

City Council
April 7, 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, April 7, 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
Steve Chapman, City Attorney
Lori Saunders, City Secretary

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

CONSENT AGENDA:

- a. Minutes of the regular City Council meeting of March 17, 2014
- b. Minutes of the Economic Development Commission meeting of March 17, 2014
- c. Minutes of the Waxahachie Community Development Corporation meeting of March 20, 2014
- d. Minutes of the regular Planning & Zoning Commission meeting of March 26, 2014
- e. Minutes of the Park Board meeting of April 3, 2014
- f. Minutes of the Mid-Way Airport meeting of February 13, 2014
- g. Minutes of the Senior Center Advisory Board meeting of January 15, 2014
- h. Approve 2013-2014 budget amendment requested by Utilities Department
- i. Renewal of parking and loading zone lease spaces

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

Mayor Wray announced there is not an Honorary Councilmember for the Month of March.

Mayor Wray read a Proclamation proclaiming April 6-12, 2014 as “Crime Victims’ Rights Week” and presented it to Suzette Pylant, Victim Advocate, Mothers Against Drunk Driving (MADD).

Mr. Jose Mendoza, El Mexicano Grill & Cantina, requested street closure for the Cinco de Mayo kick-off party to be held on Friday, May 2, 2014 from 6:00 p.m. to 11:00 p.m. He requested to close Franklin St. between College and Jackson. Franklin will be fenced to accommodate food and drinks to be served outside from the restaurant.

Councilman Mark Singleton moved to approve street closure for the Cinco de Mayo kick-off party to be held on May 2, 2014 as presented Councilman Mike Ramsey seconded, **All Ayes.**

Mr. Marty Hiles, Texas Concerned Citizens, requested street closure to hold a public rally honoring the San Jacinto Day Battle that finalized the struggle for Texas Independence. He reported the event will be held on Saturday, April 26, 2014 and requested to close Franklin Street from Rogers to College from noon to 4:00 p.m.

Mayor Pro Tem Kevin Strength moved to approve street closure for San Jacinto Day Celebration as presented. Councilman Chuck Beatty seconded, **All Ayes.**

Mr. Cory Lucus, Freedom Fellowship Church, request use of Getzendaner Park for an Easter Egg Hunt to be held on Saturday, April 19, 2014.

Councilman Chuck Beatty moved to approve to use of Getzendaner Park for an Easter Egg Hunt as presented. Councilman Mark Singleton seconded, **All Ayes.**

Mayor Wray continue 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, noted neither the Applicant, nor his Attorney and business opposing the request are present. He stated in December of 2013 a Notice of Violation was sent to the business for storage of portable buildings which prompted the Applicant to request a specific use permit to allow outside storage. Planning and Zoning Commission recommended a six month temporary specific use permit subject to an additional six month renewal and limiting storage of 115 units.

Mr. Kevin Ivy, 1980 East Highland Road, stated he lives near the site and in his opinion, the property is not unsightly.

There being no others to speak for or against Zoning Amendment 2014-01, Mayor Wray closed the Public Hearing.

Mr. Steve Chapman, City Attorney, presented Ordinance No. 2738:

ORDINANCE NO. 2738

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT ON 7.52 ACRES IN THE PETER B. STOUT SURVEY, ABSTRACT NO. 1003, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, LOCATED AT 5947 IH-35E NORTH, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LIGHT INDUSTRIAL-1 (LI-1) TO LIGHT INDUSTRIAL-1 (LI-1) WITH SPECIFIC USE PERMIT (LI w/SUP), FOR THE PURPOSE OF ALLOWING SHORT TERM TEMPORARY PORTABLE BUILDING STORAGE, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

After further discussion, Councilman Mark Singleton moved to approve Ordinance No. 2738 allowing a Specific Use Permit for temporary portable building storage only until October 7, 2014. Mayor Pro Tem Kevin Strength seconded, **All Ayes.**

Mr. John Blacker, 12801 N. Central Express Way, Dallas, representing the Applicant, requested approval of Preliminary Plat of Lot 1, Block A, Life School Waxahachie Addition being 39.616 acres in the Peter B. Stout Survey, Abstract No. 1003 and the Thomas Selby Survey, Abstract No. 1002-Owner: Lantana Investments, Ltd. (PLM 2014-05). He reported the addition will be 131,000 square feet high school to accommodate students.

