

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

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

Council Members Absent: John Wray, Mayor

Others Present: Paul Stevens, City Manager  
Michael Scott, Assistant City Manager  
Steve Chapman, City Attorney  
Lori Saunders, City Secretary

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Mayor Pro Tem Kevin Strength called the meeting to order. City Manager Paul Stevens gave the invocation, and led the pledge of allegiance and the Texas pledge of allegiance.

Mayor Pro Tem Strength welcomed Boy Scout Troop 232 and the Young Marine's group for their attendance.

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**CONSENT AGENDA:**

- a. Minutes of the regular City Council meeting of March 3, 2014
- b. Minutes of the regular Planning & Zoning Commission meeting of March 12, 2014
- c. Minutes of the Mid-Way Regional Airport Board meeting of January 9, 2014
- d. Minutes of the Heritage Preservation Commission meeting of February 13, 2014
- e. Minutes of the Firemen's Relief and Retirement meeting of March 10, 2014
- f. Minutes of the Tax Increment Reinvestment Zone meeting of March 11, 2014
- g. Minutes of the Cemetery Board Meeting of March 13, 2014
- h. Minutes of the Park Board Meeting of March 13, 2014
- i. Monthly Code Enforcement Report for February 2014
- j. Monthly Violation Activity Statistics for February 2014
- k. Monthly Fire and EMS Report for February 2014
- l. Monthly Building Report for January and February 2014
- m. Monthly Crime Report for January and February 2014
- n. Renewal of parking and loading zone lease spaces
- o. Approve Budget Amendment for Downtown Department Lease Vehicle

**Councilman Mark Singleton moved to approved Items a. through o. on the Consent Agenda.**  
Councilman Chuck Beatty seconded, **All Ayes.**

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Mayor Pro Tem Strength announced there is not an Honorary Councilmember for the Month of March.

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Mayor Pro Tem Strength read a Proclamation proclaiming March 19, 2014 as “Kick Butts Day” and presented it to Impact Waxahachie.

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Ms. Julissa Martinez and Ms. Linda Alvarez, Ellis County Hispanic Organization, announced the 6<sup>th</sup> Annual Cinco de Mayo celebration will be held on Saturday, May 3, 2014 in Singleton Plaza. They requested the city’s approval and assistance with barricades, and restrooms.

**Councilman Mark Singleton moved to approve the 6<sup>th</sup> Annual Cinco de Mayo celebration to be held on May 3, 2014.** Councilman Chuck Beatty seconded, **All Ayes.**

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Ms. Anita Williamson, Director of Downtown Development, reported the American Cancer Society requested approval to hold its Relay for Life Event May 30-31, 2014 in downtown Waxahachie. The event will be held from 7:00 p.m. to 7:00 a.m. Ms. Williamson presented a map depicting the areas of street closure and noted all areas will be able to accommodate any emergency vehicles.

**Councilman Chuck Beatty moved to approve the Relay for Life event to be held May 30-31, 2014 in downtown as presented.** Councilman Mark Singleton seconded, **All Ayes.**

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Mayor Pro Tem Strength continued the Public Hearing on a request by Rivera Truck and Parts, for a Specific Use Permit within a Light Industrial-1 (LI-1) Zoning District for temporary portable building storage and outside storage to be located at 5947 IH 35E N, being 7.52 acres in the Peter B Stout Survey, Abstract No. 1003– Owner: Jose H. Rivera (ZA 2014-01).

Mr. Clyde Melick, Director of Planning, stated the Applicant requested to continue to meeting to the Planning and Zoning meeting of March 26, 2014 and the City Council meeting of April 7, 2014.

**Councilman Mark Singleton moved to continue Zoning Amendment request 2014-01 as presented.** Councilman Chuck Beatty seconded, **All Ayes.**

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Mayor Pro Tem Strength opened the Public Hearing on a request by Charles Bradley Burns, for a Specific Use Permit within a Future Development (FD) Zoning District to build an accessory

building (barn) to be located at 3208 Howard Road, being Lot 2, Block A, 6 acres in Spring Hollow Estates– Owner: Charles Bradley Burns (ZA 2014-04).

Mr. Clyde Melick, Director of Planning, reported the Applicant requests a zoning change from Rural Residential to Rural Residential with a Specific Use Permit for a 1,300 – 1,500 square foot barn. He stated there were no oppositions from surrounding property owners.

There being no others to speak for or against Zoning Amendment 2014-04, Mayor Pro Tem Strength closed the Public Hearing.

Mr. Steve Chapman, City Attorney, presented Ordinance No. 2735:

**ORDINANCE NO. 2735**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT ON LOT 2, BLOCK A, SPRING HOLLOW ESTATES, CONTAINING 6.0 ACRES IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, LOCALLY KNOWN AS 3208 HOWARD ROAD, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING FUTURE DEVELOPMENT (FD) TO FUTURE DEVELOPMENT WITH SPECIFIC USE PERMIT (FD w/SUP), FOR THE PURPOSE OF ALLOWING THE CONSTRUCTION OF AN ACCESSORY BUILDING AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

Councilman Chuck Beatty moved to approve Ordinance No. 2735 as presented. Councilman Mark Singleton seconded, All Ayes.

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Ms. Lori Saunders, City Secretary, presented Ordinance No. 2736 cancelling the General Election. She stated the General Election was unopposed and explained the city will hold the Special Election to fill one Council seat on May 10, 2014.

**ORDINANCE NO. 2736**

**AN ORDINANCE CANCELLING THE CITY COUNCIL GENERAL ELECTION CURRENTLY SCHEDULED FOR MAY 10, 2014 AND DECLARING KEVIN STRENGTH, MARK SINGLETON, AND DAVID HILL ELECTED AS WAXAHACHIE CITY COUNCIL MEMBERS FOR A TWO YEAR TERM, DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE.**

Councilman Chuck Beatty moved to approve Ordinance No. 2736 as presented. Councilman Mike Ramsey seconded, All Ayes.

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Mr. Michael Scott, Assistant City Manager, reported in January 2014 the 380 Ordinance accompanying Incentive Agreement with Duke Realty to construct the Medical Office Building at the new Baylor Scott and White hospital was adopted. He explained due to various reasons Duke Realty is not able to move forward with this project. He stated the project has been picked up by Rainier Medical and desires to have the same incentives provided by the City.

Mr. Steve Chapman, City Attorney, presented Ordinance No. 2737:

**ORDINANCE NO. 2737**

**AN ORDINANCE REPEALING ORDINANCE 2729 AND ESTABLISHING A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH WAXAHACHIE MOB I LP, FOR THE SUPPORT OF A MEDICAL OFFICE BUILDING (MOB), CONSISTING OF ECONOMIC DEVELOPMENT FUNDS AS SET OUT IN AN INCENTIVE AGREEMENT AS ATTACHED HERETO AND MADE A PART HEREOF, AND SETTING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY.**

*After further discussion, Councilman Chuck Beatty moved to repeal Ordinance 2729 and approve Ordinance No. 2737 as presented.* Councilman Mike Ramsey seconded. The vote was as follows:

Ayes: Kevin Strength  
Chuck Beatty  
Mike Ramsey

Abstained: Mark Singleton

*The motion carried.*

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Mr. Michael Scott, Assistant City Manager, stated the Farmer's Market is ready to move forward with phase two of renovating the market. Bids were received from Colonial Restoration and Brighten Construction. After review of both bids, the Waxahachie Partnership, Inc. recommended the bid from Brighten Construction to the Tax Increment Reinvestment Zone #1 Board for funding. The Board recommended accepting the bid from Brighten Construction in the amount of \$48,361.37.

*Councilman Chuck Beatty moved to award the bid for Phase 2 of the Farmer's Market to Brighten Construction in the amount of \$48,361.37.* Councilman Mark Singleton seconded, *All Ayes.*

**CITIZENS' PETITIONS AND REQUEST**

None

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

Mr. Paul Stevens, City Manager, welcomed City Secretary Lori Saunders back after a medical absence.

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There being no further business the meeting adjourned at 7:28 p.m.

Respectfully submitted,

Lori Saunders  
City Secretary