

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, December 21, 2020 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Council Member
Doug Barnes, Council Member Place 2
Melissa Olson, Council Member Place 3

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 gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Mr. Chris Wright, 808 West Marvin, Waxahachie, thanked City Manager Michael Scott for opening the City Council Chamber for the Boys Basketball Booster Club to watch the WISD High School Boys Basketball game. He relayed a message from Mr. Tim Lyons to Mr. Kevin Strength for his dedicated service on City Council.

5. Consent Agenda

- a. Minutes of the City Council meeting of December 7, 2020
- b. Minutes of the City Council briefing of December 7, 2020
- c. Set City Council meeting of Tuesday, January 19, 2021

Action:

Council Member Chuck Beatty moved to approve items a. through c. on the Consent Agenda. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

6. Recognize Mr. Kevin Strength for his service as Mayor and City Council Member

Mayor Hill presented Mr. Kevin Strength with a Proclamation highlighting his services while on City Council and declaring December 21, 2020 as Michael Kevin Strength Day in Waxahachie. Mayor Hill stated Mr. Strength served on the City Council from May of 2010 to November 2020. He served as Mayor from 2014-2019. Mayor Hill presented Mr. Strength with a shadow Box that

included a key to the city, a gavel, an American flag that flew over the Waxahachie City Hall and two plaques thanking him for his service as Mayor and City Council Member.

Mr. Strength reflected on the friendships he has made since arriving on City Council. He stated Waxahachie is a wonderful place noting it was an honor and privilege to serve the citizens of Waxahachie. He stated the city is in good hands with the current City Council and city staff. Mr. Strength stated it is very humbling to be recognized and encouraged everyone to stay strong because the last ten years City Council and city staff worked very hard to stay strong and it shows.

7. Consider Development Agreement for ZDC-72-2020

Mayor Hill announced City Council postponed the Development Agreement for ZDC-72-2020 to the City Council meeting of January 19, 2021.

Action:

Mayor Pro Tem Mary Lou Shipley moved to postpone the Development Agreement for ZDC-72-2020 to the City Council meeting of January 19, 2021. Council Member Melissa Olson seconded, All Ayes.

8. Continue Public Hearing on a request by Carolyn J Haman for Voluntary Annexation on approximately 150.5+/- acres located NW of 2374 W Highway 287 Bypass (Property ID 185971 and 185886) - Owner: CAROLYN J HAMAN (ANX-DNX-145-2020)

Mayor Hill continued the Public Hearing and *announced City Council postponed ANX-DNX-145-2020 to the City Council meeting of January 19, 2021.*

9. Consider proposed Ordinance approving ANX-DNX-145-2020

Action:

Mayor Pro Tem Mary Lou Shipley moved to postpone ANX-DNX-145-2020 to the City Council meeting of January 19, 2021. Council Member Melissa Olson seconded, All Ayes.

10. Continue Public Hearing on a request by Phillip Fisher, Macatee Engineering LLC, for a Zoning Change from a Future Development and General Retail zoning district to Planned Development-Mixed-Use Residential, located W of 2374 W Highway 287 Bypass (Property IDs 185971, 185972, 185886, 185978) - Owner: CAROLYN J HAMAN (ZDC-72-2020)

Mayor Hill continued the Public Hearing and announced City Council postponed ZDC-72-2020 to the City Council meeting of January 19, 2021.

11. Consider proposed Ordinance approving ZDC-72-2020

Action:

Mayor Pro Tem Mary Lou Shipley moved to postpone ZDC-72-2020 to the City Council meeting of January 19, 2021. Council Member Melissa Olson seconded, All Ayes.

12. Public Hearing on a request by Sean Neal, TGS Architects, for a Specific Use Permit (SUP) for Electronic Message Sign use within a General Retail zoning district located at 1905 N Highway 77 (Property ID 262426) - Owner: COMMUNITY NATIONAL BANK & TRUST OF TEXAS (ZDC-155-2020)

Mayor Hill opened the Public Hearing.

Planning Director Shon Brooks reported the applicant intends to install a multi-tenant ground monument/electronic message sign for advertisement purposes at Community National Bank. He reported staff suggests the applicant provide a maximum height of 15 feet for the electronic message sign opposed to the proposed 20 feet. Mr. Brooks noted the maximum allowed size for an electronic message sign is 125 square feet. The applicant is proposing a size of 300 square feet.

Mr. Sean Neal, Applicant, TGS Architect, 5323 Spring Valley Road, Dallas, Texas, stated the reason for the requested height is he did not want trees as they grew to hide the signage.

After further discussion, the following was determined:

- The maximum height of the sign shall not exceed 18 feet.
- The width for the sign shall be 10 feet.
- The maximum square footage for the sign shall not exceed 180 square feet.
- The sign shall be set back a minimum of 15 feet from the public right-of-way.

There being no others to speak for or against ZDC-155-2020, Mayor Hill closed the Public Hearing.

13. Consider proposed Ordinance approving ZDC-155-2020

ORDINANCE NO. 3240

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC MESSAGE SIGN USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED AT 1905 N. HIGHWAY 77, BEING PROPERTY ID 262426, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK B OF THE VICTORY PARK REV. 2, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Doug Barnes moved to approve Ordinance No. 3240 as presented. Council Member Chuck Beatty seconded, All Ayes.

14. Public Hearing on a request by Josh Helm, Texas Best Construction, for a Specific Use Permit (SUP) for Accessory Building, Used as a Dwelling Unit and Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 1640 Lone Elm Rd (Property ID 275601) - Owner: BRADLEY & JENNIFER KEITH (ZDC-158-2020)

Mayor Hill opened the Public Hearing.

Mr. Brooks presented a site plan for the two requested accessory buildings noting the structures will be located in the rear of the single-family zoned property. He stated the accessory dwelling unit cannot be used to rent to outside tenants.

There being no others to speak for or against ZDC-158-2020, Mayor Hill closed the Public Hearing.

15. Consider proposed Ordinance approving ZDC-158-2020

ORDINANCE NO. 3241

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT TWO (2) +700 SQUARE FOOT ACCESSORY STRUCTURES USE WITHIN A SINGLE FAMILY-1 (SF1) ZONING DISTRICT, LOCATED AT 1640 LONE ELM ROAD, PROPERTY ID 275601, BEING LOT 3, BLOCK A OF LONE ELM ADDITION, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Melissa Olson moved to approve Ordinance No. 3241 as presented. Council Member Chuck Beatty seconded, All Ayes.

16. Public Hearing on a request by Nicholas Balsamo, Kalterra Capital Partners, for a Zoning Change from a Multiple-Family Residential-2 zoning district to Planned Development-Multiple-Family Residential-2, located near the SW corner of Park Place Blvd at Garden Valley Pkwy (Property ID 275563) - Owner: KALTERRA CAPITAL PARTNERS LLC (ZDC-159-2020)

Mayor Hill opened the Public Hearing and announced City Council postponed ZDC-159-2020 to the City Council meeting of January 19, 2021.

17. Consider proposed Ordinance approving ZDC-159-2020

Action:

Mayor Pro Tem Mary Lou Shipley moved to postpone ZDC-159-2020 to the City Council meeting of January 19, 2021. Council Member Chuck Beatty seconded, All Ayes.

18. Consider Development Agreement for ZDC-159-2020

Mayor Hill announced City Council postponed the Development Agreement for ZDC-159-2020 to the City Council meeting of January 19, 2021.

Action:

Mayor Pro Tem Mary Lou Shipley moved to postpone the Development Agreement for ZDC-159-2020 to the City Council meeting of January 19, 2021. Council Member Chuck Beatty seconded, All Ayes.

- 19. Public Hearing on a request by Jenny Nivens, Dancing Daiquiris, for Convenience Store (Daiquiri Shop) use within a Planned Development-37-General Retail zoning district located at 1014 Ferris Ave, Suite 110 (being a portion of Property ID 176876) – Owner: LEDBETTER REAL ESTATE LTD (ZDC-164-2020)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant is requesting the zoning change to allow for a Convenience Store (Daiquiri Shop). He recommended approval.

There being no others to speak for or against ZDC-164-2020, Mayor Hill closed the Public Hearing.

- 20. Consider proposed Ordinance approving ZDC-164-2020**

ORDINANCE NO. 3242

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A CONVENIENCE STORE WITH ALCOHOL SALES (DAIQUIRI SHOP) USE WITHIN A PLANNED DEVELOPMENT-37-GENERAL RETAIL/PARKING (PD-37-GR/P) ZONING DISTRICT, LOCATED AT 1014 FERRIS AVE, SUITE 110, BEING PROPERTY ID 176876, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING PART OF LOTS 1, 2, AND 4, BLOCK 17 IN THE WILLIAMS ADDITION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Chuck Beatty moved to approve Ordinance No. 3242 as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

- 21. Public Hearing on a request by Brian Gray for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Planned Development-23-Single-Family Residential-1 zoning district located at 101 Homestead Ln (Property ID 269680) - Owner: BRIAN & MARY GRAY (ZDC-166-2020)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the accessory structure is equal or greater than 700 square feet and requires approval of a SUP. He recommended approval.

There being no others to speak for or against ZDC-166-2020, Mayor Hill closed the Public Hearing.

22. Consider proposed Ordinance approving ZDC-166-2020

ORDINANCE NO. 3243

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT ACCESSORY STRUCTURE USE WITHIN A PLANNED DEVELOPMENT-23-SINGLE FAMILY-1 (PD-23-SF1) ZONING DISTRICT, LOCATED AT 101 HOMESTEAD LANE, PROPERTY ID 269680, BEING LOT 1, BLOCK B OF HOMESTEAD ESTATES, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3243 as presented. Council Member Melissa Olson seconded, All Ayes.

23. Discuss live streaming all public meetings in City Hall, including briefings, and take any necessary action

Mayor Hill announced discussion of item 23 has moved to a future meeting.

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

City Council and City Staff wished everyone a Merry Christmas and Happy New Year.

City Manager Michael Scott stated he looks forward to 2021 being much brighter and prosperous days. He thanked City Council for their work this year.

Council Member Doug Barnes noted may God continue to bless all of us in the coming days ahead. He stated this is a unique time for all of us but with direction, we will all be much better off.

Mayor Pro Tem Mary Lou Shipley stated she looks forward to a brighter new year and is thankful we have gotten through this year to this point. She stated city staff has been extremely diligent and cooperative and has carried on business as usual.

Council Member Melissa Olson stated several people are dealing with health issues and asked everyone to keep them in their prayers and hopes 2021 brings great news for those who are ailing.

Mayor David Hill stated 2020 was going to be a new day with a clear vision and we are certainly looking forward to 2021. He reminded all to be careful, wear your mask, social distance, and wash your hands.

25. Adjourn

There being no further business, the meeting adjourned at 7:31 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary