

City Council
July 5, 2022

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Tuesday, July 5, 2022 at 6:30 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Chris Wright, Mayor Pro Tem, Council Member Place 3
Billie Wallace, Council Member Place 4
Travis Smith, Council Member Place 5
Patrick Souter, Council Member Place 2

Others Present: Albert Lawrence, Deputy City Manager
Shon Brooks, Executive Director of Development Services
Gumaro Martinez, Executive Director Park & Leisure Services
Richard Abernethy, Director of Administrative Services
Robert Brown, City Attorney
Jami Bonner, Assistant City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting

Deputy City Manager Albert Lawrence reviewed the following agenda items:

- Item 5e, approving event application for Diving Deeper VBS Day Camp to be held on July 27, 2022.
- Item 5f, approving event application for Lippert 5K to be held on August 20, 2022.
- Item 5g, approving an interlocal agreement with Frisco ISD to allow for the City to utilize Frisco ISD's cooperative purchasing agreement.
- Item 5h, approving City Council appointments to boards and commissions.
- Item 19, proposed Resolution adopting procedures to name public facilities.

City Attorney Robert Brown noted the resolution serves as guidelines for naming public facilities and the City Council retains absolute discretion to deny a naming request or to name an eligible City-owned facility to a name of the Council's choosing.

Council Member Billie Wallace expressed concern that a citizens' input committee and background check are not included in the resolution. Mr. Brown responded that nothing in the resolution would prohibit a citizen committee or background check, but does not require it.

Council Member Chris Wright stated he does not believe a citizen committee is a necessary requirement as the City Council was elected by the citizens and citizens are able to participate during a Public Hearing prior to Council vote.

Council Member Patrick Souter stated he opposes a requirement for a citizen committee for the purpose of vetting a person and serving as a recommending body before a City-owned facility can be considered by the Council. Council Member Souter stated it is the Council's responsibility to

perform due diligence to protect and act in the best interest of the city. Council Member Souter expressed opposition to a required background check, as he does not want to disqualify someone for a past infraction that does not include moral turpitude and has been a great asset to the city.

Director of Public Works and Engineering James Gaertner reviewed Item 17 requesting approval of an agreement with Texas Department of Transportation (TxDOT) for the City portion of the Right-of-Way (ROW) acquisition associated with the FM 664 widening project. He explained the total amount of the city participation for ROW acquisition is \$744,389.70, which amounts to \$136,206.74 for FY 2021-2022 and \$152,045.74 for each of the following four years. Mr. Gaertner requested approval of a supplemental appropriation for \$136,206.74 for FY 2021-2022 and authorize the City Manager to sign the TxDOT agreement.

Director of Administrative Services Richard Abernethy reviewed Item 18 requesting approval of a supplemental appropriation in the amount of \$27,000 for a visual building envelope assessment which will include an assessment of existing roof systems, windows, cladding and associated exterior elements to identify areas needing repairs or mitigation.

Jennifer Pruitt, Senior Director of Planning, reviewed the following cases:

- ZDC-45-2022, the applicant is requesting to add a 72 square foot (6 ft. x 12 ft.) electronic message sign to an existing pole sign for the Cowboy Baptist Church located at 2374 W US Highway 287 Bypass. Ms. Pruitt stated the pastor of Cowboy Baptist Church met with the Planning Department and provided additional details including confirmation of sign height at 15 feet per P&Z Commission and the existing sign is within an easement. The applicant will also encase the pole in a pole covering. Ms. Pruitt noted staff recommends approval as presented.
- SUB-28-2022, the applicant is proposing to replat the subject properties into six (6) lots for residential use. Ms. Pruitt noted the applicant made a Petition of Relief Waiver request. As part of the Petition of Relief Waiver, the applicant is requesting a variance to allow for a reduced utility easement of 8 ft. along the Cynisca Street and Floyd Street frontage, with the standard 15 ft. utility easement along Olive Street. Ms. Pruitt noted staff recommends approval as presented.
- SUB-60-2022, the applicant is requesting to replat the subject property into one (1) lot for single-family residential use. The applicant is also requesting a Petition of Relief Waiver for a right-of-way (ROW) and utility easement dedication along Henry Street. The Petition of Relief Waiver includes a variance request for the standard 15 ft. utility easement along Henry Street and requests to provide a 10 ft. utility easement along Henry Street. Ms. Pruitt noted staff recommends approval per conditions.
- SUB-15-2022, the applicant is proposing to plat approximately 10.67 acres to create three (3) lots including one lot for open space, the second lot for mixed use, and the third lot for a commercial lot. Ms. Pruitt noted the proposed plat is in conformance with the previously approved Planned Development for the area. The applicant is requesting a variance to reduce the utility easement along North Grove Boulevard and Washington Avenue from 15 feet to 10 feet. Ms. Pruitt stated the applicant has secured sign off letters from the affected utilities regarding the variance request. Ms. Pruitt noted staff recommends approval per staff comments.

- ZDC-54-2022, the applicant is requesting approval of a Planned Development District with a base zoning of Central Area District to allow for a tattoo shop at 212 S. Rogers Street. Ms. Pruitt noted, if approved, staff recommends the applicant comply with provisions including the tattoo shop may occupy up to 800 square feet of the first floor building area within Heart-In-Hand, the tattoo shop may operate from 10:00 am – 10:00 pm Wednesday through Saturday, the tattoo shop shall require a license by the Texas Department of State Health Services at all times, and all exterior signage shall require a sign permit from the Building Department and Historic Preservation Committee approval. Staff recommends approval per staff comments.

Council Member Travis Smith stated if approved, the tattoo shop will be maintained and operated by world-renowned tattoo artist Mr. Oliver Peck. The tattoo shop will also bring additional funding to the Odd Fellows Lodge. Council Member Souter inquired about sign design. Council Member Smith replied that the sign will be a simple hanging sign on Jefferson St.

3. Adjourn

There being no further business, the meeting adjourned at 6:58 p.m.

Respectfully submitted,

Jami Bonner
Assistant City Secretary