

City Council
July 6, 2015

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, July 6, 2015, 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
Clyde Melick, Director of Planning
Steve Chapman, City Attorney
Lori Saunders, City Secretary

Others Absent: Michael Scott, Assistant City Manager

Mayor Kevin Strength called the meeting to order. City Manager Paul Stevens 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 June, 15 2015
- b. Minutes of the special City Council meeting of June 30, 2015
- c. Minutes of the Planning and Zoning Commission meeting of June 24, 2015
- d. Approve budget amendment request from Waxahachie Police Department

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

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

Ms. Betty Jefferson, 114 Bradshaw, Waxahachie, referenced the alley between Bradshaw Street and Park Street noting over the years she has maintained the alley adjacent to her property. She stated she appeared before Council in 1996 requesting closure of the alley and was under the impression it was closed the land was given to her. Ms. Jefferson reported she has invested approximately \$18,000 in maintenance to the alley over the years. She requested the city finalize the closure of the alley and the property be given to her.

Mr. Steve Chapman, City Attorney, reviewed the city ordinance depicting alley closing procedures and explained the city has no record of an ordinance closing the alley in question. He stated it is very admirable of a resident keeping an alley way clean and explained adverse possession doesn't apply in the city.

After further discussion, City Secretary Lori Saunders provided Ms. Jefferson an application and procedures for closing an alley. Council asked Ms. Jefferson to complete the application and return to the City Secretary's office for processing.

Ms. Barbara Turner, 406 Bluff Creek, Red Oak, Texas, announced the Oak Lawn/Turner High School Reunion parade will be held Saturday, July 11, 2015 at 11:00 a.m. She reported parade route will starting at Oak Lawn on Wyatt Street and ending at Freedman Memorial. Ms. Turner requested police assistance with traffic control at all major intersection.

Mayor Pro Tem Mark Singleton moved to approve parade and assistance with traffic control as presented. Councilmember Mary Lou Shipley seconded, All Ayes.

Mayor Strength opened the Public Hearing on a request by Ervin Equipment, Inc. for a Zoning Change from Light Industrial-2 and Future Development (LI-2 & FD) to Light Industrial-2 and Future Development (LI-2 & FD) with a Specific Use Permit for Truck and Trailer Rental and Sales located at 4675 I35-E in the EC Newton Survey Abstract No. 790, and J. Shaver Survey Abstract No. 1000. – Owner: Louis Estrada (ZA 2015-15).

Mr. Jeff Weber, Ervin Equipment, Inc., 608 Ohio Street, Toledo, Ohio, reported Ervin Equipment has been a current tenant for over 10 years at the location using it as storage for semi-tractor trailers. He requested to utilize 30 feet of pavement along Interstate 35 for the display and sale of semi tractors.

Mr. Clyde Melick, Director of Planning, stated the Applicant is requesting approval of a Specific Use Permit for tractor sales. They are requesting to utilize 30 feet of pavement along Interstate 35 for the display of tractors, while allowing the storage of trailers on gravel at the back of the lot. He noted the Applicant is also requesting limited amount of landscaping along Interstate 35 in order to display their tractors. Mr. Melick explained The 2007 Future Land Use Plan has this area being Highway Commercial. This calls for traditional commercial land uses that are developed to higher standards due to higher visibility. The Highway Commercial designation allows for some commercial uses while maintaining a positive image of Waxahachie along the Interstate 35 corridor.

Mayor Pro Tem Mark Singleton stated the City has held very high standards in this area of Interstate 35 and the request is a direct contradiction of what the City is trying to accomplish.

Those who spoke in favor of Zoning Amendment 2015-15:

Ms. Debra Wakeland, 116 Vintage Drive, Waxahachie

Mr. Melick stated the landscape plan does not meet the City of Waxahachie ordinance. The Applicant has not met our requirement based on the premise that for the sale of tractors visibility is important. He stated the Applicant has a mix of frontage trees placed on center every 40 feet and explained the landscape plan requires more frontage trees and additional landscaping per parking space. Mr. Melick noted the Planning and Zoning Commission passed the request with a caveat the Applicant adhere to all landscaping standards.

There being no others to speak for or against Zoning Amendment 2015-15, Mayor Strength closed the Public Hearing.

After further discussion, Councilmember David Hill moved to deny a request by Ervin Equipment, Inc. for a Zoning Change from Light Industrial-2 and Future Development (LI-2 & FD) to Light Industrial-2 and Future Development (LI-2 & FD) with a Specific Use Permit for Truck and Trailer Rental and Sales located at 4675 I35-E in the EC Newton Survey Abstract No. 790, and J. Shaver Survey Abstract No. 1000. – Owner: Louis Estrada (ZA 2015-15). Councilmember Chuck Beatty seconded, All Ayes.

Mr. John Smith, Director of Parks and Recreation, reported bids were received and opened on May 29, 2015 for the Chautauqua Roof Replacement Project. Low bidder was Cavalry Construction in the amount of \$87,863.84. Their work includes all work required to remove and replace the roof and its fittings to the same condition. Shingles will be cedar and are fire retardant. He stated the only unknown is the lath structure under the shingles and its condition will be determined as the shingles are removed. If needed, a quote of \$11.00 per ten linear feet will be charged for its repairs. Mr. Smith stated the work will be completed in August, 2015.

City Attorney Steve Chapman referenced the ridge cap and asked if it would be aluminum and would it have a shine. He stated the character at the time the Chautauqua was built probably had a brass cap. Mr. Chapman asked Staff to study the ridge and cap to consider what would be most appropriate. Mr. Smith invited Mr. Chapman to be in the discussion of the choice of ridge and cap.

After further discussion, Mayor Pro Tem Mark Singleton moved to award the bid for the Chautauqua Roof Replacement project to Cavalry Construction in the amount of \$87,863.84 as presented. Councilmember Chuck Beatty seconded, **All Ayes.**

Police Chief Wade Goolsby reported in 2014 the City selected the Brinkley Sargent Wiginton Architects, Inc. to complete a needs assessment for a new police facility. He stated they are one of the leading firms nationwide in police facility design and we are fortunate they are based in Dallas. Chief Goolsby requested approval to accept the architectural contract for the design services for a new police facility.

City Manager Paul Stevens stated the intent is to use fund balance for Architectural Services and try to limit the bond issue for the police building.

Mr. Hal Sargent reviewed the Standard Form of Agreement between Owner and Architect noting the project is a construction management process and explained the process provides a controlled cost during the construction so you will always know where you are. Mr. Sargent stated proposed contract is for the mid-range higher-end building.

Mr. Stevens stated Mr. Sargent's firm is highly experienced and recommended approval of the contract. He noted construction of the new police facility is expected in November 2016.

Councilmember Mary Lou Shipley moved to approve the proposed Architectural Services Contract with Brinkley Sargent Wiginton Architects, Inc., for the new police facility. Councilmember David Hill seconded, **All Ayes.**

Mayor Strength stated at the joint workshop between Council and the Planning and Zoning Commission, discussion was held referencing the date and time of Planning & Zoning Commission meetings. He noted both Council and the Commission concurred to change the date and time of the Planning and Zoning Commission meeting to Tuesday at 7:00 p.m. in order to allow citizens to make the meetings.

Mayor Pro Tem Mark Singleton moved to change the date and time of the Planning and Zoning Commission meetings to the 2nd and 4th Tuesday each month at 7:00 p.m. effective October 2015. Councilmember Chuck Beatty seconded, **All Ayes.**

Citizens' Petition and Request

Ms. Betty Jefferson thanked Council, City Staff and citizens who attended the recent Juneteenth event. She thanked John Smith, Director of Parks and Recreation and his employees for their assistance with the event and keeping all city parks maintained.

Comments by Mayor, City Council, City Attorney and City Manager

Councilmember Chuck Betty invited everyone attend the Oak Lawn/Turner High School activities, Saturday, July 11, 2015 at 11:00 a.m.

Councilmember David Hill thanked all who participated in the 4th of July Crepe Myrtle festivities and parade honoring our veterans.

There being no further business, the meeting adjourned at 8:28 p.m.

Respectfully submitted,

Lori Saunders, City Secretary