

City Council  
July 10, 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, July 10, 2017 at 7:00 p.m.

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

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

**1. Call to Order**

Mayor Strength called the meeting to order

**2. Invocation**

**3. Pledge of Allegiance**

**4. Texas Pledge of Allegiance**

Councilmember Chuck Beatty gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**5. Public Comment:**

Mr. Mike Bigham, resident on Lakeshore Drive, Waxahachie and Mr. Tony Neves, 3373 Howard Road, Waxahachie, expressed concern with overcrowding at the Lake Waxahachie. They reported Boat Dock Park is extremely overcrowded on holidays and Sunday's and requested Council consider charging a fee for non-city residents to enter the park. They requested better playground equipment and more police presence.

**6. Consent Agenda**

- a. Minutes of the City Council meeting of June 19, 2017
- b. Minutes of the regular Planning and Zoning Commission meeting of June 27, 2017
- c. Minutes of the Senior Center Advisory Board meeting of June 21, 2017
- d. WISD Legacy Run fundraiser for Educational Foundation to be held October 14, 2017
- e. The Bridge Church family event at Getzendaner Park to be held July 15, 2017

**Action:**

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

**7. Introduce Honorary Councilmember**

Councilmember David Hill introduced Ms. Tabatha Dotson as Honorary Councilmember for the month of July 2017. She is a graduate of Waxahachie Global High School where she obtained 35 college credit hours, and an associate of science degree through Navarro College. Architecture has always been Tabatha's passion, for over a year she has been working at an architecture firm located in Waxahachie called Blue Line Design. There she helps in the development and design of floor plans for many local residential projects. During her senior year at Waxahachie Global High School Tabatha got the opportunity to be a teacher's aid in her favorite class, Civil Engineering and Architecture, taught by April Moon. Tabatha learned how to use Autodesk Revit Architecture, which helped her obtain a certification in the program. Tabatha is also an avid community leader. She has helped out in many after school programs such as an Engineering outreach, Digital Divas, and many other engineering workshops. There she helps to teach elementary and junior high school kids about the importance of Science, Technology, Engineering, and Math in our everyday world. Tabatha has also committed many hours into her church and its children's program. She is currently attending The University of Texas at Arlington where she plans to get her architecture degree.

8. **Public Hearing on a request by Tabitha Tabor, Circle L Solar, for a Specific Use Permit (SUP) to permit a Rooftop Solar Panel System within a Multiple Family-2 (MF2) zoning district, located at 1588 Wildflower Drive, being LOT 4 BLK B COUNTRY MEADOWS PH I 0.126 AC – Owner: SMITH LUKE & ERICA (SU-17-0075)**

Mayor Strength opened the Public Hearing.

Director of Planning Darren Groth presented an exhibit depicting the location of the solar panels. He stated the site plan document still needs to reflect contact information for property owner and identify the engineer of record. He recommended approval per comments.

There being no others to speak for or against SU-17-0075, Mayor Strength closed the Public Hearing.

9. **Consider proposed Ordinance approving SU-17-0075**

Mr. Groth presented Ordinance No. 2949 and recommended approval subject to Site Plan documents to show contact information for property owner and identify the engineer of record.

**ORDINANCE NO. 2949**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) FOR A ROOFTOP SOLAR PANEL SYSTEM LOCATED AT 1588 WILDFLOWER DRIVE, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING KNOWN AS LOT 4, BLOCK B OF THE COUNTRY MEADOWS PHASE I SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember Mary Lou Shipley moved to approve Ordinance No. 2949 subject to completing comments on drawings. Mayor Pro Tem Mark Singleton seconded, All Ayes.*

**10. Consider proposed Resolution denying Oncor Electric's application to change rates**

Mr. Doug Barnes, Director of Economic Development, presented Resolution No. 1228 denying Oncor Electric's application to change rates. He reported the company asks the City to approve an 11.8% increase in residential rates and a 0.5% increase in street lighting rates. If approved, a residential customer using 1000kWh per month would see a bill increase of about \$6.68 per month. He presented Resolution No. 1228 denying the change rates:

**RESOLUTION NO. 1228**

**A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.**

**Action:**

*Mayor Pro Tem Mark Singleton moved to approve Resolution No. 1228 as presented. Councilmember David Hill seconded, All Ayes.*

**11. Consider award of bid for Coleman Street Construction**

City Engineer James Gaertner reported bids for the Coleman Street Connection Project were received and opened on Thursday, June 8, 2017 at 2:00 p.m. He stated J&K Excavation, LLC, Waxahachie, submitted the lowest and best bid for the project with a base bid of \$1,227,847.08. Mr. Gaertner recommended awarding the bid to J&K Excavation, LLC, as presented. He stated the roadway will run along the north side of the new Waxahachie Police Station and will have curb and gutter noting lighting is not included.

**Action:**

*Councilmember David Hill moved to award the bid for Coleman Street Construction to J&K Excavation, LLC for a base bid amount of \$1,227,847.08 and charge Staff to get cost for sidewalk and street lighting. Councilmember Mary Lou Shipley seconded, All Ayes.*

**12. Consider approval of Right of Way acquisition by the Texas Department of Transportation for property needed for the Viaduct Project**

City Manager Paul Stevens reported TxDot is moving forward with the Viaduct and there are three (3) pieces of city property needed for the project. He presented proposed acquisition of Parcel 5 being the area below the existing Viaduct that crosses city property. The appraisal for

the property is \$33,271.00. Proposed acquisition of Parcel 29 is the area that will be below the new southbound Viaduct Bridge that crosses city property. The appraisal for the property is \$38,860.00. Proposed acquisition of Parcel 8TE is the driveway area at the Parks Building at Highway 77 and Madison and is only for a temporary construction easement and will be needed when the driveway is tied back into the newly constructed pavement. The value is \$2,610.00.

Discussion was held pertaining to TxDot's acquisitions with other landowners and consequences if the City declines the acquisitions. City Attorney Robert Brown stated if the City declines, TxDot can file condemnation.

**Action:**

*Mayor Pro Tem Mark Singleton moved to table consideration of TxDot acquisitions to the City Council meeting of July 24, 2017. Councilmember David Hill seconded. The vote was as follows:*

*Ayes: Kevin Strength  
Mark Singleton  
Chuck Beatty  
David Hill*

*Noes: Mary Lou Shipley*

*The motion carried.*

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

Council thanked Honorary Councilmember Tabitha Dotson for her attendance.

Councilmember Mary Lou Shipley thanked the gentlemen that brought forward the concerns with holiday traffic at the lake. She asked Mr. Stevens to set up a workshop for Council to discuss managing the activities at the park.

City Manager Paul Stevens announced TxDot will hold a meeting Thursday, July 13, 2016 at 6:00 p.m., at the Civic Center on Phase 2 of the IH35 project.

Mayor Kevin Strength recognized Assistant Chief of Police Joe Wisner and thanked him for his attendance.

Councilmember David Hill thanked Waxahachie Police and Fire for their attendance.

City Attorney Robert Brown announced his law firm will be holding a seminar on August 4<sup>th</sup> to go over many topics local government.

There being no further business, the meeting adjourned at 8:27 p.m.

Respectfully submitted,  
Lori Saunders  
City Secretary