom, and Andrew Garrett. None of the foregoing individuals are officers or employees of the City of Waxahachie. The term of each director named in this Resolution shall expire on December 31, 2015.

Section 4. The City Manager is hereby directed to complete the form of the Articles of Incorporation approved by this City Council at its December 16, 2013 meeting, and coordinate with the City's bond counsel, McCall, Parkhurst & Horton L.L.P. to proceed with the completion of the Articles of Incorporation and their filing with the Texas Secretary of State.

Section 5. In order to coordinate the issuance of tax-exempt obligations by the City and the Corporation, should the Corporation in any calendar year seek to issue obligations, the interest on which would be excludable from gross income for purposes of federal income taxation, the Board of Directors of the Corporation shall notify the City Manager in writing at least sixty days prior to the date any such proposed issuance would be approved by the Board of Directors of the Corporation, and if the proposed issuance of such obligations by the Corporation would result in the aggregate principal amount of tax-exempt obligations that may be issued in any calendar year by the City and the Corporation exceeding \$10,000,000 in principal amount, the Corporation either shall not issue such obligations or shall reduce the principal amount of

obligations it would propose to issue in order for the \$10,000,000 limitation described in this paragraph not to be exceeded.

Section 6. This Resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED this 21st day of January, 2014.

Mayor Pro Tem Strength moved to approve Resolution No. 1182 to include nine (9) Board of Directors as presented above. Councilman Beatty seconded, **All Ayes.**

Mr. Brett Hess noted he has been working with Mr. John Poston on a potential location for a proposed plan for a residential community for adults with handicaps.

Mr. John Poston presented a concept for a residential community that provides adults with special needs a place where they learn to live independently, work and socialize in a safe environment among their peers. He noted his inspiration comes from his son 18 year old son Michael, who is special needs. The proposed community would be located off Cantrell Street near the Hike and Bike Trail. The gated community would house between 200 and 300 residents at the property. The community would have a swimming pool, movie screen, dining services and potentially 2 on site nurses 24/7.

The council agreed Mr. Poston presented a wonderful concept with a great location and wished him luck on his project.

CITIZENS' PETITIONS AND REQUEST

Mrs. Debra Wakeland, Waxahachie Chamber of Commerce, welcomed Mr. Ramsey to the council. She announced the Chamber Banquet will be held on February 27, 2014. She expressed her excitement about the future community center for those with disabilities.

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

Councilmembers and City Staff welcomed Mr. Ramsey to the council.

There being no further business, the meeting adjourned at 7:43 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary