

City Council
October 19, 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, October 19, 2015, at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor
Mark Singleton, Mayor Pro Tem
Chuck Beatty, Councilmember
David Hill, Councilmember

Council Members Absent: 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. Councilmember Chuck Beatty gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

CONSENT AGENDA:

- a. Minutes of regular City Council meeting of October 5, 2015
- b. Minutes of Planning & Zoning Commission meeting of October 13, 2015
- c. Monthly Code Enforcement report for September 2015
- d. Monthly Building report for September 2015
- e. Monthly Violation Activity Statistics report for September 2015
- f. Monthly Fire & EMS reports for August and September 2015
- g. Monthly Crime report for September 2015
- h. Approve Resolution exercising eminent domain to acquire easement

***Item h:* RESOLUTION NO. 1210**

A RESOLUTION GRANTING THE CITY MANAGER AUTHORITY TO EXERCISE THE POWER OF EMINENT DOMAIN TO ACQUIRE EASEMENTS FOR THE 2015 WATER DISTRIBUTION SYSTEM IMPROVEMENTS PROJECT

WHEREAS, it is necessary for the City of Waxahachie to install a new Water Line to continue to provide for the continued water needs of our residents and corporate citizens, and

WHEREAS, easements across private property must be acquired for the installation and protection of the proposed Water Line, and

WHEREAS, this project is for a public use to satisfy a public need, and

BE IT RESOLVED FURTHER, that the City Manager is hereby authorized to initiate the use of the power of eminent domain to acquire easements across the following properties for the 2015 WATER DISTRIBUTION SYSTEM IMPROVEMENTS Project:

Parcel 1 - Being all that certain lot, tract or parcel of land lying in the City of Waxahachie, Ellis County, Texas, and being a part of Block 216 of the Town Addition to the City of Waxahachie, according to the plat thereof recorded in Cabinet A, Slide 181 of the Plat Records of Ellis County, Texas, also being the same tract described by deed recorded in Volume 2484, Page 2143 of the Official Public Records of Ellis County, Texas

Parcel 2 - First Tract: All that certain lot, tract or parcel of land being a part of Block No. 216, City of Waxahachie, according to Phillips & Hawkins Official Map of said City, recorded in the deed records of Ellis County, Texas, and second tract: all that certain lot, tract or parcel of land situated in Ellis County, Texas in the City of Waxahachie, being part of Blocks 216 and 217, in said city according to Phillips and Hawkins Official Map of same as recorded in the deed records of Ellis County, Texas, said First Tract and Second Tract being more particularly described by deed recorded in Volume 2367, Page 515 of the Official Public Records of Ellis County, Texas.

Parcel 3 - Being Lot 1, Block 217, of Town Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet E, Slide 212, of the Plat Records of Ellis County, Texas.

Parcel 4 - Being a tract of land located in the B.B. Davis Survey, Abstract No. 290, Ellis County, Texas, being all of Block 218 and Lot 3, Block 219 of the Town of Waxahachie Addition to the City of Waxahachie, Texas, as filed in Cabinet A, Slide 191 of the plat records of Ellis County, Texas, said Block 218 and Lot 3 being more particularly described in that certain deed recorded in Volume 759, Page 233 of the Deed Records of Ellis County, Texas.

Parcel 5 - Being all that certain lot, tract, or parcel of land in Ellis County, Texas, and being a part of Block 219 in the City of Waxahachie, according to the Phillips and Hawkins Official Map of Waxahachie, Texas, being all of the tract of land described in that certain deed recorded in Volume 1196, Page 413, of the Deed Records of Ellis County, Texas.

Parcel 6 - Being a tract of land located in the B.B. Davis Survey, Abstract No. 290, Ellis County, Texas, being part of Lot 1, Block 219 of the Town of Waxahachie Addition to the City of Waxahachie, Texas as filed in Cabinet A, Slide 181, in the Plat Records of Ellis County, Texas, also being a called 0.320 acre tract described in that certain deed recorded in Volume 1777, Page 001 of the Deed Records of Ellis County, Texas.

Parcel 7 - Being a tract of land located in the B.B. Davis Survey, Abstract No. 290 and the S.M. Durrett Survey, Abstract No. 272, Ellis County, Texas, being a tract of land described by tracts one, two, three, and the save and accept (net of 0.55 Acres) as recorded in Volume 2088, Page 1442 of the deed records of Ellis County, Texas, and being part of Block 227 as shown by the Official Map of the City of Waxahachie, Texas filed in Cabinet A, Slide 191 of the Plat Records of Ellis County, Texas.

Parcel 8 - Being a tract of land located in the B.B. Davis Survey, Abstract No. 290 and the S.M. Durrett Survey, Abstract No. 272, Ellis County, Texas, being a tract of land conveyed to Fernando Rosenzweig as recorded in Volume 2313, Page 1141 of the deed records of Ellis County, Texas, and being a part of Block 227 as shown by the Official Map of the City of Waxahachie, Texas filed in Cabinet A, Slide 181 of the Plat Records of Ellis County, Texas.

Parcel 9 - Being a tract of land located in the B.B. Davis Survey, Abstract No. 290 and the S. M. Surret Survey, Abstract No. 272, Ellis County, Texas, being a tract of land conveyed to Lovie Henderson as recorded in Volume 786, Page 100 of the deed records of Ellis County, Texas, and being a part of Block 227 as shown by the Official Map of the City of Waxahachie, Texas filed in Cabinet A, Slide 181 of the Plat Records of Ellis County, Texas.

Parcel 10 - Being all that certain lot or parcel of land situated in the B.B. Davis and the S.M. Surret Surveys, and being a part of Block 232 as shown by the Official Map of the City of

Waxahachie, Texas filed in Cabinet A, Slide 181 of the plat records of Ellis County, Texas, said lot or parcel being more particularly described in that certain deed recorded in Volume 1048, Page 1113 of the Deed Records of Ellis County, Texas.

Parcel 11 - Being a tract of land located in the B.B. Davis Survey, Abstract No. 290 and the S. M Durrett Survey, Abstract 272, Ellis County, Texas, and being a part of Block 232 as shown by the Official Map of the City of Waxahachie, Texas filed in Cabinet A, Slide 181 of the plat records of Ellis County, Texas, said Lot or Parcel being more particularly described in that certain deed to Susan D. Fontaine Recorded in Volume 732, Page 613 of the Deed Records of Ellis County, Texas.

Parcel 12 - Being a 0.29 acre tract of land located in the B.B. Davis Survey, Abstract No. 290 and the S.M. Durrett Survey, Abstract No. 272, Ellis County, Texas, being a tract of land identified as property no. 174721 by the Ellis County Appraisal District and shown by E.C.A.D to be owned by Buck and Louella Reed, and being part of Block 232 as shown by the Official Map of the City of Waxahachie, Texas filed in Cabinet A, Slide 181 of the Plat Records of Ellis County, Texas.

Parcel 13 - Being all that certain parcel of land situated in the B.B. Davis Survey, out of the "Sub-division Will Lashley Estate, Plat Book 1, Pages 109-190, Page NO 174-A, between Page 166 and 167, Ellis County Records, and being part of Block No. 232 as shown by the official map of the City of Waxahachie, Texas filed in Cabinet A, Slide 181 of the plat records of Ellis County, Texas. Said parcel of land being more particularly described in that certain deed to C.B. Burrell as recorded in Volume 1471, Page 205 of the Deed Records of Ellis County, Texas.

Parcel 14 - Being a 99.29 acre tract or parcel of land located in the J. Barker Survey and the J.B. Bounds Survey, City of Waxahachie, Ellis County, Texas, said tract or parcel being described as Tract 1 in that certain deed recorded in Volume 2647, Page 2394 of the Official Public Records of Ellis County, Texas.

Parcel 15 - Being two tracts or parcels of land out of the J.E. Prince Survey, Abstract 845, City of Waxahachie, Ellis County, Texas, said two tracts or parcels of land being described as tract one and tract two in that certain deed to Super Bowl Entertainment, LLC recorded in Volume 2366, Page 2395 of the Official Public Records of Ellis County, Texas.

Parcel 16A- Being a 2.75 acre tract or parcel of land situated in the J. Barker Survey, Abstract No. 41, and the J. Prince Survey, Abstract No. 845 in the City of Waxahachie, Ellis County, Texas, and being part of a 143.427 acre tract of land conveyed to Waxahachie Golf Club Inc. recorded in Volume 1918, Page 1808 of the Official Public Records of Ellis County, Texas.

Parcel 16B- Being a 142.77 acre tract or parcel of land situated in the J. Barker Survey, Abstract No. 41, and the J. Prince Survey, Abstract No. 845 in the City of Waxahachie, Ellis County, Texas, and being part of a 143.427 acre tract of land conveyed to Waxahachie Golf Club Inc. by deed recorded in Volume 1918, Page 1808 of the Official Public Records of Ellis County, Texas.

Parcel 17 - Omitted

Parcel 18 - Being all that certain lot, tract, or parcel of land being known and designated as Lot 11, Block A, Phase 2 West, Katy Lake on the Greens, an addition to the City of Waxahachie, Ellis County, Texas according to the final plat thereof recorded in Cabinet I, Slide 240 and 241, Plat Records, Ellis County, Texas.

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

Councilmember Chuck Beatty introduced Honorary Councilmember Ms. Jane Cloud and presented her with a Certificate of Appreciation for her participation in the Honorary Councilmember program.

Fire Chief Ricky Boyd referenced the recent house explosion in Saddlebrook Estates. He noted the residents in the house were injured and neighbors took it among themselves to deliver the injured to a point of safety. Chief Boyd recognized Mr. Robert Denton, Mr. Reagan Lagroue, Mr. Robert Rayburn, and Mr. Steve Schick and presented each with a Certificate of Appreciation for their selfless determination.

Mayor Strength read a Proclamation proclaiming November as “National Hospice and Palliative Care Month” and presented it to the staff of Family First Hospice.

Mayor Strength read a Proclamation proclaiming October 23-31 as “Red Ribbon Week” and presented it to the staff at IMPACT Waxahachie.

Ms. Melissa Ballard, 818 Amherst, Waxahachie, requested approval of the 2015 Christmas Parade to be held on December 1st at 6:30 p.m. She stated the “Waxahachie Lights the Way to Christmas” parade will be a night-time event held in conjunction with the tree-lighting ceremony. Ms. Ballard proposed a new route starting the parade on Patrick Street, turn on Main Street towards downtown and turn on College Street with the end point being the historic train depot. She noted parade committee believes a lighted parade, at night, will bring a new excitement to the holidays and provide a unique experience for our citizens and visitors.

Councilmember David Hill moved to approve the 2015 Christmas parade as presented.
Councilmember Chuck Beatty seconded, **All Ayes.**

Mayor Strength continued the Public Hearing on a request by Cole & Associates, Inc. for a Site Plan approval in a Planned Development–36-Commercial (PD-36-C) Zoning District for a Panera Bread restaurant, located at 1319 N. Hwy 77, being 0.55 acres, Lot 1A, Waxahachie Crossing 1 Rev. – Owner: HD Development Properties LP (ZA 2015-29). He stated the hearing will need to be continued to the City Council meeting of November 2, 2015.

Mayor Pro Tem Mark Singleton moved to continue the Public Hearing on a request by Cole & Associates, Inc. for a Site Plan approval in a Planned Development–36-Commercial (PD-36-C) Zoning District for a Panera Bread restaurant, located at 1319 N. Hwy 77, being 0.55

acres, Lot 1A, Waxahachie Crossing 1 Rev. – Owner: HD Development Properties LP (ZA 2015-29) to the City Council meeting of November 2, 2015. Councilmember David Hill seconded, **All Ayes.**

Mayor Strength continued the Public Hearing on a request by H&D Realty Investments, Inc. & Anwar Dossani, for a Zoning Change from General Retail (GR) and Light Industrial-1 (LI-1) to Commercial (C) with a Specific Use Permit for a truck stop located at 3298 S. I-35 in the Collwell Oil Addition, Lot 1R, and JC Armstrong Survey, Abstract No. 6, being 3.734 acres- Owner: H&D Realty Investments, Inc. & Anwar Dossani (ZA 2015-35).

Mr. Chase Huffman, representing owner, proposed to construct a truck fueling facility with three (3) bays.

Mayor Pro Tem Mark Singleton expressed concern with commercial trucks entering and leaving the facility especially when Scarborough Fair is open. He stated during that time officers are at that intersection to assist with traffic control. He stated issues need to be worked out and approved by Council before TxDot approves.

Assistant City Manager Michael Scott stated TxDot will be the one to issue the permit due to Highway 66 being a TxDot road. He explained the entry and exit will be looked at when the Owner request platting.

City Manager Paul Stevens stated the Owner will be required to complete a Traffic Impact Analysis and if acceleration and deceleration are shown on the analysis report, they will be required.

There being no others to speak for or against Zoning Amendment 2015-35, Mayor Strength closed the Public Hearing.

After a lengthy discussion, Councilmember Chuck Beatty moved to approve a request by H&D Realty Investments, Inc. & Anwar Dossani, for a Zoning Change from General Retail (GR) and Light Industrial-1 (LI-1) to Commercial (C) with a Specific Use Permit for a truck stop located at 3298 S. I-35 in the Collwell Oil Addition, Lot 1R, and JC Armstrong Survey, Abstract No. 6, being 3.734 acres- Owner: H&D Realty Investments, Inc. & Anwar Dossani (ZA 2015-35), subject to Staff Comments. Councilmember David Hill seconded. The vote was as follows:

Ayes: Chuck Beatty
David Hill

Noes: Kevin Strength
Mark Singleton

The motion failed due to a tie.

After further discussion, Mayor Kevin Strength moved to deny a request by H&D Realty Investments, Inc. & Anwar Dossani, for a Zoning Change from General Retail (GR) and Light Industrial-1 (LI-1) to Commercial (C) with a Specific Use Permit for a truck stop located at 3298 S. I-35 in the Collwell Oil Addition, Lot 1R, and JC Armstrong Survey, Abstract No. 6, being 3.734 acres- Owner: H&D Realty Investments, Inc. & Anwar Dossani (ZA 2015-35).

Mayor Pro Tem Mark Singleton seconded. The vote was as follows:

Ayes: Kevin Strength
Mark Singleton
David Hill

Noes: Chuck Beatty

The motion carried.

Mayor opened the Public Hearing on a request by Loran Wilson for a Zoning Amendment from a Single Family-2 (SF-2) to Commercial (C) Zoning District for the continued use of a retail sales and service business at the property located at 300 Jackson St, being Lot 9, 10 and part of Lot 11 Block B, Town Addition, being 1.368 acres – Owner: Trend Development Co. (ZA 2015-36).

Mr. Loran Wilson, 121 Fairway Drive, Waxahachie, reported the property has been operating as a commercial for several years and the requested zoning will bring this property into compliance with its current use.

There being no others to speak for or against Zoning Amendment 2015-36, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2825:

ORDINANCE NO. 2825

AN ORDINANCE CHANGING THE ZONING ON LOT 9, LOT 10, AND PART OF LOT 11, BLOCK B, TOWN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, CONTAINING 1.368 ACRES, LOCATED AT 300 JACKSON STREET, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, FROM SINGLE FAMILY-2 (SF-2) TO COMMERCIAL (C), AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2825 as presented.
Councilmember Chuck Beatty seconded, *All Ayes.*

Mayor Strength opened the Public Hearing on a request by Pam Underwood for a Specific Use Permit in a Future Development (FD) Zoning District for a private stable and rodeo arena located at 2850 S. Hwy 287, being part of the M Rafferty Survey a-898, W.C. Coleman Survey a-2014, A.B. Fleury Survey a-374, and W.M. Griffin Survey a-391, being 229.92 acres –Owner: Reginal and Pamela Underwood (ZA 2015-37).

Mr. Reginal Underwood, 2850 S. Highway 287, Waxahachie, reported the arena will be covered to make it a year-around facility.

There being no others to speak for or against Zoning Amendment 2015-37, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2826:

ORDINANCE NO. 2826

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT ON 229.92 ACRES IN THE M. RAFFERTY SURVEY, ABSTRACT NO. 898, W. C. COLEMAN SURVEY, ABSTRACT NO. 2014, A. B. FLEURY SURVEY, ABSTRACT NO. 374, AND W. M. GRIFFIN SURVEY, ABSTRACT NO. 391, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, LOCATED AT 2850 SOUTH HIGHWAY 287, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING FUTURE DEVELOPMENT (FD) TO FUTURE DEVELOPMENT WITH SPECIFIC USE PERMIT (FD w/SUP), FOR THE PURPOSE OF ALLOWING A PRIVATE STABLE AND RODEO ARENA, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2826 as presented.
Councilmember David Hill seconded, **All Ayes.**

Mayor Strength opened the Public Hearing on a request by Hodges & Associates, PLLC for a Site Plan review of a Master Sign Package in a Planned Development -42-Commercial (PD-42-C) Zoning District located at 1600-1760 N. Hwy 77, situated in the Waxahachie Towne Crossing Addition, Lots 1-8, being 26.325 acres –Owner: Wax 77 Investors, LP (ZA 2015-38).

Mr. Gerald Luecke, Hodges & Associates, 13642 Omega, Dallas, requested an increase in the wall signage of the new Academy Sports & outdoor and other retail shopping center. He explained the reason for the proposed larger signage is due to setback of the shopping center from Highway 77.

Ms. Derica Peters, Planning and Development Coordinator stated the allowed ratio of the sign area to lineal foot of frontage is 1:1. The proposed ratio is 2.57:1 for Academy and 5:3 for other retail stores. She stated the requested increase is appropriate and recommended approval.

There being no others to speak for or against Zoning Amendment 2015-38, Mayor Strength closed the Public Hearing.

Councilmember David Hill moved to approve a request by Hodges & Associates, PLLC for a Site Plan review of a Master Sign Package in a Planned Development -42-Commercial (PD-42-C) Zoning District located at 1600-1760 N. Hwy 77, situated in the Waxahachie Towne Crossing Addition, Lots 1-8, being 26.325 acres –Owner: Wax 77 Investors, LP (ZA 2015-38).
Councilmember Chuck Beatty seconded, **All Ayes.**

Mayor Strength opened the Public Hearing on a request by Mikel J. Craig for a Specific Use Permit for an electronic message board sign in a Single Family-2 (SF-2) Zoning District located at Northside Elementary, 801 Brown St, situated in Columbia Northside School Addition, Lots 1-14 and 16-47–Owner: Waxahachie Independent School District (ZA 2015-39).

Mr. Michael Craig, WISD, 631 Solon Rd., Waxahachie, requested approval for al electronic message board located at Northside Elementary School. Proposed message board will be approximately 15 feet from right-of-way.

There being no others to speak for or against Zoning Amendment 2015-39, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2827:

ORDINANCE NO. 2827

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT FOR LOTS 1-14 AND LOTS 16-47, COLUMBIA NORTHSIDE SCHOOL ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, LOCATED AT NORTHSIDE ELEMENTARY, 801 BROWN STREET, WAXAHACHIE, ELLIS COUNTY, TEXAS, CONTAINING 41.246 ACRES, BEING SINGLE FAMILY-2 (SF-2) TO SINGLE FAMILY-2 WITH SPECIFIC USE PERMIT (SF-2 W/SUP), FOR THE PURPOSE OF ALLOWING AN ELECTRONIC MESSAGE BOARD, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Councilmember Chuck Beatty moved to approve Ordinance No. 2827 as presented.
Councilmember David Hill seconded, **All Ayes.**

Mayor Strength opened the Public Hearing on a request by Mikel J. Craig for a Specific Use Permit for portable temporary buildings in a Light Industrial-1 (LI-1) Zoning District located at Dunaway Elementary, 600 N. Hwy 77, situated in the J.C. Armstrong Survey a-6, being 14.33 acres –Owner: Waxahachie Independent School District (ZA 2015-40)

Mr. Michael Craig, WISD, 631 Solon Rd., Waxahachie, requested approval for three (3) portable classroom buildings Dunaway Elementary to accommodate the overflow of crowded classrooms.

There being no others to speak for or against Zoning Amendment 2015-40, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2828 and recommended a time-frame on of the portable buildings. It was determined the buildings must be removed by December 31, 2019.

ORDINANCE NO. 2828

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT ON 14.33 ACRES IN THE J. C. ARMSTRONG SURVEY, ABSTRACT NO. 6, DUNAWAY ELEMENTARY, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS BEING LOCATED AT 600 SOUTH HIGHWAY 77, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LIGHT INDUSTRIAL-1 (LI-1) TO LIGHT INDUSTRIAL-1 WITH SPECIFIC USE PERMIT (LI-1 w/SUP), FOR THE PURPOSE OF ALLOWING PORTABLE TEMPORARY BUILDINGS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2828 with a removal date of December 31, 2019. Councilmember Chuck Beatty seconded, **All Ayes.**

Mr. Ron Hirschi, representing Volera Properties LLC, requested approval of Preliminary Plat of Lone Star Subdivision for two commercial lots, situated in the J.C. Armstrong Survey a-6 being 3.851 acres –Owner: Waxahachie Investments, LLC (PLM 2015-29). He stated the purpose is to have General Retail on the other part of the property.

Ms. Peters stated Staff Comments were addressed and revised.

Mayor Pro Tem Mark Singleton questioned the driveway. Mr. Hirschi reported the surveyor went to TxDot to obtain a permit for a common driveway.

Councilmember Chuck Beatty moved to approve Preliminary Plat of Lone Star Subdivision for two commercial lots, situated in the J.C. Armstrong Survey a-6 being 3.851 acres –Owner: Waxahachie Investments, LLC (PLM 2015-29). Mayor Pro Tem Mark Singleton seconded, **All Ayes.**

Mayor Strength opened the Public Hearing to receive citizen input on the update of the City of Waxahachie Thoroughfare Plan (an Amendment of the Comprehensive Plan).

Ms. Peters Mr. presented a map depicting proposed major and secondary thoroughfare roads. She noted a connector road was added between Loftland Road and Marshall Road.

There being no others to speak for or against citizen input on the update of the City of Waxahachie Thoroughfare Plan (an Amendment of the Comprehensive Plan), Mayor Strength closed the Public Hearing.

Councilmember David Hill moved to accept the update of the City of Waxahachie Thoroughfare Plan (an Amendment of the Comprehensive Plan) as presented.
Councilmember Chuck Beatty seconded, **All Ayes.**

Mayor Strength continued the Public Hearing on Amendment of Roadway Impact Fees.

Ms. Peters presented a power point of the 2015 Roadway Impact Fee update and reported the amendments to the impact fee Capital Improvement Plan include:

Service Area 1: Marshall Rd. Ext. (IH36 to Patrick)
Service Area 3: New Indian Rd. (Bus. 287 to US287)
Service Area 3: New Friar Ln. (FM 664 to new Indian)

By adding the extensions this would amount to an increase in Service Area 1 from \$188.88 to \$1,024.00 and Service Area 3 from \$599.00 to \$1,025.00. This will take the overall CIP from \$49.8 million to \$62.5 million.

Ms. Peters stated the Impact Fee Advisory Committee recommended the improvements as presented in the slideshow presentation.

There being no others to speak for or against Amendment of Roadway Impact Fees, Mayor Strength closed the Public Hearing.

Mayor Pro Tem Mark Singleton moved to accept the amendments to the Roadway Impact Fees as presented. Councilmember Chuck Beatty seconded, **All Ayes.**

Mayor Strength announced the proposed Resolution adopting the Ellis County Hazard Mitigation Action Plan, October 2015 will be moved to the City Council meeting of November 2, 2015.

Citizens' Petition and Request

The following residents of Saddlebrook Estates spoke in reference to the recent house explosion at 113 Arabian:

Ms. Donna Nordyke, 106 Manor Lane
Ms. Lisa Bultman, 103 Thoroughbred
Mr. Patrick Alswanger, 208 Thoroughbred
Ms. Patricia Galbraith, 213 Clydesdale Street
Ms. Lori Richardson, 200 Clydesdale
Mr. Richard Kozlovsky, 105 Arabian

The residents expressed concern with the caliber of experience of the crew that was digging and continued gas leaks from boring after the explosion. They expressed concern of not being informed by the city and utility companies, after the explosion.

City Manager Paul Stevens stated City Staff has suspended utility operations being no directional boring in Saddlebrook Estates, as well as throughout the city, and Staff is continuing to meet with the utility companies.

Ms. Debra Wakeland, President and CEO of Chamber of Commerce announced the Bob Phillips Festival will be held downtown Saturday, October 24th from 9:00 a.m. – 7:00 p.m.

Ms. Peters announced in Chapman Park, Thursday, October 29th at 4:00 p.m., a wildflower garden will be planted in the memory of Ms. Beverly Worthington.

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

Council thanked Ms. Cloud for participating in the Honorary Councilmember program.

Assistant City Manager Michael Scott distributed to Council the Quarterly Status Reports for quarter ending September 30, 2015.

City Manager Paul Stevens referenced Saddlebrook Estates and stated he understands the heightened concerns of the community. He thanked the residents for their attendance.

Mayor Strength announced the Planning Department recently was recognized at the American Planning Association Texas Chapter, Corpus Christi, and won the 2015 Project Planning Award for the North Grove PID Master Plan Development. He congratulated Staff and thanked them for their hard work on this project.

Mayor Pro Tem Mark Singleton stated the Saddlebrook community is the city's community. He thanked them for helping Council and Staff to understand the sensitivity of the explosion as well as the aftermath. He commended Staff for working so hard on the situation.

There being no further business, the meeting adjourned at: 9:20 p.m.

City Council
October 19, 2015
Page 12

Respectfully submitted,

Lori Saunders
City Secretary