

City Council  
October 16, 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, October 16, 2017 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: Michael Scott, Interim City Manager  
Robert Brown, City Attorney  
Lori Saunders, City Secretary

**1. Call to Order**

Mayor Strength called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance**

**4. Texas Pledge of Allegiance**

Councilmember Mary Lou Shipley gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**5. Public Comments:**

Ms. Amy Hedtke, 106 Vanderbilt, Waxahachie, encouraged city departments and Council to live-stream their meetings for citizens unable to attend.

**6. Consent Agenda**

- a. Minutes of the regular City Council meeting of October 2, 2017
- b. Minutes of the City Council Briefing Session of October 2, 2017
- c. Minutes of the Planning and Zoning Commission meeting of October 10, 2017
- d. Minutes of the Firemen's Relief and Retirement Fund meeting of October 9, 2017
- e. Minutes of the Cemetery Board meeting of October 5, 2017
- f. Minutes of the Heritage Preservation Commission meeting of September 14, 2017
- g. Monthly Code Enforcement Report for September 2017
- h. Monthly Violation Activity Statistics for September 2017
- i. Monthly Crime Report for September 2017
- j. Monthly Fire and EMS Report for September 2017
- k. Award contract for Wrecker Service of city vehicles
- l. Approval of Executive Director of Development Services position and related budget
- m. Approval of the Nay Company for design of Cemetery Pavilion and Columbarium
- n. 5<sup>th</sup> Annual YMCA Santa Run to be held on December 9, 2017

**Action:**

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

**7. Introduce Honorary Councilmember**

Mayor Strength announced there is not an Honorary Councilmember for the meeting.

**8. Present Proclamation proclaiming Friday, October 27, 2017 as “Pink Out Day”**

Mayor Strength read a Proclamation recognizing October as National Breast Cancer Awareness month and proclaiming October 27, 2017, as “Pink Out Day”. Mayor Strength presented the Proclamation to cancer survivors Dinah Weable, Cindy Smith and Lori Saunders. Also present were members of the Waxahachie Fire Department.

**9. Public Hearing on a request by Blain Vinson, Aspen Community Development, for a Specific Use Permit (SUP) to allow a Unified Lot Sign use within a Planned Development-General Retail, Commercial, and General Retail zoning district, located at 2325 Highway 77, being Phase One and Phase Three of the North Grove Business Park, being 848 A S PRUETT; 1000 J SHAVER 31.788 ACRES – Owner: SAP PROPERTIES, LLC (SU-17-0130)**

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the applicant seeks to erect a unified lot sign at North Grove Business Park. He explained unified lot signs require a Specific Use Permit.

There being no others to speak for or against SU-17-0130, Mayor Strength closed the Public Hearing.

**10. Consider proposed Ordinance approving Zoning Change No. SU-17-0130**

**ORDINANCE NO. 2981**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A UNIFIED LOT SIGN USE WITHIN PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR), AND GENERAL RETAIL (GR) ZONING DISTRICTS, LOCATED AT 2325 N US HIGHWAY 77, BEING PHASE ONE AND PHASE THREE OF THE NORTH GROVE BUSINESS PARK, ALSO KNOWN AS PROPERTY ID 189301, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A.S. PRUETT SURVEY, ABSTRACT NO. 848 AND J. SHAVER SURVEY, ABSTRACT NO. 1000 IN THE NORTH GROVE BUSINESS PARK SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2981 as presented. Councilmember David Hill seconded, All Ayes.*

11. **Public Hearing on a request by Hugo Monsanto, Hugo Monsanto Architect, for a Zoning Change from a Light Industrial-2 (LI-2) zoning district to a Planned Development-Light Industrial-2 (PD-LI-2) with Concept Plan located at the SE corner of East Jefferson at Clift Street, being LOT 1 BLK 38 O T WAXAHACHIE .758 AC - Owner: CITY OF WAXAHACHIE (PD-17-0131)**

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the City of Waxahachie seeks to construct a field office for the Water Utilities Department. He presented a Concept Plan noting the Planning and Zoning Commission recommended the building be brick to match other city buildings. Mr. Brooks stated the existing Hot Well Park will be removed with the redevelopment of the lot.

Council held discussion pertaining to the Concept Plan and concluded to construct a brick building with a 6:12 roof pitch and gable over front entrance. Council concurred lighting in the parking area as well as street lighting is needed.

Ms. Ginger Cole, 207 Rock Springs Court, Waxahachie, referenced the proposed setbacks and asked if that will affect water runoff. Interim City Manager Michael Scott stated it will be addressed at the final drawings.

There being no others to speak for or against PD-17-0131, Mayor Strength closed the Public Hearing.

12. **Consider proposed Ordinance approving Zoning Change No. PD-17-0131**

**ORDINANCE NO. 2982**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM LIGHT INDUSTRIAL-2 (LI-2) TO PLANNED DEVELOPMENT-LIGHT INDUSTRIAL-2 (PD-LI-2), WITH CONCEPT PLAN LOCATED AT THE SOUTHEAST CORNER OF EAST JEFFERSON STREET AND CLIFT STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.758 ACRES KNOWN AS LOT 1, BLOCK 38 (PROPERTY ID 193896) OF THE ORIGINAL TOWN WAXAHACHIE SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember David Hill moved to approve Ordinance No. 2982 as presented. Mayor Pro Tem Mark Singleton seconded, All Ayes.*

13. **Public Hearing on a request by the City of Waxahachie to amend the City of Waxahachie Zoning Ordinance by revising the medical facility category, creating additional uses, and altering definitions (TA-17-0139)**

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, stated the request proposes several amendments to the City's Zoning Ordinance. The first revision will remove the uses of Massage Establishment; Clinic, Medical, Dental, or Chiropractic; and Surgical Outpatient Facility from the definition of Medical Facilities. The second revision will amend the Use Chart tables contained in Section 33.7 to permit the establishment of Clinics, Medical, Dental, or Chiropractic; Massage Establishments; and Surgical Outpatient Facilities by right. The third revision will revise the definitions of Clinic, Dental, Medical or Chiropractic; Massage Establishment; and Medical Facilities listed in Section A-3-Definitions.

Mayor Pro Tem Mark Singleton asked if Surgical Outpatient Facility requires a Specific Use Permit. Mr. Brooks stated it does and will adjust the Use Chart to reflect the requirement of a Specific Use Permit.

There being no others to speak for or against TA-17-0139, Mayor Strength closed the Public Hearing.

**14. Consider proposed Ordinance approving Zoning Change No. TA-17-0139**

**ORDINANCE NO. 2983**

**AN ORDINANCE AMENDING THE CITY OF WAXAHACHIE ZONING ORDINANCE BY REVISING THE MEDICAL FACILITY CATEGORY, CREATING ADDITIONAL USES, AND AMENDING DEFINITIONS, DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE.**

**Action:**

*Councilmember Mary Lou Shipley moved to approve Ordinance No. 2983 with provision that the Surgical Outpatient Facility be changed in the Use Chart requiring a Specific Use Permit. Councilmember Chuck Beatty seconded, All Ayes.*

**15. Public Hearing on a request by Leslie Majors, LJJM, Inc., for a Zoning Change from a Planned Development-8-General Retail (PD-8-GR) zoning district to a Planned Development-General Retail (PD-GR) with Concept Plan located at 301 Stadium Drive, being 4 THE VILLAGE AT WAXAHACHIE PH I 1.106 ACRES (Property ID 239253) - Owner: LJJMC INC (PD-17-0140)**

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the applicant seeks to erect two multi-tenant office buildings and amend the existing General Retail zoning district requirements for this development and restrict the usage to, Office, Professional and Administrative, which is permitted by right in General Retail zoning districts.

There being no others to speak for or against PD-17-0140, Mayor Strength closed the Public Hearing.

**16. Consider proposed Ordinance approving Zoning Change No. PD-17-0140**

**ORDINANCE NO. 2984**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-8-GENERAL RETAIL (PD-8-GR) ZONING DISTRICT TO PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) ZONING DISTRICT, WITH CONCEPT PLAN LOCATED AT 301 STADIUM DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.106 ACRES KNOWN AS PROPERTY ID 239253 OF LOT 4 OF THE VILLAGE AT WAXAHACHIE PHASE 1 SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember David Hill moved to approve Ordinance No. 2984 as presented. Mayor Pro Tem Mark Singleton seconded, All Ayes.*

**17. Convene into Executive Session to consider specific personnel matters – Interim City Manager as permitted by Texas Government Code, Section 551.074 and seek legal advice from City Attorney on personnel matters – Interim City Manager and search for City Manager as permitted by Texas Government Code, Section 551.071**

Mayor Strength announced at 7:26 p.m. the City Council would convene into Executive Session to consider specific personnel matters – Interim City Manager as permitted by the Texas Government Code, Section 551.074 and to seek legal advice from the City Attorney on personnel matters – Interim City Manager and search for City Manager as permitted by Texas Government Code, Section 551.071.

**18. Reconvene and take any necessary action**

The meeting reconvened at 8:35 p.m. Mayor Strength announced discussion was held and Council concurred to appoint Mr. Michael Scott as City Manager. He stated a contract is forthcoming.

**Action:**

*Councilmember Chuck Beatty moved to appoint Mr. Michael Scott as City Manager. Mayor Kevin Strength seconded, All Ayes.*

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

None

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**20. Adjourn**

There being no further business, the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Lori Saunders  
City Secretary