Mayor Pro Tem Kevin Strength moved to approve Preliminary Plat of Lot 1, Block A, Life School Waxahachie Addition being 39.616 acres in the Peter B. Stout Survey, Abstract No. 1003 and the Thomas Selby Survey, Abstract No. 1002-Owner: Lantana Investments, Ltd. (PLM 2014-05). Councilman Mark Singleton seconded, **All Ayes.**

Mr. Clyde Hargrove, 101 Valley Ridge Dr., Red Oak, Texas, requested approval of Preliminary Plat of Garden Valley Ranch, Phase 3 being 24.501 acres (90 lots) out of the J.B. & Ann Adams Survey, Abstract No. 5-Owner: WP Legacy, Ltd. (PLM 2014-06). He reported all homes will be SF-2 being larger lots. Sagebrush will be extended to the eastern edge of the project and will expand to the Estates of Garden Valley. Mr. Hargrove noted the City requested to take the sewer offsite in a northeastern direction to tie into the lift station and currently working on a Developer's Agreement with the City.

Mayor Pro Tem Kevin Strength moved to approve of Preliminary Plat of Garden Valley Ranch, Phase 3 being 24.501 acres (90 lots) out of the J.B. & Ann Adams Survey, Abstract No. 5-Owner: WP Legacy, Ltd. (PLM 2014-06). Councilman Chuck Beatty seconded, **All Ayes.**

Mr. Jeff Chambers, Public Works Director, announced on March 27, 2014, the following bids were received for the Marvin Avenue Reconstruction project:

Contractor	Base Bid
McClendon Construction Company, Inc.	\$1,147,082.00
JLB Contracting, LLC	\$1,222,210.20
XIT Paving and Construction, Inc.	\$1,288,335.93
Pavecon Public Works, L.P.	\$1,327,617.81

Mr. Chambers reported Kimley-Horn and Associates, Inc. has reviewed the lowest bidder's qualifications and stated based on their reviews, McClendon Construction Company, Inc. is the lowest responsive bidder. He noted the project will be from Grand Avenue to West University. Additional days were added to the project to accommodate Magnablend's business. Total completion days 240.

Councilman Mark Singleton moved to award the bid for the Marvin Avenue Reconstruction project to McClendon Construction Company, Inc. in the amount of \$1,147,082.00.
Councilman Chuck Beatty seconded, **All Ayes.**

Finance Director Charles Harris presented the Budget Calendar for fiscal year 2014-2015.

Mr. Paul Stevens, City Manager, stated with the budget process starting earlier, it allows for additional Council workshops if needed.

CITIZENS' PETITIONS AND REQUEST

Mr. Rick Meese, 510 West Marvin, Waxahachie, referenced Lakeview Camp and Conference Center expressing concern that it is a non-profit facility and the city is losing a lot of revenue. Mayor Wray stated the Lakeview facility is not within the city limits of Waxahachie. He explained it is in the ETJ of Maypearl.

Mr. Randall Chase, Chamber of Commerce, announced Saturday, April 12th will be the ribbon cutting at the Rogers Hotel. The Chamber Golf Tournament is slated for June 6th.

Ms. Amy Hollywood, Director of Communications and Marketing, announced Saturday, April 12th downtown activities include: Junk in the Trunk Sale, Sip N Stroll, Classic Car Cruise, and Rogers Hotel Grand Opening with Beer Garden.

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

Mr. Michael Scott, Assistant City Manager, reported the Quarterly Staff Reports are before Council and asked them to contact him if they had any questions.

Mr. Paul Stevens, City Manager, stated the Kirven street rehabilitation project is going well and thanked Council for their support in wanting to repair the aging streets in town. He announced eight more homes will be torn down this week and will provide a list of homes torn down as well as a list of homes to be demolished.

Councilman Mark Singleton referenced the Oak Cliff Metals and asked if the fire has been addressed. Mr. Clyde Melick stated Staff is monitoring the visibility, hours, and making sure they do not stock pile flammable items onsite.

There being no further business the meeting adjourned at 7:47 p.m.

Respectfully submitted,

Lori Saunders
City Secretary