

City Council
May 1, 2017

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, May 1, 2017 at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor
Chuck Beatty, Councilmember
David Hill, Councilmember
Mary Lou Shipley, Councilmember

Council Member Absent: Mark Singleton, Mayor Pro Tem

Others Present: Paul Stevens, City Manager
Michael Scott, Assistant City Manager
Steve Chapman, City Attorney
Lori Saunders, City Secretary
Darren Groth, Director of Planning

Mayor Kevin Strength called the meeting to order and Councilmember David Hill gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

CONSENT AGENDA:

- a. Minutes of the regular City Council meeting of April 17, 2017
- b. Minutes of the regular Planning and Zoning Commission meeting of April 25, 2017
- c. Minutes of the Firemen's Relief and Retirement Fund meeting of April 17, 2017
- d. Minutes of the Keep Waxahachie Beautiful meeting of April 11, 2017
- e. Final Plat of Sandstone Ranch Phase II for 74 lots and 1 common area, being 37.611 acres out of the Robert Russell Survey, Abstract Number 911 – Owner: SANDSTONE WAXAHACHIE DEVELOPMENT LLC (FP-17-0041)
- f. Preliminary Plat of Payton's Place, being 4.891 acres in the Evan R. Balch Survey, Abstract Number 89 in the Extra Territorial Jurisdiction (ETJ)– Owner: 180 CENTER INC (PP-17-0043)
- g. Final Plat of Payton's Place, being 4.891 acres in the Evan R. Balch Survey, Abstract Number 89 in the Extra Territorial Jurisdiction (ETJ) – Owner: 180 CENTER INC (FP-17-0044)
- h. Set City Council meetings of July 10, 2017 and July 24, 2017

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

Councilmember David Hill introduced Ms. Eliza Bearden as Honorary Councilmember. Eliza has participated and excelled in many extracurricular activities: marched in the finals at the state competition twice with the band; dance captain when the Waxahachie High School Theatre department won Best Musical at Dallas Summer Musicals High School Musical Theatre Award

Show with their production of Spamalot; currently the Vice President of the Teen School Board; and, Superintendents Honor Roll for the past two years. After graduation Eliza will attend the University of Mary Hardin-Baylor where she will study Nursing and plans to work as a traveling nurse immediately following college and eventually work in the Neonatal Intensive Care Unit when it's time for her to become a mom. Eliza also has plans to open her own dance studio and share her love of dance for the rest of her life. She is very thankful for all the opportunities God has given her and the memories she made in high school.

Mayor Strength continued the Public Hearing on a request by Clyde Hargrove, Hargrove Real Estate, for a Zoning Change from Planned Development-73-Single Family-1 (PD-73-SF1) and Planned Development-73-Single Family-2 (PD-73-SF2) zoning districts to a Freestanding Planned Development (PD), with Concept Plan for single-family development located East of existing Buffalo Ridge Addition, being Property ID 264869 - Owner: WP LEGACY LTD. (PD-17-0028).

Mr. Darren Groth, Director of Planning, reported the applicant proposed to divide two tracts into three tracts. He presented a conceptual plan with minimum dwelling for PD-73-SF-1 to be 1,800 square feet; PD-73-SF-2 to be 1,450 square feet and PD-73-SF3 to be 1,200 square feet. Mr. Groth noted the amended conceptual plan provides a more efficient lot layout by re-routing the alignment of Garden Valley Parkway and eliminating unneeded proposed open space and detention areas shown on previous concept plan.

Mr. Clyde Hargrove, 101 Valley Ridge Drive, Red Oak, Texas, presented a rendering of the development depicting a garden home district, amenity center and a senior clubhouse. He stated requirements pertaining to masonry, mailboxes, trees, garages, and roof pitch will be mandatory. Each resident shall have a choice of four elements ranging from decorative windows, brick, hardware, roof elements, etc. Mr. Hargrove stated the development will have green space with a hike and bike trail.

There being no others to speak for or against PD-17-0028, Mayor Strength closed the Public Hearing.

City Attorney Steve Chapman presented Ordinance No. 2937:

ORDINANCE NO. 2937

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-73-SINGLE FAMILY-1 (PD-73-SF1) AND PLANNED DEVELOPMENT-73-SINGLE FAMILY-2 (PD-73-SF2) ZONING DISTRICTS TO A FREESTANDING PLANNED DEVELOPMENT (PD), WITH CONCEPT PLAN AND AMENDING CERTAIN STANDARDS CONTAINED IN CITY ORDINANCE NO. 2218, FOR PROPERTY LOCATED IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 142.417 ACRES KNOWN AS PROPERTY ID 264869 IN THE W.T. DUNN AND W.C. CALDER SURVEYS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGES.

