

City Council  
February 17, 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, February 17, 2014, at 7:00 p.m.

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

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

Others Absent: Steve Chapman, City Attorney

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Mayor John Wray called the meeting to order. City Manager Paul Stevens gave the invocation, led the pledge of allegiance and the Texas pledge of allegiance.

Mayor Wray remembered Mrs. Hilda Chapman noting she was very instrumental in downtown redevelopment including the creation of Bethlehem Revisited.

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**CONSENT AGENDA:**

- a. Minutes of the regular City Council meeting of February 3, 2014
- b. Minutes of the regular Planning & Zoning Commission meeting of February 12, 2014
- c. Minutes of the Heritage Preservation Commission meeting of January 16, 2014
- d. Minutes of the Firemen's Relief and Retirement meeting of February 10, 2014
- e. Monthly Code Enforcement Report for January 2014
- f. Monthly Violation Activity Statistics for January 2014
- g. Monthly Fire and EMS Report for January 2014
- h. Renewal of Mobile Home Park Licenses

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

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Councilman Chuck Beatty recognized Mrs. Sylvia Sargent as the Honorary Councilmember for the month of February. He noted Mrs. Sargent is the wife of former City Councilman Broderick Sargent and she currently works in the accounting department as office manager for Custom Meats Corporation of Dallas. Mr. and Mrs. Sargent are founders of SHEFA Ministries where they minister to the community by helping to meet the physical and spiritual needs of youth with their annual toy drive and help the elderly by supplying food and other amenities.

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Mr. Kars Tamminga, 3726 FM 1446, Waxahachie, requested approval of the Preliminary Plat of Tamminga Farms being a 32.784 acre addition in the G.W. Keen Survey, Abstract. No. 603 (PLM 2014-01).

Planning Director Clyde Melick noted there is no additional public infrastructure needed and the property is in the city's ETJ and will go to the county for approval.

**Councilman Mark Singleton moved to approve the Preliminary Plat of Tamminga Farms being a 32.784 acre addition in the G.W. Keen Survey, Abstract. No. 603-Owner: Kars Tamminga (PLM 2014-01).** Councilman Chuck Beatty seconded, **All Ayes.**

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Mr. Paul Shearin, 709 Dogwood Lane, Waxahachie, Texas, requested approval of the Final Plat of Lots 31A, 31B, 32A, & 32B, Block 3, University Addition being a Replat of Lots 30 & 31, Block 3, University Addition (RP 2014-03) to allow for duplexes on the lots.

Planning Director Clyde Melick noted the applicant is requesting to turn the two lots into duplexes.

**Mayor Pro Tem Kevin Strength moved to approve the Final Plat of Lots 31A, 31B, 32A, & 32B, Block 3, University Addition being a Replat of Lots 30 & 31, Block 3, University Addition -Owner: Paul Shearin (RP 2014-03).** Councilman Chuck Beatty seconded, **All Ayes.**

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Mayor Wray continued the Public Hearing on a request by Sterling Development Co., Brett Hess and Moritz Interest LTD., for a Zoning Amendment from Single Family-1 to Planned Development-Single Family-1 (PD-SF1), Planned Development-Single Family-2 (PD-SF2), Planned Development-Single Family-3 (PD-SF3), and Planned Development - Multi-Family - 1 (MF-1), and Planned Development - General Retail (PD-GR) for mixed use and residential development, being a part of Abst 1182 JW Wright Survey, Abst 1009 H Sange Survey, Abst 318 R A Davis Survey, Abst 5 JB & A Adams Survey, Abst 83 J Billingsley Survey, Abst 106 C H Bernard Survey, Abst 629 H Levy Survey, and Abst 911 R Russell Survey located between Highway 77 and FM 813, being approximately 749 acres- Owner: Various (ZA 2013-41).

Mr. Terry Weaver, Sterling Development Company, representing the southern portion of the request, noted a lot of planning and preparation has been put into the site plan for this planned development. The development will be primarily residential with minimum multi-family and retail. A possible Public Improvement District (PID) will be used to offset the cost for offsite water and sewer infrastructure. The development will feature a neighborhood of villages that are pedestrian friendly with lots of green space for parks and trails.

Planning Director Melick acknowledged the support of the property owners, City Council, and some of the Planning and Zoning members to establish this plan for North Grove. He reviewed the thoroughfare maps for the planned development depicting different streetscapes.

Mayor Wray thanked Mr. Melick for all his work in working with the property and landowners to develop this concept.

Mr. Todd Hamblett, 3200 Brown Street, Waxahachie inquired about the lot and house sizes near his property. Mr. Melick noted minimum 2,400 square foot homes will be on 12,000 square foot lots.

*Councilman Mark Singleton moved to continue the Public Hearing on the request by Sterling Development Co., Brett Hess and Moritz Interest LTD., for a Zoning Amendment from Single Family-1 to Planned Development–Single Family-1 (PD-SF1), Planned Development–Single Family-2 (PD-SF2), Planned Development–Single Family-3 (PD-SF3), and Planned Development - Multi-Family – 1 (MF-1), and Planned Development - General Retail (PD-GR) for mixed use and residential development, being a part of Abst 1182 JW Wright Survey, Abst 1009 H Sange Survey, Abst 318 R A Davis Survey, Abst 5 JB & A Adams Survey, Abst 83 J Billingsley Survey, Abst 106 C H Bernard Survey, Abst 629 H Levy Survey, and Abst 911 R Russell Survey located between Highway 77 and FM 813, being approximately 749 acres- Owner: Various (ZA 2013-41) to the March 3, 2014 meeting.* Mayor Pro Tem Strength seconded, *All Ayes.*

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City Manager Paul Stevens presented proposed Ordinance No. 2732 amending the Water and Wastewater Fees in order to comply with TCEQ and to reflect the 5% increase in rates that were in effect October 1, 2013:

**ORDINANCE NO. 2732**

**AN ORDINANCE AMENDING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE OF FEBRUARY 17, 2014 AND DECLARING AN EMERGENCY.**

*Councilman Chuck Beatty moved to approve Ordinance 2732 as presented.* Councilman Mike Ramsey seconded, *All Ayes.*

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Public Works Director Jeff Chambers reported the following bids for the N. Getzendaner Avenue Paving & Utility Reconstruction were opened Tuesday, February 4, 2014. The bid tabulations were as follows (Base bid + Alternates):

RBR Infrastructure & Road, LLC	\$1,215,789.00
XIT Paving & Construction, Inc.	\$1,298,761.97
SYB Construction Company, Inc.	\$1,553,885.70
J&K Excavation, LLC	\$1,585,413.25
Pavecon, Ltd.	\$1,707,715.61
Haltom Construction	\$1,949,600.20

Mr. Chambers reported Birkhoff, Hendricks & Carter, L.L.P. reviewed the bids and recommended awarding the contract to the second lowest bidder XIT Paving & Construction, Inc. based on experience. Mr. Chambers noted the bid, including Alternate #1 and Alternate #2, came in lower than anticipated. Mr. Chambers noted the project includes water, sewer and concrete pavement.

**Mayor Pro Tem Kevin Strength moved to award the bid for the N. Getzendaner Avenue Paving & Utility Reconstruction to XIT Paving & Construction, Inc. in the amount of \$1,298,761.97 (Base bid + Alternates) and directed Staff to look into additional street lighting for this project. Councilman Mark Singleton seconded, All Ayes.**

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Ms. Barbara Breeding requested a variance for mixed beverage restaurant permit with food and beverage located at 3209 N. Highway 77. Ms. Breeding explained a commercial kitchen will be added to the property as well as a Japanese Garden and German Beer Garden outside the property. She noted while the existing property will be remodeled, Toshio's Taste of Japan will open at the Rogers Hotel in downtown Waxahachie on April 1<sup>st</sup>.

**Councilman Chuck Beatty moved to approve the requested alcohol variance by Barbara Breeding at 3209 N. Highway 77. Mayor Pro Tem Kevin Strength seconded, All Ayes.**

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Downtown Development Director Anita Williamson reported the final 2013 Farmer's Market from August 10, 2013 through December 21, 2013 totaled \$57,963.75. She noted the 2013 season set a new record with over \$171,000 in sales. The 2014 season will be April 5, 2014 through October 25, 2014 and a different vendor or vegetable will be spotlighted each week.

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Downtown Development Director Anita Williamson presented the 2014 Nationally Accredited Main Street Program Award to the City of Waxahachie. She thanked her numerous board/commission volunteers who are very instrumental in the success downtown.

City Council commended Mrs. Williamson for all her hard work. Mrs. Williamson asked council to consider hosting a banquet for the numerous volunteers on the city's boards/commissions.

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**CITIZENS' PETITIONS AND REQUEST**

Mrs. Debra Wakeland, Waxahachie Chamber of Commerce, announced the Chamber Banquet will be held on February 27, 2014. Mrs. Wakeland reflected on the life of Mrs. Hilda Chapman noting she was instrumental in everything good about Waxahachie and will be irreplaceable in the community.

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

Councilman Beatty reminded everyone about early voting beginning February 18, 2014.

City Manager Paul Stevens introduced the new Budget Analysis, Mr. Thanasis Kombos, who came from the City of Tyler and is a graduate of the Bush School at Texas A&M. Mr. Stevens echoed Mrs. Wakeland's comments about Hilda Chapman noting she will be greatly missed. He also expressed his excitement regarding the North Grove Project noting it is a great concept and rare opportunity for the City of Waxahachie.

Mayor Pro Tem Strength requested prayers for the Chapman Family.

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Mayor John Wray announced at 7:48 p.m. the City Council would convene into Executive Session for consultation with attorney regarding contemplated or pending litigation with the City of Waxahachie as permitted by the **Texas Government Code, Section 551.071**, and to review Performance Evaluation for City Manager as permitted by the **Texas Government Code, Section 551.074**.

The meeting reconvened at 9:54 p.m.

**No Action Taken.**

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There being no further business, the meeting adjourned at 9:56 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary