

City Council  
December 15, 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, December 15, 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

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Mayor Kevin Strength called the meeting to order. Councilmember Chuck Beatty gave the invocation, led the pledge of allegiance and the Texas pledge of allegiance.

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**CONSENT AGENDA:**

- a. Minutes of the regular City Council meeting of November 17, 2014
- b. Minutes of the regular Planning and Zoning Commission meeting of December 10, 2014
- c. Minutes of the regular Zoning Board of Adjustments meeting of December 2, 2014
- d. Minutes of the regular Water and Wastewater Utility Advisory Committee meeting of November 19, 2014
- e. Minutes of the Heritage Preservation Commission meeting of November 13, 2014
- f. Minutes of the regular Airport Board meeting of October 9, 2014
- g. Monthly Crime reports for November 2014
- h. Monthly Code Enforcement reports for November 2014
- i. Monthly Violation Activity Statistics report for November 2014
- j. Monthly Fire and EMS report for November 2014
- k. Monthly Building report for November 2014
- l. Approve Taxi Cab License
- m. Approve Mobile Home License
- n. Approve street closure for Junk in the Trunk 2015 events

**Councilmember Chuck Beatty moved to approve Items a. through n. on the Consent Agenda.**  
Mayor Pro Tem Mark Singleton seconded. **All Ayes.**

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Mayor Strength announced there is not an Honorary Councilmember for the month of December.

Mayor Strength opened the 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).

Mr. Steve Wilson, 155 Lakeshore Drive, Waxahachie, requested approval of ZA2014-26 noting he concurs with City Staff requirements.

Mr. Clyde Melick, Director of Planning, reviewed the following Staff Comments:

- 1) Applicant requesting approval of Planned Development District Single Family-2 for Willow Springs Phase 2 Sections 1 & 2;
- 2) Willow Springs Addition Phase 1 is already built and completed, meeting previous Single-Family-2 standards
- 3) The Planned Developed is proposed to be designed as follows:
  - a) Appropriately scaled transition for large lots in Mustang Meadows to Smaller lots within Garden Valley
  - b) Lots east of Memory Ln will be an average of 20,000ft in area-- ranging from 16,000 ft to 29,000 ft (this is including lake area)
  - c) Minimum house size east of Memory Lane will be 2,200' ft
  - d) Lots west of Memory Ln will range from 8,800 ft to 15,000 ft
  - e) Minimum house size west of Memory Lane will be 1,750 ft
  - f) Lots will be minimum of 80' wide, exception cul de sac lots
  - g) All lots shall have j-swing or side entry garages, except for cul de sac lots which will have front entry with wood clad garage doors
  - h) In addition to landscaping required by Waxahachie Zoning Ordinance one, three (3") inch caliper tree shall be planted every thirty (30') feet between curb and sidewalk
  - i) Corner lots along memory Lane must have an additional tree between curb and sidewalk along Memory Lane.
  - j) Two trees in each front yard, except for yards east of Memory Lane will have three trees
  - k) 15 plant minimum in front planting beds
  - l) Front yards will have irrigation systems
  - m) Street trees will be of the following species: bald Cyprus, pond Cyprus, cedar elm, Texas red oak, lace bark elm, alle elm, Chinese pistachio, chinquapin oak, shumard oak, burr oak, highrise live oak
  - n) All lots that border Memory Lane on the West shall have, in addition to required landscaping, one street tree placed in the greenway between the sidewalk and street
  - o) Large private amenity pond is located in the center of the Willow Springs development
- 4) Future Land Use plan has this area as Low Density Residential

Those who spoke against ZA2014-26:

Brenda Summerlin, 5059 April Lane, Waxahachie  
Richard Summerlin, 5059 April Lane, Waxahachie  
Lisa Popp, 5069 April Lane, Waxahachie

There being no others to speak for or against Zoning Amendment Request 2014-26, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2773:

**ORDINANCE NO. 2773**

**AN ORDINANCE CHANGING THE ZONING ON 22.925 ACRES, IN THE J. B. AND ANN ADAMS SURVEY, ABSTRACT NO. 5, WAXAHACHIE, ELLIS COUNTY, TEXAS, LOCATED NORTH OF BROADHEAD ROAD AND MEMORY LANE, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING SINGLE FAMILY-1 (SF-1) AND SINGLE FAMILY-2 (SF-2) TO PLANNED DEVELOPMENT-SINGLE FAMILY-1 (PD-SF-1) AND PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2), AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**After further discussion, Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2773 as presented.** Mayor Kevin Strength seconded, **All Ayes.**

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Public Hearing on a request by Xavier Chapa, for a Site Plan approval within a Planned Development-40-General Retail (PD-40-GR) Zoning District to build a general retail facility located at 1304 Ferris Avenue, being Lot 44, 0.425 acres, Ferris Second Addition-Owner: John N. Robertson (ZA 2014-32).

Mr. Xavier Chapa, 800 E. Airport Freeway, Irving, Texas, representing the Applicant, reported the use is to construct a building for a showroom and warehouse that presently operates on the property. Mr. Chapa noted the Applicant agrees to the conditions of the Planning and Zoning Commission and City Staff.

There being no others to speak for or against Zoning Amendment Request 2014-32, Mayor Strength closed the Public Hearing.

**Councilmember David Hill moved to approve a Site Plan approval within a Planned Development-40-General Retail (PD-40-GR) Zoning District to build a general retail facility located at 1304 Ferris Avenue, being Lot 44, 0.425 acres, Ferris Second Addition-Owner: John N. Robertson (ZA 2014-32).** Councilmember Chuck Beatty seconded, **All Ayes.**

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Mr. Devin King, Kimley-Horn, 2201 Royal Lane, Dallas, representing Applicant, requested a Replat of Waxahachie Civic Center Addition, being Lots 2R1-BR1, 2R1-BR2, being a replat of 2R-B, being 5.92 acres in the J.E. Prince Survey-Owner: Lookout Partners LP (RP 2014-34).

**After a brief discussion, Councilmember Chuck Beatty moved to approve Replat of Waxahachie Civic Center Addition, being Lots 2R1-BR1, 2R1-BR2, being a replat of 2R-B,**

**being 5.92 acres in the J.E. Prince Survey-Owner: Lookout Partners LP (RP 2014-34).**  
Councilmember Mary Lou Shipley seconded, **All Ayes.**

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Mr. Todd Winters, Engineering Concepts & Design, 201 Windco Circle, Wyle, Texas requested approval of Preliminary Plat of Settlers Glen Addition Ph 3-5, being 375 residential lots of 78.77 acres in the William Paine Survey - Owner: Settlers Glen LTD (PLM 2014-39).

**After a brief discussion, Councilmember Mary Lou Shipley moved to approve Preliminary Plat of Settlers Glen Addition Ph 3-5, being 375 residential lots of 78.77 acres in the William Paine Survey - Owner: Settlers Glen LTD (PLM 2014-39).** Mayor Pro Tem Mark Singleton seconded, **All Ayes.**

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Mr. Xavier Chapa, 800 E. Airport Freeway, Irving, Texas, requested approval of Replat of Lot 44A and Lot 44B, being a replat of Lot 44 in the Ferris Second Addition—Owner: John N. Robertson (RP 2014-41). He explained the replat will allow the residential to remain while adding the retail to the east.

**Councilmember David Hill moved to approve Replat of Lot 44A and Lot 44B, being a replat of Lot 44 in the Ferris Second Addition—Owner: John N. Robertson (RP 2014-41).** Councilmember Chuck Beatty seconded, **All Ayes.**

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Mr. Travis Clagg, 5751 Kroger Drive, Garland, Texas, requested approval of Preliminary Plat of Buffalo Ridge phase 3A, being 31 residential lots on 7.15 acres in the WM Dunn Survey, Abstract No. 303 –Owner: Buffalo Ridge LP (PLM 2014-44).

**After a brief discussion, Mayor Pro Tem Mark Singleton moved to approve Preliminary Plat of Buffalo Ridge phase 3A, being 31 residential lots on 7.15 acres in the WM Dunn Survey, Abstract No. 303 –Owner: Buffalo Ridge LP (PLM 2014-44).** Councilmember David Hill seconded, **All Ayes.**

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Mr. Travis Clagg, 5751 Kroger Drive, Garland, Texas, requested approval of Final Plat of Buffalo Ridge Addition phase IIB being 15 residential lots on 3.482 acres situated in the W.C. Calder Survey—Owner: Buffalo Ridge LP (FP 2014-23).

**Councilmember Chuck Beatty moved to approve Final Plat of Buffalo Ridge Addition phase IIB being 15 residential lots on 3.482 acres situated in the W.C. Calder Survey—Owner: Buffalo Ridge LP (FP 2014-23).** Councilmember Mary Lou Shipley seconded, **All Ayes.**

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Mr. Karl Griffin, Dart of Texas, LLC, 500 Hogsback Road, Mason, MI, requested approval of Final Plat of Victory Park, being 8.545 acres, 8 lots in the Allen W. Brown Survey, Abstract No. 102, Joseph Benson Survey, Abstract No. 104 – Owner: Dartco of Texas, LLC (FP 2014-46).

**After a brief discussion, Mayor Pro Tem Mark Singleton moved to approve Final Plat of Victory Park, being 8.545 acres, 8 lots in the Allen W. Brown Survey, Abstract No. 102, Joseph Benson Survey, Abstract No. 104 – Owner: Dartco of Texas, LLC (FP 2014-46). Councilmember David Hill seconded, All Ayes.**

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Mr. David Bailey, Director of Utilities, reported sealed bids were received and opened on Tuesday, November 18, 2014 for the Solon elevated storage tank rehabilitation and repaint project. The following bids were received:

<b>Contractors</b>	<b>Base Bid (Items 101-130)</b>	<b>Additive Alternate (Items 201-202)</b>	<b>Total Amount</b>
N.G. Painting, LP Classic Protective Coatings, Inc.	653,100.00	85,000.00	738,100.00
Utility Service Co., Inc. A&M Construction & Utilities, Inc.	678,950.00	83,000.00	761,950.00
Tank Pro, Inc.	726,300.00	94,900.00	821,200.00
TMI Coating, Inc.	741,700.00	80,000.00	821,700.00
	819,849.00	107,042.00	929,891.00
	1,087,700.00	106,500.00	1,194,200.00

Mr. Bailey reported after review of the bids it is city staff recommendation to award the Base Bid in the amount of \$653,100.00 and only Item No. 201 (furnishing and installing water quality analyzing system) of the Added Alternative in the amount of \$25,000.00, for a total bid award amount of \$678,100.00 to N.G. Painting, LP. Funding for this project is included in the 2007 Water Bonds.

**After further discussion, Councilmember Chuck Beatty moved to award the bid for the Solon elevated storage tank rehabilitation and painting project to N.G. Painting, LP. for a total amount of \$678,100.00 as presented. Councilmember David Hill seconded, All Ayes.**

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City Manager Paul Stevens requested a budget amendment to add one part-time employee to the Senior Center. He reported the membership to the Center is 1,163. Since October, the Center has added 93 new members with most of the new members coming from Baylor Works, which will soon close. Mr. Stevens noted the Senior Center Advisory Committee along with the Director has wanted to add evening hours and weekend hours for some time. The plan would be for the Center to be open from 7:00 a.m. – 7:00 p.m. Monday through Friday and 8:00 a.m. until noon on Saturday. With expanded hours it may attract others to join. Mr. Stevens stated the budget will need to be increased by \$9,945 for the position for the remainder of the fiscal year.

After further discussion, Councilmember Chuck Beatty moved to approve the budget amendment of \$9,945.00 to add one part-time employee to the Senior Center. Councilmember Mary Lou Shipley seconded, All Ayes.

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City Attorney Steve Chapman presented the following Ordinance No. 2774 repealing Ordinance No. 2591 and closing an alley right-of way:

**ORDINANCE NO. 2774**

**AN ORDINANCE REPEALING ORDINANCE NO. 2591 AND CLOSING AN ALLEY RIGHT-OF-WAY LOCATED ABUTTING PART OF BLOCKS 333, 332, AND 331, ORIGINAL TOWN ADDITION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND SETTING AN EFFECTIVE DATE.**

Mr. Becky Kauffman, 817 West Main, Waxahachie, requested approval to close the alleys as presented.

Councilmember Mary Lou Shipley moved to approve Ordinance No. 2774 as presented. Councilmember David Hill seconded, All Ayes.

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**CITIZENS' PETITIONS AND REQUEST**

None

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

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City Manager Paul Stevens referenced a memo the Police Department received thanking Officer Justin Kirk for assisting a family that encountered an accident. The family stated he assisted them with such compassion and concern for their safety. Mr. Stevens thanked Chief Bartley for the Police Department's recent Santa Cop surprise pulling people over for minor traffic violations and surprising them with Christmas presents instead of tickets. Chief Bartley stated it was very successful and many of the officers participated on their own time.

Mayor Strength stated a lot of great things happened in the city in 2014 with one being the new hospital. He expressed his gratitude to City Staff for their dedication and due diligence to projects throughout the city. He stated he looks forward to new development in 2015.

Mayor Pro Tem Mark Singleton echoed Mayor's Strength's comment and encouraged everyone to get involved in the community. He stated he looks forward to the recent plans of the WISD long-range planning committee and will encourage the new Police Chief, one appointed, to get involved with the WISD Administration and Security team.

Councilmember David Hill complimented the Police Department on the Santa Cop program.

The Mayor, City Council, City Manager, Assistant City Manager, and City Attorney wished everyone a Merry Christmas and Happy New Year.

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There being no further business the meeting adjourned at 8:04 p.m.

Respectfully submitted,

Lori Saunders  
City Secretary