Councilmember Mary Lou Shipley moved to approve Ordinance No. 2937 as presented.
Councilmember Chuck Beatty seconded, **All Ayes.**

Mr. Groth presented Preliminary Plat of Buffalo Ridge for 488 residential lots and 12 open space lots, being a 146.793-acre tract of land situated in the W.C. Calder Survey, Abstract No. 235 and the W.T. Dunn Survey, Abstract No. 303 – Owner: WP LEGACY LTD (PP-17-0029), noting this is a companion case of PD-17-0028. He recommended approval per the following staff comment:

- Applicant requests to not dedicate park land to the City, therefore a cash-in-lieu option would require a payment of \$195,200 based on 3488 residential lots. This amount would need to be paid before filing the final plat.

Councilmember David Hill moved to approve Preliminary Plat of Buffalo Ridge for 488 residential lots and 12 open space lots, being a 146.793-acre tract of land situated in the W.C. Calder Survey, Abstract No. 235 and the W.T. Dunn Survey, Abstract No. 303 – Owner: WP LEGACY LTD (PP-17-0029), subject to Staff Comment. Councilmember Mary Lou Shipley seconded, **All Ayes.**

Assistant City Manager Michael Scott presented proposed Ordinance No. 2938 approving Interlocal Boundary and ETJ Agreement adjusting the current and ultimate boundaries of the City of Waxahachie’s Extraterritorial Jurisdictional and Corporate Limits between the City and the City of Midlothian. He presented a map depicting Waxahachie trading 117 acres to Midlothian in exchange of 124 acres noting the piece coming to Waxahachie falls in roadways and corresponds closer to the city limit lines Waxahachie currently has. Mr. Scott stated the Ordinance was approved at the Midlothian City Council on April 25, 2017.

ORDINANCE NO. 2938

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING AN INTERLOCAL BOUNDARY AND ETJ AGREEMENT ADJUSTING THE CURRENT AND ULTIMATE BOUNDARIES OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTIONAL AND CORPORATE LIMITS BETWEEN THE CITY AND THE CITY OF MIDLOTHIAN, TEXAS, AND UPDATING THE OFFICIAL MAP; AUTHORIZING THE MAYOR TO EXECUTE THE BOUNDARY AGREEMENT; DECLARING AN EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Chuck Beatty moved to approve Ordinance No. 2938 as presented.
Councilmember David Hill seconded, **All Ayes.**

City Manager Paul Stevens reported Ms. Barbara Anglin, 1549 FM 1446, Waxahachie, recently approached City Council pertaining to uninsured motorist proposing an amendment to the City Ordinance to allow towing uninsured vehicles.

Police Chief Wade Goolsby stated the issue of uninsured drivers is a significant issue throughout country and State of Texas. He stated vehicles are towed when his department is clearing the roadway from an accident or when they are responsible for a vehicle after an arrest. Chief Goolsby stated there is no due process for towing a vehicle as a punishment of not having insurance. He noted towing someone's vehicle creates the dilemma of leaving them stranded and with a rotating wrecker system if the wrecker lot is full, towed vehicles are turned away.

Those who spoke in favor of towing uninsured motorists:

Ms. Barbara Anglin, 1549 FM 1446, Waxahachie
Ms. Diane Boyer, 1842 S. Highway 77, Waxahachie
Loretta Black, 236 Equestrian Drive, Waxahachie

Mayor Strength stated Council will take the information under consideration.

No action taken.

Citizens' Petitions and Requests

None

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

Mayor Strength thanked Ms. Eliza Bearden for her attendance as Honorary Councilmember.

Councilmember Mary Lou Shipley announced the city received two \$10,000 grants from Pacific Railroad for Keep Waxahachie Beautiful programs. She announced Sims Library received a grant for becoming a family place library involving parents and children initiative to increase learning. Councilmember Shipley thanked the Sims Library staff for their work on the grant.

City Manager Paul Stevens announced Deputy Police Chief Mitch Bartley announced his retirement noting a reception will be held Friday, May 5, 2017 at 3:00 p.m. in the Council Chamber.

There being no further business, the meeting adjourned at 7:43 p.m.

Respectfully submitted,

Lori Saunders
City Secretary