

City Council
November 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, November 17, 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 November 3, 2014
- b. Minutes of the regular Planning & Zoning Commission meeting of November 12, 2014
- c. Minutes of the Firemen's Relief & Retirement Fund meeting of November 10, 2014
- d. Minutes of the Waxahachie Community Development Corporation meeting of November 11, 2014
- e. Minutes of the Heritage Preservation Commission meeting of September 11, 2014
- f. Minutes of the Water and Wastewater Utility Advisory Committee meetings of October 15, 2014 and October 29, 2014
- g. Monthly Crime reports for September 2014 and October 2014
- h. Monthly Code Enforcement reports for September 2014 and October 2014
- i. Monthly Violation Activity Statistics report for October 2014
- j. Monthly Fire and EMS report for October 2014
- k. Monthly Building report for October 2014
- l. Approve budget amendment requested by Utilities Department
- m. Approve budget amendment requested by Airport
- n. Approve appointments to Keep Waxahachie Beautiful Committee

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

Mayor Pro Tem Mark Singleton introduced Mr. Matthew Louque as Honorary Councilmember for the month of November and presented him with a Certificate of Appreciation for participating in the Honorary Councilmember program.

Captain Francisco Zuniga, Waxahachie Salvation Army, and Mayor Strength kicked off the Red Kettle Campaign as Council, Staff and audience members participated with donations.

Mayor Strength welcomed Baylor Scott & White Medical Center Administrator, Mr. Christopher York and his family to Waxahachie and presented them with a “Welcome Home” basket.

City Attorney Steve Chapman administered the Oath of Office to incoming Municipal Judge Edward A. Jendrzey.

Councilmember Mary Lou Shipley moved to ratify the recommendation of Municipal Court Associate Judge. Mayor Pro Tem Mark Singleton seconded, **All Ayes.**

City Attorney Steve Chapman administered the Oath of Office to incoming Associate Municipal Judge J. Damon Fehler.

Mr. Jon McLaughlin, Waxahachie YMCA, requested street closing for the YMCA Santa Run to be held Saturday, December 13, 2014 from 9:00 a.m. to 2:00 p.m. He stated pre-run activities include bounce house, crafts and games for kids; live music, vendor areas for local organizations and a toy drive. Event parking will be directed to the city parking garage.

Mr. McLaughlin requested a brief closure at Jefferson Street and Elm Street to start the run and Rogers Street between Madison Street and Franklin for finish of route. He requested to block Franklin Street to the bridge on College Street from 10:00a.m. to 11:00 a.m. The route will consist of running south on Rogers Street to the hike and bike trail through Getzendaner Park to Jefferson Street and back to the finish line.

Mayor Pro Tem Mark Singleton moved to approve the YMCA Santa Run to be held Saturday, December 13, 2014 from 9:00 a.m. to 2:00 p.m. as presented. Councilmember Mary Lou Shipley seconded, **All Ayes.**

Ms. Anita Williamson, Director of Downtown Development, presented a lease agreement for 401 S. Rogers Street. She stated the Waxahachie Partnership, Inc. (WPI) board approved leasing the front of the Farmers Market building to Shane Henry and his father James. The business that

will be operating in the building is “Fresh Market”. It will include a coffee shop, Field to Meal offerings, baked goods, and fresh, locally sourced products as well as fresh flowers. Ms. Williamson explained the WPI board felt this was a great complement to the Farmers Market operation that exists behind the building.

Councilmember Chuck Beatty moved to approve the lease agreement between the City of Waxahachie and James Henry, JELS Crooked Creek Farms, LLC, for property located at 410 S. Rogers Street. Councilmember David Hill seconded, **All Ayes.**

Ms. Williamson reported on the Farmers Market noting the vendor sales for the final 15 weeks of the season totaled \$47,952.30. She reported the Farmers Market is open 30 weeks and the season totaled \$111,234.55.

Mayor Strength announced the Applicant requested to pull the following items from the agenda:

Public Hearing on a request by Steve Wilson for a zoning change from Single Family-1 (SF-1) and Single Family-2 (SF-2) to Planned Development Single Family-1 (PD-SF1) and Planned Development Single Family – 2 (PD-SF2) to be located on 22.925 acres of land in the J.B. & Ann Adams Survey – Owner: Abbey Realty (ZA 2014-26)

Consider proposed Ordinance approving Zoning Amendment Request No. 2014-26

Consider Preliminary Plat of Willow Springs, Phase Two, Sections One and Two, being 22.925 acres in the J.B. & Ann Adams Survey - Owner: Abbey Realty (PLM 2014-31)

Mayor Strength opened the Public Hearing on a request by John Ed Justice for zoning change approval from Light Industrial-1(LI-1) to Planned Development-General Retail (PD-GR) for the development of Legacy Ranch, at 1901 John Arden Dr., being 8.930 acres in the Jonathan Prince Survey – Owner: Brekenglenn Ltd (ZA 2014-27).

Mr. John Ed Justice, 4550 Childress Trail, Frisco, Texas, referenced Staff recommendations of six foot sidewalks required along both sides of Legacy Ranch Drive and eight foot sidewalks required along John Arden Drive.

Mr. Clyde Melick, Director of Planning, stated new development standards require the sidewalks and explained as new development continues on the south side of John Arden Drive, it will bring in more sidewalks.

City Manager Paul Stevens stated Staff’s recommendation to an escrow agreement for the sidewalks makes more sense due to the future planning of John Arden Drive.

There being no others to speak for or against Zoning Amendment Request 2014-27, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2771:

ORDINANCE NO. 2771

AN ORDINANCE AUTHORIZING A ZONING CHANGE FOR 8.930 ACRES IN THE JONATHAN PRINCE SURVEY, ABSTRACT NO. 844, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, LOCATED AT 1901 JOHN ARDEN DRIVE, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LIGHT INDUSTRIAL-1 (LI-1) TO PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Councilmember Mary Lou Shipley moved to approve Ordinance No. 2771 as presented.
Councilmember Chuck Beatty seconded, **All Ayes.**

Mr. John Ed Justice, 4550 Childress Trail, Frisco, Texas, requested approval of Preliminary Plat of Legacy Ranch Phase One, being 6 lots on 8.930 acres in the Jonathan Prince Survey - Owner: Brekenglenn Ltd (PLM 2014-32).

Councilmember Mary Lou Shipley moved to approve Preliminary Plat of Legacy Ranch Phase One, being 6 lots on 8.930 acres in the Jonathan Prince Survey - Owner: Brekenglenn Ltd (PLM 2014-32). Councilmember David Hill seconded, **All Ayes.**

Mayor Strength opened the Public Hearing on a request by Anthony Rieper for a Specific Use Permit within a Central Area (CA) Zoning District for a Bail Bond and Insurance office located 202 S. Jackson, being Lot 4A, Block 14, 804 Square Feet in the Original Town of Waxahachie – Owner: Anthony Rieper (ZA 2014-28).

Mr. Anthony Rieper, 326 Lakewood Drive, Waxahachie, stated the location is ideal being close to the jail. He reported the Heritage Preservation Commission is considering types of awnings to install on the building.

There being no others to speak for or against Zoning Amendment Request 2014-28, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2772:

ORDINANCE NO. 2772

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT ON LOT 4A, BLOCK 14, ORIGINAL TOWN IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS CONTAINING 804 SQUARE FEET, LOCATED AT 202 SOUTH JACKSON STREET, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING ZONED CENTRAL AREA (CA) TO CENTRAL AREA WITH SPECIFIC USE PERMIT (CA w/SUP), FOR THE PURPOSE OF ALLOWING A BAIL BOND AND INSURANCE OFFICE, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Councilmember Chuck Beatty moved to approve Ordinance No. 2772 as presented.
Councilmember David Hill seconded, **All Ayes.**

Mayor Strength opened the Public Hearing on a request by Wayne Mershawn, for Site Plan approval within a Planned Development-18-General Retail (PD-18-GR) Zoning District to expand the church lobby located at 507 Hwy. 77, being a portion of Northgate Plaza Revised - Owner: Freedom Fellowship (ZA 2014-29).

Mr. Greg Wallace, Mershawn Architects, 2313 Ridge Road, Rockwall, Texas, stated the proposed addition is approximately 1,968 square feet.

There being no others to speak for or against Zoning Amendment Request 2014-28, Mayor Strength closed the Public Hearing.

Mayor Pro Tem Mark Singleton moved to approve Site Plan approval within a Planned Development-18-General Retail (PD-18-GR) Zoning District to expand the church lobby located at 507 Hwy. 77, being a portion of Northgate Plaza Revised - Owner: Freedom Fellowship (ZA 2014-29). Councilmember David Hill seconded, **All Ayes.**

Mayor Strength opened the Public Hearing on a request by KW WAX 287/77 LP, for a Site Plan approval within a Planned Development-6-General Retail (PD-6-GR) Zoning District for commercial retail to be located at 1201 N. Hwy. 77, being Lot 1, Waxahachie Center East, 8.31 acres - Owner: KW WAX 287/77 LP (ZA 2014-30).

Mr. Matt Moore, Claymoore Engineering, 1105 Cheek Sparger Road, Colleyville, Texas, representing the Applicant, reported a Hobby Lobby is slated for the facility.

There being no others to speak for or against Zoning Amendment Request 2014-28, Mayor Strength closed the Public Hearing.

Mayor Pro Tem Mark Singleton moved to approve a request by KW WAX 287/77 LP, for a Site Plan approval within a Planned Development-6-General Retail (PD-6-GR) Zoning District for commercial retail to be located at 1201 N. Hwy. 77, being Lot 1, Waxahachie Center East, 8.31 acres - Owner: KW WAX 287/77 LP (ZA 2014-30). Councilmember Chuck Beatty seconded, **All Ayes.**

Mr. Matt Moore, Claymoore Engineering, 1105 Cheek Sparger Road, Colleyville, Texas, requested approval of a Replat of Waxahachie Center East Addition, being a replat of Lot 1, being 8.33 acres - Owner: KW Wax 287/77 LP (RP 2014-38).

Mayor Pro Tem Mark Singleton moved to approve Replat of Waxahachie Center East Addition, being a replat of Lot 1, being 8.33 acres - Owner: KW Wax 287/77 LP (RP 2014-38). Councilmember David Hill seconded, **All Ayes.**

Mr. Clyde Melick, Director of Planning presented Preliminary Plat of Buffalo Ridge Addition phase IIIB, being 40 lots on 9.33 acres situated in the W.M. Dunn Survey -Owner: Buffalo Ridge LP (PLM 2014-33). He stated this is the second phase for Buffalo Ridge and noted Staff and Applicant is getting the engineering rectified.

Councilmember Chuck Beatty moved to approve Preliminary Plat of Buffalo Ridge Addition phase IIIB, being 40 lots on 9.33 acres situated in the W.M. Dunn Survey -Owner: Buffalo Ridge LP (PLM 2014-33). Councilmember Mary Lou Shipley seconded, **All Ayes.**

Mr. Tony Martin, 513 Sycamore Street, requested approval of Final Plat of Billingsley Farms, being 71 lots of 101.151 acres in the J Chapman, and FE King Surveys, in the ETJ - Owner: Harlan Properties (FP 2014-37). He reported all Staff Comments have been met.

Councilmember Mary Lou Shipley moved to approve Final Plat of Billingsley Farms, being 71 lots of 101.151 acres in the J Chapman, and FE King Surveys, in the ETJ - Owner: Harlan Properties (FP 2014-37). Mayor Pro Tem Mark Singleton seconded, **All Ayes.**

Mr. Brian Wade, 5540 Sierra Drive, Dallas, Texas, requested approval of Final Plat of Baylor Waxahachie Hospital Addition Lot 1 Block A, Lot 1 Block B being 50.29 acres, in the Jonathon E. Prince, John B Bounds, James E. Haddon, and William Paine, N.P Neal Surveys - Owner: Baylor Health Care System (FP 2014-40).

After a brief discussion, Councilmember Chuck Beatty moved to approve Final Plat of Baylor Waxahachie Hospital Addition Lot 1 Block A, Lot 1 Block B being ~50.29 acres, in the Jonathon E. Prince , John B Bounds, James E. Haddon, and William Paine, N.P Neal Surveys - Owner: Baylor Health Care System (FP 2014-40). Councilmember Mary Lou Shipley seconded, **All Ayes.**

Mr. Terry Weaver, P.O. Box 1030, Midlothian, Texas, representing Applicant, requested approval of Final Plat of Summit Estates Phase 1, being 57 residential lots on 111.082 acres in the L.J. Irvin Survey, situated in the ETJ. Owner: JHDMC, LLC (FP 2014-42).

Councilmember Mary Lou Shipley moved to approve Final Plat of Summit Estates Phase 1, being 57 residential lots on 111.082 acres in the L.J. Irvin Survey, situated in the ETJ. Owner: JHDMC, LLC (FP 2014-42). Councilmember Chuck Beatty seconded, **All Ayes.**

Mayor Strength presented the names of the streets near Baylor Scott & White Medical Center. He presented Tenery Drive and Baylor Way for consideration.

Mayor Pro Tem Mark Singleton moved to approve Tenery Drive and Baylor Way as presented. Councilmember David Hill seconded, **All Ayes.**

CITIZENS' PETITIONS AND REQUEST

Mr. Richard Summerlin, 5059 April Lane, Waxahachie, expressed his frustration as to why ZA2014-26, Applicant Steve Wilson, was a scheduled Public Hearing and is being sent back to the Planning and Zoning Commission for consideration. Mayor Strength explained the Applicant pulled the Application.

Ms. Debra Wakeland, President and CEO of the Chamber of Commerce, announced several upcoming festivities and the Chamber is looking for volunteers to assist during the holiday season.

Fire Chief Ricky Boyd announced the Waxahachie Fire Department promotions and shield ceremony is scheduled for Friday, November 21, 2014 at 4:00 p.m. and will be held at the Senior Center.

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

Mayor Strength thanked Mr. Matthew Louque for his attendance as Honorary Councilmember.

Assistant City Manager Michael Scott congratulated Judge Jendrzey and Associate Judge Fehler on their new appointments. He congratulated Mr. Don Alexander, Waxahachie Fire Department, for his promotion to Battalion Chief.

Councilmember Mary Lou Shipley welcomed Judge Jendrzey and Associate Judge Fehler.

Councilmember Chuck Beatty welcomed audience member Mayor Carl Sherman from DeSoto. He welcomed Boy Scout Troop 813 for their attendance.

City Manager Paul Stevens welcomed Judge Jendrzey and Associate Judge Fehler. He stated several exciting developments are taking place in the city.

Mayor Pro Tem Mark Singleton thanked Mr. Stevens and Director of Planning Clyde Melick for their participation on the WISD Long-Range Planning Committee and stated they make him proud noting the committee is making headway with good discussion.

Ms. Amy Hollywood, Director of Communications and Marketing, announced the Waxahachie App is available. She announced she is taking names for the 2015 class of Waxahachie 101. Tree lighting festivities is scheduled for Saturday, November 29th from 6:00 p.m. – 9:00 p.m.

There being no further business the meeting adjourned at 8:06 p.m.

Respectfully submitted,

Lori Saunders
City Secretary