

City Council
August 5, 2019

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, August 5, 2019 at 7:00 p.m.

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

Others Present: Michael Scott, City Manager
Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Robert Brown, City Attorney
Lori Cartwright, City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

City Manager Michael Scott gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Consent Agenda

- a. Minutes of the City Council meeting of July 15, 2019
- b. Minutes of the City Council briefing of July 15, 2019
- c. Minutes of the City Council work session of July 15, 2019
- d. Minutes of the City Council work session of July 24, 2019
- e. Approval of Supplemental Appropriation and loan to Roadway Impact Fee Service Area 2 associated with the Vista Way Development Agreement
- f. Walk to End Alzheimer's event to be held October 19, 2019
- g. Waxahachie Chautauqua Reception to be held September 27, 2019
- h. 2019 Waxahachie Labor Day Triathlon to be held September 2, 2019
- i. Approve street closure for Farm to Table Dinner on the Square

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve items a. through i. on the Consent Agenda. Councilmember Kevin Strength seconded, All Ayes.

5. Introduce Honorary Councilmember

Councilmember Melissa Olson introduced Nicole Olson as the Honorary Councilmember. She is the daughter of Councilmember Olson and Cutler Olson and is 16 years old. Nicole lives with her parents and 5-year-old sister and her favorite hobbies include reading, playing the piano, and making crafts. This spring, she graduated summa cum laude from Navarro College with an

Associate of Science in General Studies; two weeks later, she graduated 4th in her class from Waxahachie Global High School. Nicole was a member of the National Honors Society in her junior year and a member of the National Honors Society, National Art Education Association, and Phi Theta Kappa Honors society during her senior year. Due to her achievements, Nicole received the Academic Excellency Scholarship to the University of Texas at Dallas, which consists of 4 years of tuition and fees plus a \$1,000 stipend per semester. In the fall, Nicole will begin studying neuroscience, visual arts, and teaching while continuing her internship at the Campbell Wilson consulting firm in Dallas.

6. Proclamation proclaiming August 4-10, 2019 as “National Health Center Week”

Mayor Hill read a Proclamation proclaiming August 4-10, 2019 as “National Health Center Week” and presented it to representatives of Hope Clinic.

7. Consider request by Dennis Little for a Preliminary Plat of Arrowhead Meadows for 2 lots, being 11.892 acres situated in the W. Harmoning Survey, Abstract 536 (Property ID 231890) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (PP-19-0080)

Planning Director Shon Brooks reported the applicant proposes to divide one lot into two lots. He stated the applicant has met the Subdivision Ordinance and provided a letter from Buena Vista-Bethel SUD stating adequate public services were available and adequate fire flow is available for this property. Mr. Brooks recommended approval.

Action:

Councilmember Melissa Olson moved to approve a request by Dennis Little for a Preliminary Plat of Arrowhead Meadows for 2 lots, being 11.892 acres situated in the W. Harmoning Survey, Abstract 536 (Property ID 231890) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (PP-19-0080). Councilmember Kevin Strength seconded, All Ayes.

8. Consider request by Dennis Little for a Final Plat of Arrowhead Meadows for 2 lots, being 11.892 acres situated in the W. Harmoning Survey, Abstract 536 (Property ID 231890) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (FP-19-0081)

Action:

Councilmember Kevin Strength moved to approve a request by Dennis Little for a Final Plat of Arrowhead Meadows for 2 lots, being 11.892 acres situated in the W. Harmoning Survey, Abstract 536 (Property ID 231890) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (FP-19-0081). Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

9. Public Hearing on a request by Logan Garrett for a Replat of Lot 1, Block A, Hidden Falls Addition, to create Lots 1A, 1B, and 1C, Block A, Hidden Falls Addition, 6.023 acres (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: LOGAN GARRETT (RP-19-0082)

Mayor Hill opened the Public Hearing.

Mr. Brooks reported some outstanding comments were satisfied by applicant and recommended approval per the following staff comment: 1. a drainage study needs to be conducted before the plat can be filed.

There being no others to speak for or against RP-19-0082, Mayor Hill closed the Public Hearing.

10. Consider approval of RP-19-0082

Action:

Councilmember Chuck Beatty moved to approve a request by Logan Garrett for a Replat of Lot 1, Block A, Hidden Falls Addition, to create Lots 1A, 1B, and 1C, Block A, Hidden Falls Addition, 6.023 acres (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: LOGAN GARRETT (RP-19-0082) subject to staff comments. Councilmember Kevin Strength seconded, All Ayes.

11. Public Hearing on a request by Erica Ford, Titan Solar Power TX, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-43-Single Family-3 zoning district, located at 3033 Coventry Lane (Property ID 228671) – Owner: BRIAN & BRENDA S BUTLER (SU-19-0085)

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant satisfies the requirement for placement of the rooftop solar panel system and recommended approval.

There being no others to speak for or against SU-19-0085, Mayor Hill closed the Public Hearing.

12. Consider proposed Ordinance approving SU-19-0085

ORDINANCE NO. 3125

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A PLANNED DEVELOPMENT-43-SINGLE FAMILY-3 (PD-43-SF-3) ZONING DISTRICT, LOCATED AT 3033 COVENTRY LANE, BEING PROPERTY ID 228671, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 17, BLOCK A IN THE WINDCHASE ADDITION PHASE V, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Melissa Olson moved to approve Ordinance No. 3125 as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

13. Public Hearing on a request by Gaye Mitschke, Furniture By Sleep Quarters, for a Specific Use Permit (SUP) for Outdoor Display use within a Planned Development-24-General Retail zoning district, located at 500 N Highway 77 (Property ID 180847, 247596, 247595) – Owner: STEVEN F & RICHARD A CHAPMAN (SU-19-0084)

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant is proposing an outdoor display for patio furniture. The applicant intends to update the facade of the existing structure to stucco to help make the site more aesthetically pleasing and the ice machine will be removed. Mr. Brooks recommended approval per the following staff comments:

- Outdoor display shall only be used for product presentation
- Outside storage will be prohibited
- An 8 foot masonry screening wall shall be constructed along the rear of the property

Mr. Brooks recommended approval as presented.

There being no others to speak for or against SU-19-0084, Mayor Hill closed the Public Hearing.

14. Consider proposed Ordinance approving SU-19-0084

ORDINANCE NO. 3126

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN OUTDOOR DISPLAY USE WITHIN A PLANNED DEVELOPMENT-24-GENERAL RETAIL (PD-24-GR) ZONING DISTRICT, LOCATED AT 500 N HIGHWAY 77, BEING PROPERTY ID 180847, 247596, AND 247595, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING ABSTRACT 148 WM BASKINS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Mary Lou Shipley moved to approve Ordinance No. 3126 as presented. Councilmember Melissa Olson seconded, All Ayes.

15. Continue Public Hearing on a request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM PROPERTY COMPANY NO. 1 LLC (PD-19-0022)

Mayor Hill continued the Public Hearing and announced the applicant requested to continue the Public Hearing to the City Council meeting of August 19, 2019.

16. Consider proposed ordinance approving Zoning Change No. PD-19-0022

Action:

Councilmember Chuck Beatty moved to continue a request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM

PROPERTY COMPANY NO. 1 LLC (PD-19-0022) to the City Council meeting of August 19, 2019. Councilmember Kevin Strength seconded, All Ayes.

17. Discuss proposed Tax Rate for fiscal year 2019 – 2020 and schedule first Public Hearing for the Tax Rate

City Manager Scott reported at the July 24th Council budget workshop for fiscal year 2019-2020, the draft budget was constructed assuming to maintain a \$0.68/\$100 tax rate. He reviewed the following breakdown of the rate and recommended to maintain the same:

Maintenance & Operation Tax Rate:	\$0.479500
Interest & Sinking Tax Rate:	\$0.170000
Library Tax Rate:	\$0.030500

Mr. Scott noting, per our budget adoption schedule, staff is requesting the first public hearing on the tax rate be set for Wednesday, August 21, 2019 at 12:00 p.m.

Action:

Mayor Pro Tem Mary Lou Shipley moved to schedule the first Public Hearing for the Tax Rate for fiscal year 2019-2020 on August 21, 2019 at 12:00 p.m. Councilmember Chuck Beatty seconded. The vote was as follows:

*Ayes: David Hill
Mary Lou Shipley
Chuck Beatty
Kevin Strength
Melissa Olson*

The motion carried.

18. Consider authorization of an emergency ratification for the replacement of air handling units at Waxahachie City Hall

Assistant City Manager Tommy Ludwig reported staff had to spend funding to replace three (3) air conditioning units that failed at City Hall. He stated there are insufficient funds to pay for the air handling unit replacements in the 2018-2019 Facilities Department current budget and requested an emergency ratification by City Council to increase the Facilities Department's budget in the amount of \$25,664.80.

Action:

Mayor Pro Tem Mary Lou Shipley moved authorization of an emergency ratification for the replacement of air handling units at City Hall as presented. Councilmember Chuck Beatty seconded, All Ayes.

19. Public Comments

Downtown Development Director Anita Simpson reported the Farmer's Market is half way through the season and it is scheduled to go twenty-seven weeks. She stated vendors have reported

sales of \$106,240.97 and if they don't get fall rains the market could reach \$200,000 in sales. Ms. Simpson stated four new vendors signed up in July which indicates there is a great interest in joining the market even half way through the season. She stated the Farmer's Market continues to be a great amenity for the community.

20. Convene into Executive Session for consultation with City Attorney regarding potential Charter Amendment Election as permitted under Section 551.071, Texas Government Code

Mayor Hill announced at 7:17 p.m. the City Council would convene into Executive Session for consultation with the City Attorney regarding potential Charter Amendment Election as permitted under Section 551.071, Texas Government Code.

21. Reconvene and take any necessary action

The meeting reconvened at 7:44 p.m.

Action:

None

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

Councilmember Kevin Strength thanked Councilmember Beatty for his involvement with the local youth.

Councilmember Chuck Beatty stated the recent activities in Penn Park were well attended. He thanked Police Chief Goolsby for his attendance.

Councilmember Melissa Olson thanked everyone for the continued prayers for the Library Director. She offered up thoughts and prayers for the citizens of El Paso.

City Attorney Robert Brown stated his office continues to work with staff to bring Ordinances pertaining to the recent legislative changes before City Council for consideration.

Director of Communications and Marketing Amy Borders stated there are ten spots for the upcoming Waxahachie 101 program. She stated it is in its tenth year and over 200 people have participated. Ms. Borders stated the program starts in September.

23. Adjourn

There being no further business, the meeting adjourned at 7:49 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary