

City Council  
October 3, 2016

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 3, 2016, 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. Den Leader Turner, Webelos 2 Pack 681 gave the invocation. Webelos 2 Pack 681 presented the Color Guard Flag Ceremony, leading 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 September 19, 2016
- b. Minutes of the regular Planning & Zoning Commission meeting of September 27, 2016
- c. Minutes of the Waxahachie Senior Citizens Center Advisory Committee meetings of July 20, 2016 and September 21, 2016
- d. Minutes of Keep Waxahachie Beautiful meeting of September 27, 2016
- e. City Manager's appointment of member to Civil Service Commission

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

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Councilmember Mary Lou Shipley introduced Mr. MacCoy Merrell as Honorary Councilmember for the month of October. MacCoy is a senior at Waxahachie Global High with a 3.9 grade point average. He has completed 25 hours in Associate of Science at Navarro College and 23 hours in Dual Credit Courses at University of Texas at Tyler. MacCoy is active with National Honor Society and community services. Technology skills include Autodesk inventor and Autodesk Revit Architecture.

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Mayor Strength read and presented Proclamation proclaiming Friday, October 14, 2016 as "Pink Out Day" and presented to WISD Superintendent Dr. Jeremy Glenn and Ms. Dinah Weable.

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Fire Chief Ricky Boyd reported on August 1, 2016 Mr. Jerry Rogers fell into Spring Creek behind his home and sustained injuries. Brothers Jayton and Jayce Glenn found Mr. Rogers and had their mother call 911. Chief Boyd presented the brothers with "Life Saving" awards honoring them for their brave action.

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Mayor Strength opened the Public Hearing on a request by Sara MacDonald for a Specific Use Permit for a Multiple-Family Dwelling use within a General Retail (GR) zoning district, located at 413 W. Franklin Street, being LOT 4 BLK 79 TOWN .124 AC- Owner: MAC THREE REALTY LLC (ZA 2016-30).

Mr. Darren Groth, Director of Planning, stated this case and the following case ZA 2016-31 are adjoining properties. He reported Ordinance No. 2884 changed zoning from Single Family-1 to General Retail. The structure was erected prior to 1990 and not subject to ADA standards. New

renovations/remodels must adhere to ADA requirements. The two properties will share a driveway with 5 parking spaces on each lot. Applicant requests asphalt paving and standard is concrete.

Mr. Groth stated if approved, a Certificate of Occupancy (CO) from the Building Inspections Department will be required within 6 months. If a building permit or CO has not been issued, the site plan shall be considered invalid, null and void.

Mr. Groth stated Staff recommends approval, per the following comments:

- Ensure parking lot is paved and functional.
- Any renovation, expansion, or remodel must adhere to zoning ordinance, Building Codes, and ADA requirements.

Applicant Sara McDonald, 605 W. 1<sup>st</sup> Street, Fort Worth, requested approval

There being no others to speak for or against Zoning Amendment 2016-30, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2897:

**ORDINANCE NO. 2897**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) FOR A MULTIPLE-FAMILY DWELLING OR APARTMENT USE LOCATED AT 413 WEST FRANKLIN STREET, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.124 ACRES KNOWN AS LOT 4, BLOCK 79, OF THE ORIGINAL TOWN SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Councilmember Mary Lou Shipley moved to approve Ordinance No. 2897 as presented, per Staff Comments.** Mayor Pro Tem Mark Singleton seconded, **All Ayes.**

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Mayor Strength opened the Public Hearing on a request by Sara MacDonald for a Specific Use Permit for a Multiple-Family Dwelling use within a General Retail (GR) zoning district, located at 409 W. Franklin Street, being LOT 5 BLK 79 TOWN .166 AC- Owner: MAC ONE REALTY LLC (ZA 2016-31).

Mr. Darren Groth, stated this case is a companion case of ZA 2016-30 and same comments apply.

There being no others to speak for or against Zoning Amendment 2016-31, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2898:

**ORDINANCE NO. 2898**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) FOR A MULTIPLE-FAMILY DWELLING OR APARTMENT USE LOCATED AT 409 WEST FRANKLIN STREET, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.166 ACRES KNOWN AS LOT 5, BLOCK 79, OF THE ORIGINAL TOWN SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Councilmember Chuck Beatty moved to approve Ordinance No. 2898 as presented per Staff Comments.** Councilmember David Hill seconded, **All Ayes.**

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Mayor Strength opened the Public Hearing on a request by Matt Nash, Madison Construction, for a Zoning Amendment from Planned Development (PD) and Planned Development-79-General Retail (PD-79-GR) to Planned Development-General Retail (PD-GR) with Concept Plan and Detailed Site Plan approval, located at the SE corner of Park Place Blvd and US Hwy. 287 NB frontage road, being 5 J B & A ADAMS 17.378 ACRES, Property ID 179022- Owner: FIRST BAPTIST CHURCH OF WAXAHACHIE (ZA 2016-46).

Mr. Darren Groth reported the property is currently zoned with two separate districts and explained the applicant proposes to combine a split zoning into one planned development. He noted the proposed project being complete in one phase.

Mr. Groth stated the following 10 items outline the request:

1. Proposed use: Church
2. Density: 1 lot/17.384 acres
3. Lot area: 17.384 acres
4. Front Building Line: 40 feet
5. Side Building Line: 20 feet
6. Rear Building Lines: 20 feet
7. Building Height: 48 feet, 6.5 inches
8. Parking Spaces Provided: 251 spaces
9. Access from U.S. Hwy 287 Frontage Road and Park Place Blvd
10. Project to be completed in one phase.

There being no others to speak for or against Zoning Amendment 2016-46, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2899:

**ORDINANCE NO. 2899**

**AN ORDINANCE AUTHORIZING A ZONING AMENDMENT FROM PLANNED DEVELOPMENT (PD) AND PLANNED DEVELOPMENT-79-GENERAL RETAIL (PD-79-GR) TO PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR), WITH CONCEPT PLAN AND DETAILED SITE PLAN APPROVAL, LOCATED AT THE SOUTHEAST CORNER OF PLARK PLACE BOULEVARD AND U.S. HIGHWAY 287 NORTHBOUND FRONTAGE ROAD, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING APPROXIMATELY 17.378 ACRES WITHIN THE 5 J B & A ADAMS SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Councilmember David Hill moved to approve Ordinance No. 2899 as presented.** Mayor Pro Tem Mark Singleton seconded, **All Ayes.**

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Mr. Groth presented Preliminary Plat of First Baptist Church Addition being Lot 1, Block A, 17.384 acres in the J.B. & Ann Adams Survey, Abstract No. 5–Owner: FIRST BAPTIST CHURCH OF WAXAHACHIE (PLM 2016-39).

**Councilmember David Hill moved to approve Preliminary Plat of First Baptist Church Addition being Lot 1, Block A, 17.384 acres in the J.B. & Ann Adams Survey, Abstract No. 5–Owner: FIRST BAPTIST CHURCH OF WAXAHACHIE (PLM 2016-39).** Councilmember Chuck Beatty seconded, **All Ayes.**

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Mr. Groth presented Preliminary Plat of Cardinal Plaza being Lots 1 and 2, Block A, being a 3.086 acre addition in the A.W. Brown Survey, Abstract No. 102 the J. Starrett Survey, Abstract No. 1024–Owner: J&B RENTAL INC AND DEL Z ENTERPRISES LLC (PLM 2016-40). He reported the plat to create two lots on approximately 3.086 acres. The property is zoned as PD-C under Ord 2881 and a detailed Site Plan was submitted on September 14, 2016. Mr. Groth stated the applicant indicated they will comply with all comments and Staff is awaiting final input to provide revisions. He recommended approval subject to Staff Comments.

After further discussion, Mayor Pro Tem Mark Singleton moved to approve Preliminary Plat of Cardinal Plaza being Lots 1 and 2, Block A, being a 3.086 acre addition in the A. W. Brown Survey, Abstract No. 102 the J. Starrett Survey, Abstract No. 1024–Owner: J&B RENTAL INC AND DEL Z ENTERPRISES LLC (PLM 2016-40), subject to Staff Comments.  
Councilmember Chuck Beatty seconded, All Ayes.

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Ms. Jeanee Smiles, Director of Waxahachie Senior Center, reported at the Senior Center Advisory Board meeting of September 21, 2016, the Board approved to increase membership dues of \$20.00 for city residents and non-city residents.

Mayor Strength proposed raising membership fees for non-residents \$50.00. He explained city residents are paying city taxes to support the facility.

Mr. Ray Weable, Senior Center Advisory Board member, stated if the non-residents increase \$50.00 the elderly cannot afford it and noted non-resident members spend money in Waxahachie at the grocery store, restaurants and shopping contributing to local sales tax.

Councilmember Chuck Beatty expressed concurred with Mr. Weable noting most members are on a fixed income.

Mayor Pro Tem Mark Singleton noted the Center has scholarships that assist members that can't pay full membership.

Mayor Strength asked the number of members. Ms. Smiles reported city resident's total 1,269 and non-residents total 278.

Mayor Strength proposed the following:

**City Residents (\$20 increase)**

Ages 50 to 64	from \$75 to \$95
Ages 65 to 89	from \$55 to \$75
Age 90+	Forgiven

**Non-City Residents (\$50 increase)**

Ages 50 to 64	from \$95 to \$145
Ages 65 to 89	from \$75 to \$125
Age 90+	Forgiven

After further discussion, Mayor Pro Tem Mark Singleton moved to increase Senior Center membership dues \$20 for city residents and \$50 for non-city residents as presented.  
Councilmember David Hill seconded, All Ayes.

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Mayor Strength presented a list of appointment to various Boards and Commissions.

Councilmember Chuck Beatty moved to approve appointments as presented. Councilmember Mary Lou Shipley seconded, All Ayes.

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Mayor Strength presented Ordinance No. 2900 dissolving the Rodeo Board noting it will be absorbed by the Park Board. Mr. John Smith, Director of Parks and Recreation stated the rodeo grounds is part of the parks system.

**ORDINANCE NO. 2900**

**AN ORDINANCE DISSOLVING THE RODEO BOARD OF THE CITY OF WAXAHACHIE, TEXAS, DECLARING AN EMERGENCY, AND SETTING AN EFFECTIVE DATE.**

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2900 as presented.  
Councilmember David Hill seconded, All Ayes.

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**Citizens' Petition and Request**

Mr. Douglas Merrell, 305 Moonlight Trail, Waxahachie, referenced Senior Center membership dues and recommended to means test members and set a base amount.

Ms. Amy Hedtke, 106 Vanderbelt, Waxahachie, expressed concern with the Ellis County Judge's salary.

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

None

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There being no further business, the meeting adjourned at 8:17 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY