

AGENDA

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on **Monday, October 4, 2021 at 7:00 p.m.**

Council Members: Doug Barnes, Mayor, Council Member Place 2
Billie Wallace, Mayor Pro Tem, Council Member Place 4
David Hill, Council Member Place 1
Melissa Olson, Council Member Place 3
Travis Smith, Council Member Place 5

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. **Public Comments:** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

5. **Consent Agenda**

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- a. Minutes of the City Council meeting of September 20, 2021
 - b. Minutes of the City Council briefing of September 20, 2021
 - c. Minutes of the City Council Work Session of September 30, 2021
 - d. Street closure request for 25th Annual Texas Country Reporter Festival to be held October 23, 2021
 - e. Event application for Big-Al-O-Ween Party on October 30, 2021
 - f. Event application for Gingerbread Trail Car Show on June 4, 2022
 - g. Event application for Cars in the Park Car Show on July 16, 2022
 - h. Event application for Waxahachie Fun Run Car Show on August 20, 2022
 - i. Event application for St. Jude Car Show on October 1, 2022
 - j. Supplemental Appropriation to carry forward unencumbered Wags-A-Hachie Dog Park Project Funds into FY22
 - k. Supplemental Appropriation to the FY22 Civic Center Budget for the replacement of HVAC compressor
6. **Present** Proclamation proclaiming October 8, 2021 as Markert Strong Day in Waxahachie

7. **Recognition** of Waxahachie Police Department for meeting all standards in the Texas Police Chief Association Best Practices Program
8. **Public Hearing** on a request by Michael Cervantes, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 240 Brookbend Drive (Property ID 208068) - Owner: EXOUSIA CONSTRUCTION, LLC (ZDC-133-2021)
9. **Consider** proposed Ordinance approving ZDC-133-2021
10. **Public Hearing** on a request by Andrew Garrett, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 800 Sycamore St (Property ID 176411) - Owner: A GARRETT REAL ESTATE VENTURES, LLC (ZDC-134-2021)
11. **Consider** proposed Ordinance approving ZDC-134-2021
12. **Public Hearing** on a request by Ronald Fraser, Fraser Real Estate Group, for a Specific Use Permit (SUP) for a Unified Lot Sign located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021)
13. **Consider** proposed Ordinance approving ZDC-140-2021
14. **Continue Public Hearing** on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021)
15. **Consider** proposed Ordinance approving ZDC-122-2021
16. **Continue Public Hearing** on a request by Josh Dunlap for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)
17. **Consider** proposed Ordinance approving ZDC-105-2021
18. **Consider** request by Kendell Wiley, for a Replat of Lots 1R-A, Block A, to create Lots 1RA & 1R-B, Block A, Wiley's Retail, being 0.996 acres (Property ID 231665) – Owner: KENDELL L & MICHELLE L WILEY (SUB-135-2021)
19. **Consider** request by Edison Calvopina, ES ARQ Studio, LLC for a Plat of Carrera Ranch for thirteen (13) residential lots being 16.000 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 277733) in the Extra Territorial Jurisdiction - Owner: Stella Rose Homes, LLC (SUB-56-2020)
20. **Public Hearing** on a request by Patty Dickerson, for a Specific Use Permit (SUP) for a Clothing Recycling Bin located at 402 N College Street (Property ID 193309) - Owner: CENTRAL PRESBYTERIAN CHURCH (ZDC-136-2021)
21. **Consider** proposed Ordinance approving ZDC-136-2021

22. ***Continue Public Hearing*** on a request by Brad Yates, Colonial Restoration Group, Inc. for Planned Development (PD) to allow a Private Club (Event Center) use within a Single Family-3 Zoning District located at 716 Dunaway Street (Property ID 193948) - Owner: LOREN GRAY INVESTMENTS, LLC (ZDC-131-2021)
23. ***Consider*** proposed Ordinance approving ZDC-131-2021
24. ***Consider*** Development Agreement for ZDC-131-2021
25. ***Consider*** proposed Resolution for Candidate Nominations for the Ellis Appraisal District Board of Directors for the Years 2022-2023
26. ***Consider*** proposed Resolution approving the City of Waxahachie Investment Policy as required by the Texas Public Funds Investment Act
27. ***Consider*** proposed Ordinance setting Water and Wastewater Fees
28. ***Consider*** contract with Taft & Associates to provide a Crisis Response Specialist
29. ***Convene*** into Executive Session to review Performance Evaluation for City Manager as permitted by Section 551.074 of the Texas Government Code
30. ***Reconvene*** and take any necessary action
31. Comments by Mayor, City Council, City Attorney and City Manager
32. Adjourn

The City Council reserves the right to go into Executive Session on any posted item. This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

City Council
September 20, 2021

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, Waxahachie, Texas, on Monday, September 20, 2021 at 7:00 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2
Billie Wallace, Mayor Pro Tem, Council Member Place 4
David Hill, Council Member Place 1
Melissa Olson, Council Member Place 3
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
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
Amber Villarreal, City Secretary

1. Call to Order

Mayor Doug Barnes called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Charles Frame, Q Ministry Project, Urban Well Magazine, gave the invocation. Mayor Barnes led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Melissa Chapman, 615 N. Rogers, Waxahachie, Texas, spoke in support of City Council extending the contract with the Waxahachie Arts Council. Ms. Chapman expressed concerns with traffic congestion due to 18-wheelers driving downtown and asked the City to assist.

Debbie Finch, 504 Sycamore, Waxahachie, Texas, spoke in support of City Council extending the contract with the Waxahachie Arts Council.

Becky Kauffman, 817 W. Main, Waxahachie, Texas, spoke in support of City Council extending the contract with the Waxahachie Arts Council.

Steve Chapman, 1602 Alexander Drive, Waxahachie, Texas, spoke in support of City Council extending the contract with the Waxahachie Arts Council.

Pat Souter, 700 W. Main, Waxahachie, Texas, spoke in support of City Council extending the contract with the Waxahachie Arts Council for multiple years as opposed to just a one-year extension.

Alan Fox, 327 University, Waxahachie, Texas, noted it was a great weekend in Waxahachie with multiple events spanning from the Wings N Wheels Fly-in/Drive-in event, C10s in the Park, Family Day at Railyard Park, and Antique Alley. He expressed his concerns for parking during the Texas Country Reporter Festival on October 23rd and encouraged the City to look at accommodations.

5. Consent Agenda

- a. Minutes of the City Council meeting of September 7, 2021
- b. Minutes of the City Council briefing of September 7, 2021
- c. Event application for Worship at Railyard on October 29, 2021
- d. Award of bid for the Wags-A-Hachie Dog Park Project
- e. Approve Contract with Freese & Nichols for Drainage Master Plan Phase 2

Action:

Council Member David Hill moved to approve items a. through e. on the Consent Agenda. Council Member Melissa Olson seconded, All Ayes.

6. Present Proclamation proclaiming September 17-23, 2021 as “Constitution Week”

Mayor Barnes read a Proclamation proclaiming September 17–23, 2021 as Constitution Week and presented it to members of the Rebecca Boyce Chapter of the Daughters of the American Revolution.

7. Present Proclamation proclaiming October 3-10, 2021 as a “Week of Prayer”

Mayor Barnes read a Proclamation proclaiming October 3-10, 2021 as a Week of Prayer and presented it to the Christians Rise Up in Prayer organization.

8. Request to appear by Elizabeth Tull, President of the Waxahachie Arts Council, to present Annual Financial Report for Waxahachie Arts Council and consider request to extend contract

Elizabeth Tull, President of the Waxahachie Arts Council, presented the 2020 Annual Financial Report for Waxahachie Arts Council and requested approval to extend the current contract.

Council Member Melissa Olson asked if it would be more beneficial to have a three-year contract extension as opposed to a one-year extension to secure funding for future events. Ms. Tull noted she did not think members would oppose a three-year extension.

Action:

Mayor Pro Tem Billie Wallace moved to approve a three-year contract extension with the Waxahachie Arts Council, beginning January 1, 2022 and expiring December 31, 2024. Council Member Melissa Olson seconded, All Ayes.

9. Continue Public Hearing on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR)

to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021)

Mayor Barnes continued the Public Hearing and announced the applicant requested to continue ZDC-122-2021 to the October 4, 2021 City Council meeting.

10. Consider proposed Ordinance approving ZDC-122-2021

Action:

Council Member David Hill moved to continue the Public Hearing on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021) to the October 4, 2021 City Council meeting. Mayor Pro Tem Billie Wallace seconded, All Ayes.

11. Continue Public Hearing on a request by Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)

Mayor Barnes continued the Public Hearing and announced the applicant requested to continue ZDC-116-2021 to the October 18, 2021 City Council meeting.

12. Consider proposed Ordinance approving ZDC-116-2021

Action:

Council Member David Hill moved to continue the Public Hearing on a request by Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021) to the October 18, 2021 City Council meeting. Mayor Pro Tem Billie Wallace seconded, All Ayes.

13. Public Hearing on a request by Kyle Hunt, Hunt Restoration, for a Specific Use Permit (SUP) for a Drive Through Establishment (restaurant) use within a Commercial zoning district located at 1735 N US Hwy 77 (Property ID 237029) - Owner: DSK PROPERTIES, LLC (ZDC-129-2021)

Shon Brooks, Executive Director of Development Services, presented the case noting the applicant is requesting a Specific Use Permit (SUP) to allow a drive-through use at an existing restaurant (Ta Molly's Restaurant) and staff recommended approval as presented.

Mayor Barnes opened the Public Hearing.

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There being no others to speak for or against ZDC-129-2021, Mayor Barnes closed the Public Hearing.

14. Consider proposed Ordinance approving ZDC-129-2021

ORDINANCE NO. 3294

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE THROUGH ESTABLISHMENT USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 1735 N US HWY 77, BEING PROPERTY ID 237029, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 3, BLOCK A IN THE SPRING LAKE DEVELOPMENT SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Melissa Olson moved to approve Ordinance No. 3294 as presented. Mayor Pro Tem Billie Wallace seconded, All Ayes.

15. Public Hearing on a request by Brad Yates, Colonial Restoration Group, Inc. for Planned Development (PD) to allow a Private Club (Event Center) use within a Single Family-3 Zoning District located at 716 Dunaway Street (Property ID 193948) - Owner: LOREN GRAY INVESTMENTS, LLC (ZDC-131-2021)

Mr. Brooks presented the case noting the applicant is requesting to change the zoning of the property from Single-Family-3 (SF-3) to Planned Development-Single-Family-3 (PD-SF-3) to allow a Private Club (Event Center) use. He reviewed staff and Planning & Zoning Commission concerns with noise and parking. He noted staff recommended approval per the following staff comments:

1. A mutually agreed upon Development Agreement will be required for the development.
2. 6ft. ornamental fencing with masonry columns space every 30' as well as enhanced landscape screening should be provided along Brady Street, W Avenue C, and the unimproved ROW along the rear of the property.
3. Sidewalks shall be installed along Dunaway Street and a portion of W Avenue C to allow connectivity to a private sidewalk located on the subject property.
4. The event center shall have a mandatory curfew of 10pm on weekdays and 12am on weekends.
5. Any exterior light added or located on the property shall be inward facing.
6. A detailed Site Plan packet shall be approved by the Planning and Zoning Commission prior to any on-site improvements being made.

Mr. Brooks explained the applicant provided a shared parking agreement with the adjacent church.

Mayor Barnes opened the Public Hearing.

Brad Yates, 626 Kaufman, Waxahachie, Texas, noted he purchased the building and is trying to save its historical value. He explained that he spoke with several neighbors and they were

supportive of his project. He agreed to add sidewalks as requested by the Planning and Zoning Commission but would rather not put a fence so that the property is inclusive with the neighborhood.

Council Member Travis Smith inquired about the venue occupancy and if the parking contract with the church is in perpetuity. Mr. Yates noted the maximum occupancy would be 225 and the contract is in perpetuity.

Council Member Olson asked if the applicant is agreeable to change the weekend curfew to 11 p.m. to align with the city's current noise ordinance and Mr. Yates noted he is agreeable to that for the courtyard curfew. Mr. Yates explained he will attempt to add more parking spaces to the final site plan.

There being no others to speak for or against ZDC-131-2021, Mayor Barnes closed the Public Hearing.

16. Consider proposed Ordinance approving ZDC-131-2021

Action:

Council Member Travis Smith moved to continue ZDC-131-2021 to the October 4, 2021 City Council meeting. Council Member David Hill seconded, All Ayes.

17. Consider Development Agreement for ZDC-131-2021

No action taken.

18. Continue Public Hearing on a request by Perry Thompson, Thompson Architectural Group, Inc., for a Specific Use Permit (SUP) for a Heavy Machinery and Equipment Rental, Sales, or Storage use within a Commercial zoning district located at 1313 N Interstate 35 (Property ID 180355) - Owner: JP TYLER, LLC (ZDC-100-2021)

Mr. Brooks presented the case noting the applicant (Sunbelt Rentals) is requesting approval of a Specific Use Permit (SUP) at a vacant industrial/commercial building to allow the use of heavy machinery and equipment, rental, sales, or storage and outdoor display. He noted staff recommended approval per the following staff comments:

1. A mutually agreed upon Development Agreement will be required for the development.
2. Any new pavement for the site shall be concrete. In addition, areas with outdoor display structures shall be located on a concrete surface.
3. The existing chain link fence shall be replaced with ornamental iron fencing along the front and side.
4. The applicant is responsible for providing a utilities connection to the site from the northern direction of the property.
 - a. An official Certificate of Occupancy shall not be issued until all necessary utilities are provided to the site.
5. The fire sprinkler Fire Department connection must be within 100 ft. of a fire hydrant.
6. All parts of the building must be within 600 ft. of a fire hydrant.

Mr. Brooks explained there is an existing 2” water line that does not provide sufficient fire protection to the site and staff is requiring the applicant to provide a 16” water line utility connection from the North of the property.

Mayor Barnes continued the Public Hearing.

There being no others to speak for or against ZDC-100-2021, Mayor Barnes closed the Public Hearing.

19. Consider proposed Ordinance approving ZDC-100-2021

ORDINANCE NO. 3295

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HEAVY MACHINERY AND EQUIPMENT, RENTAL, SALES OR STORAGE USE AND OUTDOOR DISPLAY USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 1313 N. INTERSTATE HIGHWAY 35, PROPERTY ID 180355, BEING ABSTRACT 99 OF THE J B BOUNDS SURVEY, 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. 3295 per staff comments. Council Member David Hill seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Melissa Olson. Noes: Travis Smith.

The motion carried.

20. Consider Development Agreement for ZDC-100-2021

Action:

Council Member Melissa Olson moved to approve a Development Agreement for ZDC-100-2021. Mayor Pro Tem Billie Wallace seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Melissa Olson. Noes: Travis Smith.

The motion carried.

21. Consider proposed Resolution for Candidate Nominations for the Ellis Appraisal District Board of Directors for the Years 2022-2023

Action:

Council Member Melissa Olson moved to move the item to the October 4, 2021 City Council meeting. Council Member David Hill seconded, All Ayes.

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

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Council Member Travis Smith praised CVB Director Laurie Mosley for her work all weekend at the numerous City events noting she was a fantastic ambassador for the city.

Council Member Melissa Olson echoed Council Member Smith's comments.

City Manager Michael Scott recognized the collaborative team effort from City staff and various departments on their work during public events.

Mayor Pro Tem Billie Wallace echoed Mr. Scott's comments noting she witnessed City staff cleaning up Getzendaner Park on Sunday morning.

Council Member David Hill thanked City staff for all their work. He announced the NHRA and Stampede of Speed events are coming up.

Mayor Doug Barnes noted it is a pleasure living in this city and citizens are blessed with the quality of life available in Waxahachie.

23. Adjourn

There being no further business, the meeting adjourned at 8:01 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5b)

City Council
September 20, 2021

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 Monday, September 20, 2021 at 6:30 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2
Billie Wallace, Mayor Pro Tem, Council Member Place 4
David Hill, Council Member Place 1
Melissa Olson, Council Member Place 3
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
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
Amber Villarreal, City Secretary

1. Call to Order

Mayor Doug Barnes called the meeting to order.

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

City Manager Michael Scott reviewed the following agenda items:

- Item 5c. event applications for Worship at Railyard on October 29, 2021.
- Items. 6-7. Constitution Week Proclamation and Week of Prayer Proclamation.
- Item 8. Waxahachie Arts Council annual financial report and recommended contract extension.

Council Member Melissa Olson inquired about extending the contract for three-years as opposed to one-year to assist with fund planning for the Arts Council.

- Item 21. candidate nominations for the Ellis Appraisal District Board of Directors for the Years 2022-2023. Mr. Scott explained nominations are to be submitted by October 15th which allows time for additional Council consideration.

Gumaro Martinez, Executive Director Park & Leisure Services, reviewed Item 5d. noting staff received two bids for the Wags-A-Hachie Dog Park Project and recommended award of bid to J&K Excavation in the amount of \$429,095.96. He reported staff was able to reduce the scope of the original bid. He explained the scope of work consists of demolition of existing on ground appurtenances, mass grading, paving of new 53 space parking lot, fencing, and other park improvements.

James Gaertner, Director of Public Works and Engineering, reviewed Item 5e. authorizing professional service with Freese and Nichols, Inc. for the second phase of the City-Wide Drainage

(5b)

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Master Plan. He explained funding for this phase is included in the FY20-21 Public Works operation and maintenance budget.

Executive Director of Development Services Shon Brooks reviewed the following:

- Items 9-10. ZDC-122-2021, applicant requested to continue the Public Hearing to the October 4, 2021 City Council meeting.
- Items 11-12. ZDC-116-2021, applicant requested to continue the Public Hearing to the October 18, 2021 City Council meeting.
- Items 13-14. ZDC-129-2021, staff recommended approval as presented.
- Items 15-17. ZDC-131-2021, staff recommended approval per staff comments and approval of Development Agreement.

City Council and staff discussed concerns with noise and parking. Police Chief Wade Goolsby explained noise complaints are at the discretion of the police officer. He explained he is more concerned with parking than with noise. Mr. Brooks noted the applicant was encouraged to speak with neighbors and provided letters of support from some of those neighbors. Mayor Barnes confirmed additional stipulations can be addressed in the Development Agreement. Council Member Travis Smith asked if the item could be postponed for further discussion.

- Items 18-20. ZDC-100-2021, staff recommended approval per staff comments and Development Agreement.

3. Adjourn

There being no further business, the meeting adjourned at 7:01 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5c)

City Council
September 30, 2021

A Work Session of the Mayor and City Council of the City of Waxahachie, was held at Community National Bank & Trust of Texas, 2nd Floor Community Room, 1905 N. Hwy. 77, Waxahachie, TX 75165 on Thursday, September 30, 2021 at 3:00 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2
Billie Wallace, Mayor Pro Tem, Council Member Place 4
David Hill, Council Member Place 1
Melissa Olson, Council Member Place 3
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
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
Terry Welch, City Attorney
Jami Bonner, Assistant City Secretary

1. Call to Order

Mayor Doug Barnes called the meeting to order.

2. Hear and discuss presentation of the Lake Parks Masterplan

Consultant Michael Black, La Terra Studio, presented the Waxahachie Lake Parks Master Plan which included analysis and potential projects for Boat Dock Park, Jetty Park, and Spring Park.

Mr. Black explained the process for the steering committee and Park Board included evaluating each park and determining what we have now, what we keep, and what is the vision for the future. He shared mutual consensus was that each of the three parks were similar and it became a goal to give each park its own identity. Mr. Black presented potential improvements as follows:

- Boat Dock Park: keep existing restroom, revamping the playground, create a protective harbor for swimming, 30 spaces to provide boat entry and exit organization, create a beach atmosphere with protective board walk with pavilion over the water
- Jetty Park: add restroom, cabanas with private docks, large pier over the water,
- Spring Park: canoe/paddle board/non-motorized launch, large gathering open area, re-organize, add parking, possible fish habitat

A magnitude of probable cost was presented which indicated the probable cost to be between \$9 million and \$10 million for the three park projects.

Mr. Black stated the Park Board has approved the steering committee's Lake Parks Master Plan and the next step would be to include it on a future City Council agenda for adoption.

Mr. Michael Scott, City Manager, stated in the bonds issued this year, there was \$1.5 million in general park improvements. He explained due to the timing of the presented master plan and high

priority for the lake parks, the general park improvements were left open for the next fiscal year. Mr. Scott noted that staff has indicated the top priority would be to improve parking.

Council Member Melissa Olson stated she agrees that parking is a high priority improvement; however, the remaining potential improvements should be voted on by the citizens.

Council Member David Hill asked if funding is included in the five year plan for parks. Mr. Scott replied that funding is limited, but there is funding annually for general parks improvements.

3. Discuss planning for and direction of City Charter revisions

City Attorney Terry Welch explained that the current City Charter is silent on the process for amending the Charter other than to say it may be amended. After research, Mr. Welch shared what he found to be the standard process typically utilized by Home Rule cities.

Council Member Travis Smith recommended gathering community input on potential City Charter amendments. Mr. Scott responded that the City can disseminate a community input survey in the near future to gather data.

After discussion, it was the consensus not to move forward with amending the City Charter at this time.

4. Discuss policy for the naming of City facilities

Council Member Travis Smith presented the opportunity to adopt a policy in regards to naming City facilities, streets, and/or parks that will provide transparency in regards to how the names are selected.

After a brief discussion, it was the consensus to research, establish, and adopt policy and procedures for naming City facilities, streets, and/or parks.

5. Discuss limiting public comment times at City meetings

Mayor Doug Barnes introduced the opportunity to limit public speaking comments to a determined time as allowed by the Open Meetings Act.

After discussion, it was the consensus to limit public speaking comments to five (5) minutes per person during each meeting.

6. Discuss security measures for City Hall

Mr. Richard Abernethy, Director of Administrative Services, presented a recent safety assessment of City Hall conducted by Court Security Concepts, LLC. Mr. Abernethy noted the assessment was conducted onsite with a thorough walk through of City Hall, interviews with key staff and employees in various offices with a focus on the exterior, building, and individual office assessments.

(5c)

7. Discuss policies for golf carts on public streets

Waxahachie Police Chief Wade Goolsby provided the State laws for operating golf carts on city streets and acknowledged the confusion when considering the law, various off highway vehicles, subdivisions, and off highway roads. Chief Goolsby stated his preference would be for the City Council to adopt a clear ordinance for the City of Waxahachie.

After discussion, it was the consensus to proceed with creating and voting on an ordinance in regards to golf carts on public streets at a future City Council meeting.

8. Discuss options for spending of COVID Relief Funds

Mr. Albert Lawrence, Deputy City Manager, presented proposed projects in which to allocate Coronavirus Local Fiscal Recovery Funds. He noted that the City of Waxahachie will receive a total of \$9,412,892. He stated the costs must be obligated by December 31, 2024 and incurred from March 3, 2021 to December 31, 2026.

After discussion, it was the consensus to prioritize the Jefferson Street lift station expansion (\$5.5M), fiber expansion for City SCADA network (\$1.5M), and public health expenses (\$125K). If any funds remain, they should go towards purchasing generators for Howard Road high service pumps stations.

9. Discuss City Council initiatives

Council Member Melissa Olson asked fellow Council members if there is interest in putting 2022 bonds up for vote. The consensus was large non-infrastructure projects may need to go out for election.

Council Member Travis Smith inquired fellow Council members' opinions on making a public statement in support of Ellis County's proclamation in regards to vaccines. After a brief discussion, the consensus was to not proceed with a statement from City of Waxahachie.

10. Adjourn

There being no further business, the meeting adjourned at 5:37 p.m.

Respectfully submitted,

Jami Bonner
Assistant City Secretary

(5d)



Memorandum

To: Honorable Mayor and City Council
From: Laurie Mosley
Thru: Michael Scott, City Manager 
Date: September 23, 2021
Re: 25th Annual Texas Country Reporter Festival

The City of Waxahachie, Waxahachie Convention & Visitors Bureau, Phillips Productions and the Waxahachie Chamber of Commerce are making plans for the *25th Annual Texas Country Reporter Festival* in historic downtown Waxahachie.

The festival will take place on Saturday, October 23, 2021 with the set-up beginning on Friday, October 22, 2021. Just as in the years past, the main stage will arrive at 10 a.m. on Friday and the bulk of the vendor set-up to begin at 6 p.m. A layout of the festival has been included with this memo.

We invite everyone to join Kelli & Bob Phillips, hosts of the weekly TV show, *Texas Country Reporter*, for the largest one-day arts and music festival in the state of Texas!

Festival goers will be entertained all day, including a free concert with Little Texas best known for their hit single "God Blessed Texas," "Amy's Back in Austin," "What Might Have Been," and many more.

Surrounding the Waxahachie courthouse square will be more than 250 booths set-up with artists, craftspeople, 2 food courts, live entertainment and some of the people who have been featured on *Texas Country Reporter* over the years.

New this year is the "GO TEXAN Experience" featuring a marketplace of GO TEXAN vendors, Southern Roots Brewing Company, Boyce Feed & Grain, FRESH Market Coffee and the Grown Local stage with a wine garden and live entertainment.

Not only is this the 25th annual festival, but it will also be during the historic 50th (5d)
Season of Texas Country Reporter television series! That's right – 50 years of wandering
the backroads, meeting inspiring, talented, down-home folks doing what they love.

For more information on the festival, call the Waxahachie Convention & Visitors Bureau
at 469-309-4040 or visit www.waxahachiecvb.com.

Thank you,

Laurie Mosley

TX COUNTRY REPORTER FESTIVAL (5d)

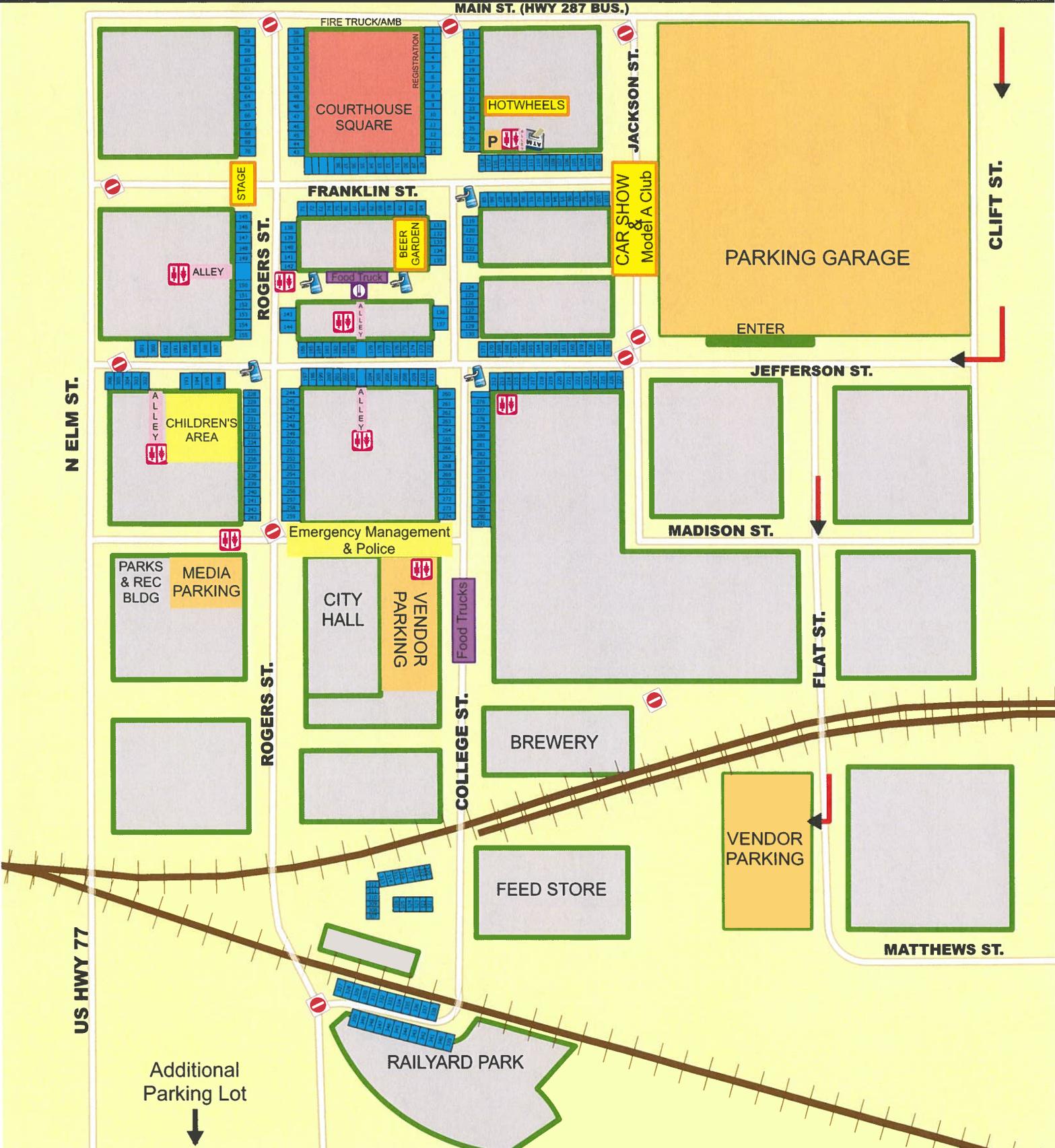
2021

MAP LAYOUT

-  FOOD COURT
-  NO ENTRANCE
-  DRINK BOOTH
-  RESTROOM
-  ATM
-  RAILROAD



CITY OF
WAXAHACHIE
TEXAS



Additional
Parking Lot
↓

TEXAS COUNTRY (5d) REPORTER FESTIVAL

DOWNTOWN WAXAHACHIE

Live Music by
LITTLE TEXAS
*with over 200 Artists &
Craftspeople, Food & More*



Saturday
OCT. 23
9AM - 7PM
FREE ADMISSION

WAXAHACHIECVB.COM ★ 469-309-4040





(5e)

Application for a Festival or Event Permit

Event Name and Description: BIG AL-O-WEEN Party

Applicant Information

Name: AL MACK

Address: 200 S. Rogers St #3

City, State, Zip: Waxahachie Phone: 214 770-4772

E-mail Address: BIGALMACK19@Gmail.com

Organization Information

Organization Name: BIG AL'S DOWN THE HATCH

Address: 200 S. Rogers St #3

Authorized Head of Organization: AL MACK

Phone: 214 770 4772 E-mail Address: BIGALMACK19@Gmail.com

Event Chairperson/Contact

Name: SAME AS ABOVE

Address: ~~Rogers + Jefferson~~ PARKING LOT

City, State, Zip: ~~WAX, TX 75165~~ Phone: 214

E-mail Address: _____

Event Information

Event Location/Address: Rogers + Jefferson Parking Lot

Purpose: Halloween Party

Event Start Date and Time: 10-30-21 7p-

Event End Date and Time: 10-30-21 10pm

(5e)

Approximate Number of Persons Attending Event Per Day: 400

Site Preparation and Set-Up Date and Time: 10-30-21

Clean-Up Completion Date and Time: 10-30-21

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

No street closures needed - No Vendor Booths

Requested City Services: NONE

Will food and/or beverages be available and/or sold? YES/ NO

If yes, contact the City Health Inspector, (469) 309-4134, for permitting requirements and compliance.

Food will be prepared @ Big Al's Down the Hatch

*Will alcohol be available and/or sold? YES/ NO

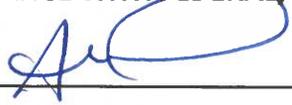
If yes, will the event be in the Historic Overlay District? YES/ NO

Will dumpsters be needed? No

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/ NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations.

I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.

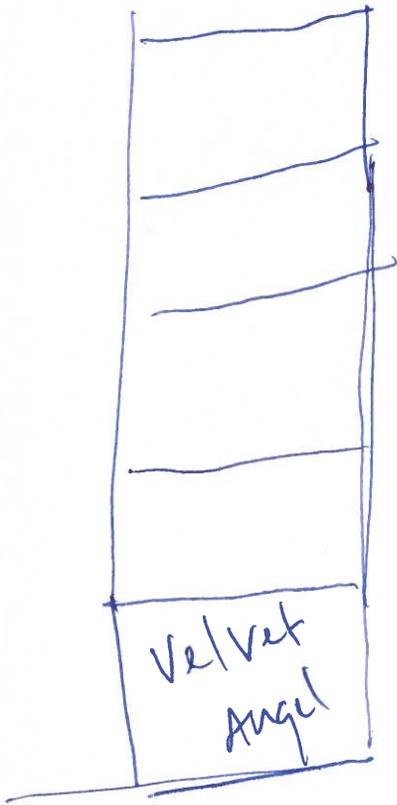


Signature of Applicant

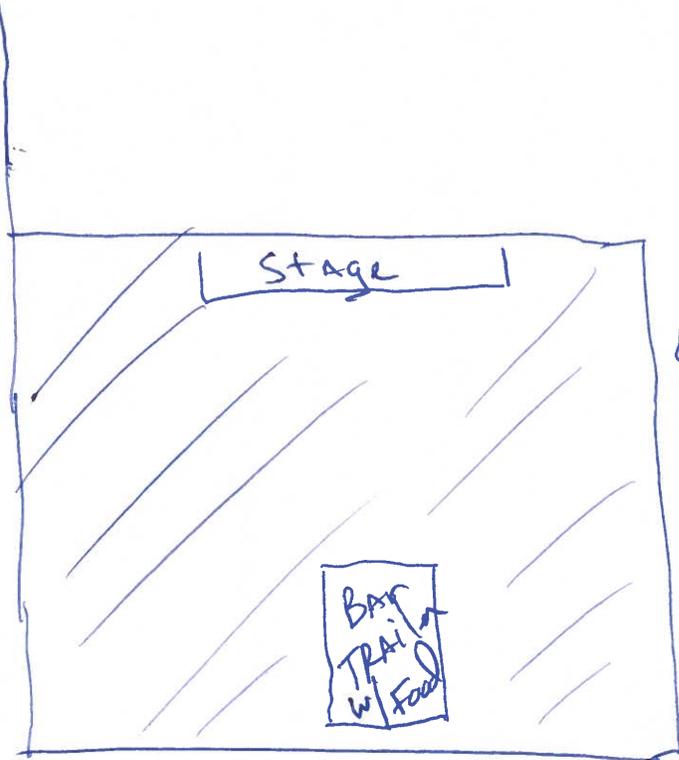
9-23-21

Date

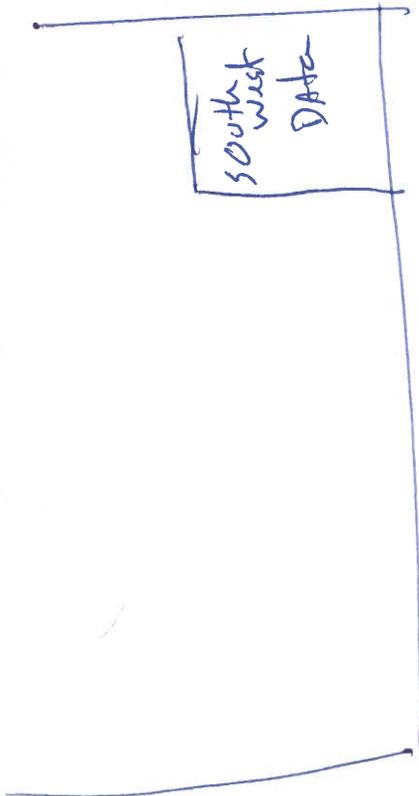
*** Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).**



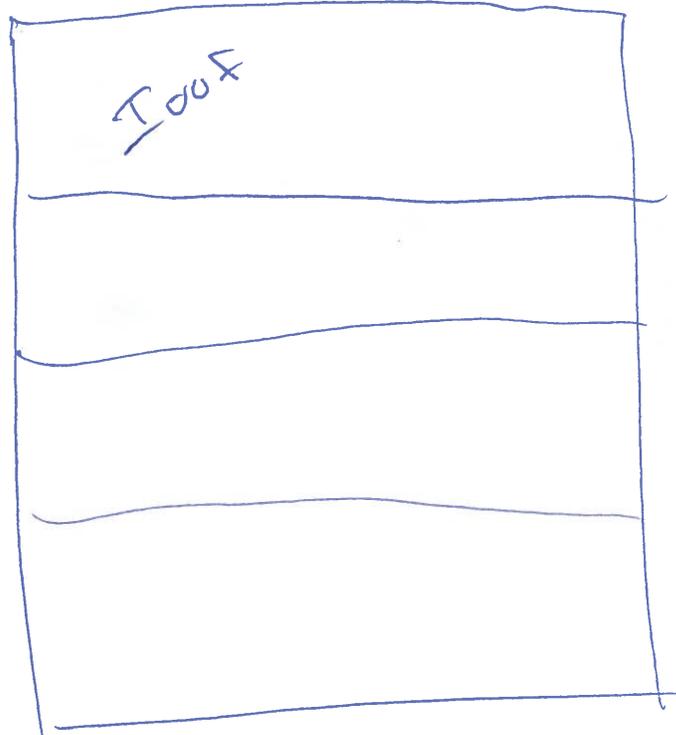
Rogers st



Jefferson St.



Rogers st



ALLEY

(5e)

Bonner, Jami

From: Simpson, Anita
Sent: Friday, September 24, 2021 12:37 PM
To: Bonner, Jami
Subject: RE: Event Application - Big Al-O-Ween Party 10.30.21

No comments

From: Bonner, Jami
Sent: Friday, September 24, 2021 12:32 PM
To: Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>
Subject: Event Application - Big Al-O-Ween Party 10.30.21

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5e)

Bonner, Jami

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Friday, September 24, 2021 12:43 PM
To: Bonner, Jami
Subject: RE: Event Application - Big Al-O-Ween Party 10.30.21

I have no issues with this request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Bonner, Jami [mailto:jami.bonner@waxahachie.com]
Sent: Friday, September 24, 2021 12:32 PM
To: Wade Goolsbey <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>
Subject: Event Application - Big Al-O-Ween Party 10.30.21

[EXTERNAL SENDER] – This email may be from an untrusted source. Links and attachments within this email may be at greater risk of being malicious or threatening in nature. If this is an unexpected email, please contact the sender via phone to verify authenticity prior to opening or accessing contents.

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5e)

Bonner, Jami

From: Gaertner, James
Sent: Friday, September 24, 2021 3:41 PM
To: Bonner, Jami
Subject: RE: Event Application - Big Al-O-Ween Party 10.30.21

I don't have any comments.



James Gaertner, PE, CFM
Director of Public Works & Engineering
401 S. Rogers St.
Waxahachie, TX 75165
Office: 469-309-4301
jgaertner@waxahachie.com

From: Bonner, Jami
Sent: Friday, September 24, 2021 12:32 PM
To: Wade Goolsbey <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>
Subject: Event Application - Big Al-O-Ween Party 10.30.21

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5e)

Bonner, Jami

From: Brooks, Shon
Sent: Friday, September 24, 2021 4:25 PM
To: Bonner, Jami; Wade Goolsbey; Ricky Boyd; Griffith, Thomas; Simpson, Anita; Gaertner, James; Mosley, Laurie; Me'Lony Jordan; Martinez, Jose
Cc: Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Big Al-O-Ween Party 10.30.21

A couple of items:

Will there be temporary restrooms on site? If not, please provide plan for facilities.

Is the stage constructed on site? What are the expected hours to complete the stage? Will this block parking for adjacent businesses?

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Friday, September 24, 2021 12:32 PM
To: Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>
Cc: Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>
Subject: Event Application - Big Al-O-Ween Party 10.30.21

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5e)

Bonner, Jami

From: al mack <bigalmack19@gmail.com>
Sent: Friday, September 24, 2021 4:58 PM
To: Bonner, Jami
Subject: Re: FW: Event Application - Big Al-O-Ween Party 10.30.21

Yes, there will be Porto-potties on site. I have a portable stage trailer that will be used. This will not take up any street parking.

Al

On Fri, Sep 24, 2021 at 4:38 PM Bonner, Jami <jami.bonner@waxahachie.com> wrote:

Hello Al,

Please respond to comments below from Mr. Brooks. Thank you.

From: Brooks, Shon <sbrooks@waxahachie.com>
Sent: Friday, September 24, 2021 4:25 PM
To: Bonner, Jami <jami.bonner@waxahachie.com>; Wade Goolsby <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Mosley, Laurie <mosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>
Cc: Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Big Al-O-Ween Party 10.30.21

A couple of items:

Will there be temporary restrooms on site? If not, please provide plan for facilities.

Is the stage constructed on site? What are the expected hours to complete the stage? Will this block parking for adjacent businesses?

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Friday, September 24, 2021 12:32 PM
To: Wade Goolsby <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith,

(5e)

Bonner, Jami

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Monday, September 27, 2021 1:32 PM
To: Bonner, Jami
Subject: RE: Event Application - Big Al-O-Ween Party 10.30.21

I don't have any issues with it, but just one concern on whether they plan on selling alcohol in the business and let people take their drinks to the event. I don't believe that TABC laws allow that unless the downtown regulations would allow it. Let me know if I need to research that or if he is going to restrict the Big Al's customers from leaving with drinks.

Thanks,

Wade G. Goolsby
Chief of Police
Waxahachie Police Department
630 Farley St.
Waxahachie, TX 75165
469-309-4414

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Friday, September 24, 2021 12:32 PM
To: Wade Goolsby <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; James Gaertner <jgaertner@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>
Cc: Michael Scott <msscott@waxahachie.com>; Albert Lawrence <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Shon Brooks <sbrooks@waxahachie.com>
Subject: Event Application - Big Al-O-Ween Party 10.30.21

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5e)

Bonner, Jami

From: Brooks, Shon
Sent: Tuesday, September 28, 2021 6:10 PM
To: Bonner, Jami
Subject: RE: Event Application - Big Al-O-Ween Party 10.30.21

I am ok with this. Thank you!

Shon

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Friday, September 24, 2021 5:01 PM
To: Brooks, Shon <sbrooks@waxahachie.com>; Wade Goolsbey <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>
Cc: Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Big Al-O-Ween Party 10.30.21

Al's response:

Yes, there will be Porto-potties on site. I have a portable stage trailer that will be used. This will not take up any street parking.

Al

From: Brooks, Shon <sbrooks@waxahachie.com>
Sent: Friday, September 24, 2021 4:25 PM
To: Bonner, Jami <jami.bonner@waxahachie.com>; Wade Goolsbey <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>
Cc: Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Big Al-O-Ween Party 10.30.21

A couple of items:

Will there be temporary restrooms on site? If not, please provide plan for facilities.

Is the stage constructed on site? What are the expected hours to complete the stage? Will this block parking for adjacent businesses?

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Friday, September 24, 2021 12:32 PM
To: Wade Goolsbey <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas

(5f)



Application for a Festival or Event Permit

Event Name and Description: _____
Gingerbread Trail Car Show

Applicant Information

Name: **Bill Redding**
Address: **2010 Clearview Dr**
City, State, Zip: **Midlothian** Phone: **972-977-3289**
E-mail Address: **clearview2007@hotmail.com**

Organization Information

Organization Name: **Midlothian Classic Wheels Car Club**
Address: **1775 Bryson Lane, Midlothian Tx 76065**
Authorized Head of Organization: **Bill Redding**
Phone: **972-977-3289** E-mail Address: **clearview2007@hotmail.com**

Event Chairperson/Contact

Name: **Bill Redding**
Address: **2010 Clearview Drive**
City, State, Zip: **Mid tx 76065** Phone: **972-977-3289**
E-mail Address: **clearview2007@hotmail.com**

Event Information

Event Location/Address: **Getzendaner Park**
Purpose: **car show/ proceeds to Ellis County charity**
Event Start Date and Time: **June 4, 2022 10am**

(5f)

Event End Date and Time: June 4 2022 2pm

Approximate Number of Persons Attending Event Per Day: 100

Site Preparation and Set-Up Date and Time: June 4 8am

Clean-Up Completion Date and Time: June 4 3 pm

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

car show no other events

Will food and/or beverages be available and/or sold? YES /NO

*Will alcohol be available and/or sold? YES /NO

If yes, will the event be in the Historic Overlay District? YES /NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? no

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

B. A. J. Feathers
Signature of Applicant

* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

(5f)

Bonner, Jami

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Thursday, September 16, 2021 1:36 PM
To: Bonner, Jami
Subject: RE: Event Application - Gingerbread Trail Car Show 6.4.22

I have no concerns with this request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue

214-463-9335

From: Bonner, Jami [mailto:jami.bonner@waxahachie.com]
Sent: Thursday, September 16, 2021 1:12 PM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Gingerbread Trail Car Show 6.4.22

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5f)

Bonner, Jami

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Thursday, September 16, 2021 5:03 PM
To: Bonner, Jami
Subject: RE: Event Application - Gingerbread Trail Car Show 6.4.22

I don't have any issues with it.

Wade G. Goolsby
Chief of Police
Waxahachie Police Department
630 Farley St.
Waxahachie, TX 75165
469-309-4414

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Thursday, September 16, 2021 1:12 PM
To: Gumaro Martinez <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Albert Lawrence <alawrence@waxahachie.com>; Michael Scott <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Gingerbread Trail Car Show 6.4.22

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
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Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5f)

Bonner, Jami

From: Mosley, Laurie
Sent: Monday, September 20, 2021 10:08 AM
To: Bonner, Jami
Subject: RE: Event Application - Gingerbread Trail Car Show 6.4.22

I see no problems with the event as it relates to my department. Thanks!

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Thursday, September 16, 2021 1:12 PM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Gingerbread Trail Car Show 6.4.22

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(57)

Bonner, Jami

From: Martinez, Gumaro
Sent: Thursday, September 23, 2021 9:48 AM
To: Bonner, Jami
Subject: RE: Event Application - Gingerbread Trail Car Show 6.4.22

No Comments

Gumaro Martinez
City of Waxahachie
Executive Director of Parks & Leisure Services
401 S. Elm
Waxahachie, TX 75165
469.309.4271 direct
214.903.3676 work cell
gmartinez@waxahachie.com

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From: Bonner, Jami
Sent: Thursday, September 16, 2021 1:12 PM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsbey <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Gingerbread Trail Car Show 6.4.22

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5g)



Application for a Festival or Event Permit

Event Name and Description: _____

Cars In The Park Car Show

Applicant Information

Name: **Bill Redding**

Address: **2010 Clearview Dr**

City, State, Zip: **Midlothian** Phone: **972-977-3289**

E-mail Address: **clearview2007@hotmail.com**

Organization Information

Organization Name: **Midlothian Classic Wheels Car Club**

Address: **1775 Bryson Lane, Midlothian Tx 76065**

Authorized Head of Organization: **Bill Redding**

Phone: **972-977-3289** E-mail Address: **clearview2007@hotmail.com**

Event Chairperson/Contact

Name: **Bill Redding**

Address: **2010 Clearview Drive**

City, State, Zip: **Mid tx 76065** Phone: **972-977-3289**

E-mail Address: **clearview2007@hotmail.com**

Event Information

Event Location/Address: **Getzendaner Park**

Purpose: **car show/ proceeds to Ellis County charity**

Event Start Date and Time: **July 16, 2022 10am**

(5g)

Event End Date and Time: July 16 2022 2pm

Approximate Number of Persons Attending Event Per Day: 100

Site Preparation and Set-Up Date and Time: July 16 8am

Clean-Up Completion Date and Time: July 16 3 pm

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

car show no other events

Will food and/or beverages be available and/or sold? YES /NO

*Will alcohol be available and/or sold? YES /NO

If yes, will the event be in the Historic Overlay District? YES /NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? no

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

B. A. J. Theobald
Signature of Applicant

* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

(5g)

Bonner, Jami

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Thursday, September 16, 2021 11:15 AM
To: Bonner, Jami
Subject: RE: Event Application - Cars in the Park Show 7.16.22

I have no issues with this request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Bonner, Jami [mailto:jami.bonner@waxahachie.com]
Sent: Thursday, September 16, 2021 11:02 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Cars in the Park Show 7.16.22

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5g)

Bonner, Jami

From: Mosley, Laurie
Sent: Monday, September 20, 2021 10:07 AM
To: Bonner, Jami
Subject: RE: Event Application - Cars in the Park Show 7.16.22

I see no problems with the event as it relates to my department. Thanks!

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Thursday, September 16, 2021 11:02 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Cars in the Park Show 7.16.22

For your review / comments. Thank you.

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Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5g)

Bonner, Jami

From: Martinez, Gumaro
Sent: Thursday, September 23, 2021 9:48 AM
To: Bonner, Jami
Subject: RE: Event Application - Cars in the Park Show 7.16.22

No comments

Gumaro Martinez
City of Waxahachie
Executive Director of Parks & Leisure Services
401 S. Elm
Waxahachie, TX 75165
469.309.4271 direct
214.903.3676 work cell
gmartinez@waxahachie.com

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Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Cars in the Park Show 7.16.22

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5h)



Application for a Festival or Event Permit

Event Name and Description: _____
Waxahachie Fun Run Car Show

Applicant Information

Name: Bill Redding
Address: 2010 Clearview Dr
City, State, Zip: Midlothian Phone: 972-977-3289
E-mail Address: clearview2007@hotmail.com

Organization Information

Organization Name: Midlothian Classic Wheels Car Club
Address: 1775 Bryson Lane, Midlothian Tx 76065
Authorized Head of Organization: Bill Redding
Phone: 972-977-3289 E-mail Address: clearview2007@hotmail.com

Event Chairperson/Contact

Name: Bill Redding
Address: 2010 Clearview Drive
City, State, Zip: Mid tx 76065 Phone: 972-977-3289
E-mail Address: clearview2007@hotmail.com

Event Information

Event Location/Address: Getzendaner Park
Purpose: car show/ proceeds to Ellis County charity
Event Start Date and Time: August 20, 2022 10am

(5h)

Event End Date and Time: August 20 2022 2pm

Approximate Number of Persons Attending Event Per Day: 100

Site Preparation and Set-Up Date and Time: August 20 8am

Clean-Up Completion Date and Time: August 20 3 pm

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

car show no other events

Will food and/or beverages be available and/or sold? YES /NO

*Will alcohol be available and/or sold? YES /NO

If yes, will the event be in the Historic Overlay District? YES /NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? no

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

B. A. J. Heath
Signature of Applicant

* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

(5h)

Bonner, Jami

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Thursday, September 16, 2021 11:15 AM
To: Bonner, Jami
Subject: RE: Event Application - Waxahachie Fun Run Car Show 8.20.22

I have no concerns with this request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Bonner, Jami [mailto:jami.bonner@waxahachie.com]
Sent: Thursday, September 16, 2021 11:01 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Waxahachie Fun Run Car Show 8.20.22

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For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5h)

Bonner, Jami

From: Mosley, Laurie
Sent: Monday, September 20, 2021 10:07 AM
To: Bonner, Jami
Subject: RE: Event Application - Waxahachie Fun Run Car Show 8.20.22

I see no problems with the event as it relates to my department. Thanks!

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Thursday, September 16, 2021 11:01 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Waxahachie Fun Run Car Show 8.20.22

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5h)

Bonner, Jami

From: Martinez, Gumaro
Sent: Thursday, September 23, 2021 9:47 AM
To: Bonner, Jami; Barnes, Bradley; Campos, Yadira; Griffith, Thomas; Wade Goolsbey; Ricky Boyd; Mosley, Laurie
Cc: Lawrence, Albert; Scott, Michael; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Waxahachie Fun Run Car Show 8.20.22

No comments

Gumaro Martinez
City of Waxahachie
Executive Director of Parks & Leisure Services
401 S. Elm
Waxahachie, TX 75165
469.309.4271 direct
214.903.3676 work cell
gmartinez@waxahachie.com

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To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsbey <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <mccott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Waxahachie Fun Run Car Show 8.20.22

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(51)



Application for a Festival or Event Permit

Event Name and Description: _____

St. Jude Car Show

Applicant Information

Name: **Bill Redding**

Address: **2010 Clearview Dr**

City, State, Zip: **Midlothian** Phone: **972-977-3289**

E-mail Address: **clearview2007@hotmail.com**

Organization Information

Organization Name: **Midlothian Classic Wheels Car Club**

Address: **1775 Bryson Lane, Midlothian Tx 76065**

Authorized Head of Organization: **Bill Redding**

Phone: **972-977-3289** E-mail Address: **clearview2007@hotmail.com**

Event Chairperson/Contact

Name: **Bill Redding**

Address: **2010 Clearview Drive**

City, State, Zip: **Mid tx 76065** Phone: **972-977-3289**

E-mail Address: **clearview2007@hotmail.com**

Event Information

Event Location/Address: **Getzendaner Park**

Purpose: **car show/ proceeds to Ellis County charity**

Event Start Date and Time: **October 1, 2022 10am**

(51)

Event End Date and Time: October 1, 2022 2pm

Approximate Number of Persons Attending Event Per Day: 100

Site Preparation and Set-Up Date and Time: October 1 8am

Clean-Up Completion Date and Time: October 1 3 pm

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

car show no other events

Will food and/or beverages be available and/or sold? YES /NO

*Will alcohol be available and/or sold? YES /NO

If yes, will the event be in the Historic Overlay District? YES /NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? no

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

B. N. J. Tealby
Signature of Applicant

* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

(5i)

Bonner, Jami

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Thursday, September 16, 2021 11:15 AM
To: Bonner, Jami
Subject: RE: Event Applications - St. Jude Car Show 10.1.2022

I have no concerns with this request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue

214-463-9335

From: Bonner, Jami [mailto:jami.bonner@waxahachie.com]
Sent: Thursday, September 16, 2021 10:58 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>
Subject: Event Applications - St. Jude Car Show 10.1.2022

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For your review / Comments. Thank you.

Jami Bonner
Assistant City Secretary
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Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(51)

Bonner, Jami

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Thursday, September 16, 2021 5:05 PM
To: Bonner, Jami
Subject: RE: Event Applications - St. Jude Car Show 10.1.2022

I have no issues.

Wade G. Goolsby
Chief of Police
Waxahachie Police Department
630 Farley St.
Waxahachie, TX 75165
469-309-4414

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Thursday, September 16, 2021 10:58 AM
To: Gumaro Martinez <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Albert Lawrence <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Michael Scott <mscott@waxahachie.com>
Subject: Event Applications - St. Jude Car Show 10.1.2022

For your review / Comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(51)

Bonner, Jami

From: Mosley, Laurie
Sent: Monday, September 20, 2021 10:06 AM
To: Bonner, Jami
Subject: RE: Event Applications - St. Jude Car Show 10.1.2022

I see no problems with the event as it relates to my department. Thanks!

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Thursday, September 16, 2021 10:58 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>
Subject: Event Applications - St. Jude Car Show 10.1.2022

For your review / Comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
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www.waxahachie.com

(51)

Bonner, Jami

From: Martinez, Gumaro
Sent: Wednesday, September 22, 2021 4:37 PM
To: Bonner, Jami; Barnes, Bradley; Campos, Yadira; Wade Goolsbey; Ricky Boyd; Griffith, Thomas; Mosley, Laurie
Cc: Lawrence, Albert; Villarreal, Amber; Crocker, Clarice; Scott, Michael
Subject: RE: Event Applications - St. Jude Car Show 10.1.2022

No comment

Gumaro Martinez
City of Waxahachie
Executive Director of Parks & Leisure Services
401 S. Elm
Waxahachie, TX 75165
469.309.4271 direct
214.903.3676 work cell
gmartinez@waxahachie.com

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Cc: Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>
Subject: Event Applications - St. Jude Car Show 10.1.2022

For your review / Comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
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www.waxahachie.com

(5j)



Memorandum

To: Honorable Mayor and City Council
From: Gumaro Martinez, Executive Director Parks & Leisure Services
Thru: Michael Scott, City Manager *[Signature]*
Date: September 29, 2021
Re: Consider Supplemental Appropriation to Carryforward Unencumbered Wags-A-Hachie Dog Park Project Funds into FY22

Item Description: Consider approving a supplemental appropriation to carryforward the unencumbered portion of available funding at the end of FY21 for the Wags-A-Hachie Dog Park Project into FY22.

Item Summary: The Wags-A-Hachie Dog Park Project funding in the amount of \$724,828 was authorized by the WCDC and approved by Council in April 2021. All of the available funding has been expensed or encumbered through contracts, except for \$45,643.44 that remains unencumbered and available. Although, the funding was previously authorized and approved, it was for the FY21 budget. In order to carryforward the unencumbered available funds into the FY22 budget, a supplemental appropriation is required.

Staff recommends a supplemental appropriation to increase account 208-000-57400 – Improvements Other Than Buildings by \$45,643.44 for the FY22 budget.

Fiscal Impact: The proposed supplemental appropriation would increase the GL account 208-000-57400 – Improvements Other Than Buildings by \$45,643.44. These funds were previously approved by Council, this would simply allow for the available funds to carryforward from the WCDC unrestricted reserve into the FY22 budget.

(5K)



Memorandum

To: Honorable Mayor and City Council
From: April Ortiz, Director – Civic Center
Thru: Michael Scott, City Manager
Date: September 28, 2021
Re: Consider Supplemental Appropriation to the FY21-22 Civic Center Budget for the Replacement of HVAC Compressor

Item Description: Consider approving a supplemental appropriation increasing the FY21-22 Civic Center budget for Maintenance, Building (Upkeep) account by \$45,000, plus a 10% contingency for any additional costs associated with the compressor replacement.

Item Summary: The Civic Center has two McQuay magnetic bearing chillers as part of the HVAC chilled water system. The compressor in chiller #1 is not working, and has an alarm that will not reset. Daikin (McQuay) has performed tests and pulled the fault data from the computer, and sent to a third-party consultant for review and recommendation. The third-party consultant is recommending replacing the compressor due to demagnetization. It is important to note that normally the two chiller systems would cycle back and forth when both are working. Having chiller #1 non-operational is adding additional workload to chiller #2.

Staff recommends a supplemental appropriation to increase 208-520-54310 - Maintenance, Building (Upkeep) account to cover the total cost of the compressor replacement, plus a 10% contingency for any additional costs associated with the compressor replacement.

Fiscal Impact: The proposed supplemental appropriation would increase the GL account 208-520-54310 – Maintenance, Building (Upkeep) budget by \$49,500. These additional funds would come from the Waxahachie Community Development Corporation's unrestricted fund balance reserves. This fund balance has sufficient funds available to absorb this additional expenditure with no

significant impact. This emergency appropriation is intended to be presented and ratified by the WCDC at their next regular meeting in November.

(6)

PROCLAMATION

WHEREAS, Jackson Markert was diagnosed with a soft tissue sarcoma cancer at age 2, endured chemotherapy, radiation and surgeries and recently relapsed with osteosarcoma in May of 2021 at the age of 13; and

WHEREAS, Osteosarcoma is the most common type of bone cancer, and the sixth most common type of cancer in children; and

WHEREAS, Jackson is currently receiving very aggressive chemotherapy treatment and will soon require an intense tumor resection surgery; and

WHEREAS, Jackson is the oldest of five children, and son to Ryan and Lindsay; and

WHEREAS, he enjoys hanging out with friends, football, baseball, music, playing the drums, shooting guns with his dad, playing board games with his mom, wrestling with his siblings. He attends Coleman Junior High in Waxahachie, is an active member at The Avenue Church, and one day hopes to attend the University of Texas.

NOW, THEREFORE, I, Doug Barnes, Mayor of the City of Waxahachie, along with the entire City Council, do hereby proclaim Friday, October 8, 2021 as

“MARKERT STRONG DAY IN WAXAHACHIE”

and encourage everyone to offer their continuous prayers, love and faith for Jackson and his family and participate in upcoming benefits to assist with medical costs and additional family expenses.

PROCLAIMED this 4th day of October, 2021.

MAYOR

ATTEST:

CITY SECRETARY

(8).



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Michael Scott, City Manager 
Date: September 21, 2021
Re: ZDC-133-2021 – 240 Brookbend Dr – Accessory Dwelling

On September 21, 2021, the applicant requested to continue case no. ZDC-133-2021 from the September 28, 2021 Planning and Zoning Commission agenda and the October 4, 2021 City Council meeting agenda to the October 12, 2021 Planning and Zoning Commission meeting agenda and the October 18, 2021 City Council meeting agenda.

(10)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Michael Scott, City Manager *[Signature]*
Date: September 21, 2021
Re: ZDC-134-2021 – 800 Sycamore – Accessory Dwelling

On September 21, 2021, the applicant requested to continue case no. ZDC-134-2021 from the September 28, 2021 Planning and Zoning Commission agenda and the October 4, 2021 City Council meeting agenda to the October 26, 2021 Planning and Zoning Commission meeting agenda and the November 1, 2021 City Council meeting agenda.

(12)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Executive Director of Development Services

Thru: Michael Scott, City Manager

Date: September 21, 2021

Re: ZDC-140-2021 Scarborough - Unified Lot Sign

On September 21, 2021, the applicant requested to continue case no. ZDC-140-2021 from the September 28, 2021 Planning and Zoning Commission agenda and the October 4, 2021 City Council meeting agenda to the October 12, 2021 Planning and Zoning Commission meeting agenda and the October 18, 2021 City Council meeting agenda.

(14)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Michael Scott, City Manager *MS*
Date: September 17, 2021
Re: ZDC-122-2021 – 617 Solon Road – Private Club

On September 17, 2021, the applicant requested to continue case no. ZDC-122-2021 from the September 28, 2021 Planning and Zoning Commission agenda and the October 4, 2021 City Council meeting agenda to the November 9, 2021 Planning and Zoning Commission meeting agenda and the November 15, 2021 City Council meeting agenda.

(16)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Executive Director of Development Services

Thru: Michael Scott, City Manager

Date: September 29, 2021

Re: ZDC-105-2021 – Gibson Crossing

At the September 28, 2021 Planning and Zoning meeting, the Planning and Zoning Commission voted 6-0 to continue case number ZDC-105-2021 from the September 28, 2021 Planning and Zoning Commission meeting agenda and the October 4, 2021 City Council meeting agenda to the November 9, 2021 Planning and Zoning Commission meeting agenda, and the November 15, 2021 City Council meeting agenda.

Planning & Zoning Department
Plat Staff Report

(18)



Case: SUB-135-2021

MEETING DATE(S)

Planning & Zoning Commission: September 28, 2021

City Council: October 4, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 14, 2021, the Commission voted 6-0 to recommend approval of SUB-135-2021, as presented.

CAPTION

Consider request by Kendell Wiley, for a **Replat** of Lots 1R-A, Block A, to create Lots 1RA & 1R-B, Block A, Wiley's Retail, being 0.996 acres (Property ID 231665) – Owner: KENDELL L & MICHELLE L WILEY (SUB-135-2021)

APPLICANT REQUEST

The applicant is requesting to replat the subject property from one (1) lot to two (2) lots for general retail use.

CASE INFORMATION

Applicant: Tim Jackson

Property Owner(s): Kendall Wiley

Site Acreage: 0.996 acres

Number of Lots: 2 lots

Number of Dwelling Units: 0 units

Park Land Dedication: The cash-in-lieu for park land dedication is \$600.00 (1 non-residential lot at \$600.00 per acre with a minimum rate of \$600.00).

Adequate Public Facilities: Adequate Public Facilities are available

SUBJECT PROPERTY

General Location: 2251 Brown Street

Parcel ID Number(s): 231665

Current Zoning: General Retail (GR)

(118)

Existing Use: A multi-tenant retail building currently occupies the site. Tenants include: Snowflake Donuts, Wiley's Jewelry, & Salon Gatsby.

Platting History: The subject property was originally platted as Lot 1, Block A Wiley's Retail in 2006 before being replatted into Lot 1R-A, Block A Wiley's Retail in 2016. The latest replat for this property was not filed until 2018.

Site Aerial:



PLATTING ANALYSIS

The purpose of this replat is to divide one (1) lot to create two (2) lots for general retail use. Adequate public facilities are available to this site on Brown Street and Dean Box Drive. An additional 15ft. Right-of-Way (ROW) dedication is required along Brown Street as part of the proposed replat in accordance with the City of Waxahachie Thoroughfare Plan. The applicant has requested a Petition of Relief Waiver for the ROW dedication. In addition, as part of the proposed replat, a parking easement is provided on Lot 1R-A1 to account for the required parking spaces needed for lot 1R-A2.

PETITION OF RELIEF WAIVER

The applicant has requested a Petition of Relief Waiver for the right-of-way (ROW) dedication requirement along Brown Street for this replat. The City of Waxahachie Thoroughfare Plan shows Brown Street as a 110ft. ROW. To align with the Thoroughfare Plan, an additional 15ft. of ROW would need to be dedicated along Brown Street for Lot 1R-A2. Currently, the 15ft. of requested ROW on the property includes landscaping and required parking spaces for the existing retail building located on the site. The applicant is seeking relief from this ROW dedication requirement so that the existing landscaping and required parking for the site will not have to be removed.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:

(18)

ATTACHED EXHIBITS

1. Replat

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Planner

zking@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Executive Director of Development Services

sbrooks@waxahachie.com

Planning & Zoning Department

Plat Staff Report

(19)



Case: SUB-56-2020

MEETING DATE(S)

Planning & Zoning Commission: September 28, 2021

City Council: October 4, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 28, 2021, the Commission voted 5-1 to recommend approval of plat no. SUB-56-2020, as presented. As part of this vote, the P&Z Commission recommended approval of the applicant's Petition of Relief request and Petition of Hardship request.

CAPTION

Consider request by Edison Calvopina, ES ARQ Studio, LLC for a **Plat** of Carrera Ranch for 13 residential lots being 16.000 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 277733) in the Extra Territorial Jurisdiction - Owner: Stella Rose Homes, LLC (SUB-56-2020)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into thirteen (13) lots for single family residential use.

CASE INFORMATION

Applicant: Edison Calvopina, ES ARQ Studio, LLC

Property Owner(s): Stella Rose Homes, LLC

Site Acreage: 16.000 acres

Number of Lots: 13 lots

Number of Dwelling Units: 13 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Adequate domestic water flow can be established for the proposed subdivision. However, adequate fire flow is not available. Due the proposed subdivision being greater than four lots, City Council will need to grant a Petition of Hardship waiver for lack of fire flow.

SUBJECT PROPERTY

General Location: The subject property is located along and adjacent to FM 878 and approximately 1,300 feet west of the FM 878 and Ike Rd split.

(19)

Parcel ID Number(s): 277733
Current Zoning: N/A (ETJ)
Existing Use: The site is undeveloped
Platting History: The property is situated in the T. Jackson Survey, Abstract 574.
Site Aerial:



PLATTING ANALYSIS

Overview:

The applicant is requesting to plat 16 acres of land in the ETJ into 13 lots for a single family residential development. All 13 lots of the proposed subdivision will be at least 1 acre in size. A single dead end street (Stella Rose Court) will be constructed to limit the amount of lots fronting FM 878.

Petition of Relief Request:

With the proposed road being 699 feet in length, the applicant is requesting a variance to exceed the maximum length requirement for a dead end street. Per the City of Waxahachie Subdivision ordinance, dead end streets are not to exceed 600 feet. Stella Rose Court is shown to be 699.14 feet in length.

Staff is supportive of this waiver request because the excess 99.14 feet in length doesn't add an undue burden (excess congestion, delivery of municipal services, etc.) to the proposed subdivision. In regard to the Petition of Relief Request, the Planning and Zoning Commission does have the right to grant the overlength variance, and this petition will not need to be reviewed by City Council.

Petition of Hardship Request:

The proposed subdivision will have available domestic water flow to homes within the subdivision, but will not be able to have adequate fire flow. Per the City of Waxahachie subdivision ordinance, any proposed subdivision located within the Waxahachie ETJ that will be greater than 4 lots will require a Petition of Hardship request approved by City Council.

Staff has discussed the lack of available fire flow with the Ellis County Fire Marshal's office. Ellis County requires all water lines intended to serve residences to have a hydrant located every 300 feet. The Fire Marshal's office believed this would still meet their requirements and were okay with the approval of the Petition of Hardship waiver being approved in this instance.

Due to the Ellis County Fire Marshal's office being supportive of the proposed development, staff is supportive of the Petition of Hardship request. This request will require City Council's approval.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Disapproval
- Approval, as presented.

ATTACHED EXHIBITS

1. Plat Drawing
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

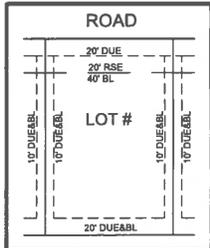
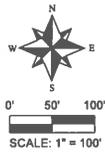
A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Senior Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Executive Director of Development Services
sbrooks@waxahachie.com



NOTES:

BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, PER GPS OBSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48138C0200F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ALL LOTS SHALL BE SERVICED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ON-SITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.

UPON COMPLETION OF CONSTRUCTION, ALL LOT CORNER MONUMENTED WITH A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET, UNLESS OTHERWISE NOTED.

THE DRAINAGE EASEMENTS SHALL BE MAINTAINED BY PROPERTY/LOT OWNERS.

STATE OF TEXAS: COUNTY OF ELLIS:

KNOW ALL MEN BY THESE PRESENTS

WHEREAS STELLA ROSE HOMES, LLC, ARE THE SOLE OWNERS OF A TRACT OF LAND SITUATED IN THE T JACKSON SURVEY, ABSTRACT NO. 574, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO STELLA ROSE HOMES, LLC, RECORDED IN INSTRUMENT NO. 182969, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT) AND BEING MORE PARTICULARLY DESCRIBED, AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR A NORTHEAST CORNER OF SAID STELLA ROSE TRACT IN THE WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO BARRY WILLIAMS AND MARY WILLIAMS, RECORDED IN VOLUME 1848, PAGE 1389, OPRECT, IN THE SOUTH RIGHT-OF-WAY (ROW) LINE OF F.M. HIGHWAY NO. 878 (A CALLED 80' ROW), FROM WHICH A 1/2" IRON ROD FOUND FOR THE CALLED NORTHWEST CORNER OF SAID WILLIAMS TRACT BEARS N 0°31'49" W, 1.4';

THENCE S 0°31'49" E, ALONG AN EAST LINE OF SAID STELLA ROSE TRACT AND THE COMMON WEST LINE OF SAID STELLA TRACT, A DISTANCE OF 288.8 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID WILLIAMS TRACT AND A COMMON NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO JACOB ALAN WESTHOFF AND SARAH H. JAFFA, RECORDED IN INSTRUMENT NO. 179827, OPRECT, CONTINUING ALONG SAID STELLA ROSE TRACT AND THE COMMON WEST LINE OF SAID WESTHOFF TRACT A TOTAL DISTANCE OF 433.65 FEET TO A 1/2" IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID STELLA ROSE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID WESTHOFF TRACT;

THENCE N 80°26'17" E, ALONG A NORTH LINE OF SAID STELLA ROSE TRACT AND THE COMMON SOUTH LINE OF SAID WESTHOFF TRACT, A DISTANCE OF 533.39 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE NORTHEAST CORNER OF SAID STELLA ROSE TRACT AND THE COMMON NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED DONALD E. BUSBY AND LANE E. BUSBY, RECORDED IN INSTRUMENT NO. 1830918, FROM WHICH A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID WESTHOFF TRACT AND THE COMMON NORTHWEST CORNER OF SAID BUSBY TRACT, BEARS N 80°26'17" E, A DISTANCE OF 38.51 FEET;

THENCE S 01°07'24" E, ALONG THE EAST LINE OF SAID STELLA ROSE TRACT AND THE COMMON WEST LINE OF SAID BUSBY TRACT, A DISTANCE OF 723.80 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE SOUTHEAST CORNER OF SAID STELLA ROSE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID BUSBY TRACT;

THENCE S 88°52'36" W, ALONG THE SOUTH LINE OF SAID STELLA ROSE TRACT, A DISTANCE OF 902.14 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE SOUTHWEST CORNER OF SAID STELLA ROSE TRACT AND THE COMMON EAST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO JAMES L. BARNES AND DAPHNE BARNES, RECORDED IN VOLUME 831, PAGE 187, OPRECT, FROM WHICH A 1" IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID BARNES TRACT BEARS S 80°44'03" E, A DISTANCE OF 157.21 FEET;

THENCE N 00°44'03" W, ALONG A WEST LINE OF SAID STELLA ROSE TRACT AND THE COMMON EAST LINE OF SAID BARNES TRACT, A DISTANCE OF 41.89 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET IN THE EAST ROW LINE OF SAID F.M. HIGHWAY NO. 878, FROM THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 341.58 FEET, A CHORD WHICH BEARING N 11°46'36" E, A CHORD LENGTH OF 144.52 FEET;

THENCE, ALONG THE WEST LINE OF STELLA ROSE TRACT AND THE COMMON EAST OF SAID F.M. HIGHWAY NO. 878, AS FOLLOWS:

ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 145.82 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

N 00°24'21" W, A DISTANCE OF 642.89 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 232.84 FEET, A CHORD BEARING N 3°44'09" E, A CHORD LENGTH OF 300.21 FEET;

ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 328.25 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

N 79°52'39" E, A DISTANCE OF 78.53 FEET TO THE POINT OF BEGINNING AND CONTAINING 16.000 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, STELLA ROSE HOMES, LLC, DO HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS CARRERA RANCH, AN ADDITION TO ELLIS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON AND DOES HEREBY CERTIFY THE FOLLOWING:

- 1. THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES.
2. ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES.
3. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, AND CREATED BY THIS PLAT, ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT.
4. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN.
5. ELLIS COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN, UNDER, OR OVER ANY EASEMENTS CAUSED BY MAINTENANCE OR REPAIR.
6. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND ELLIS COUNTY'S USE THEREOF.
7. ELLIS COUNTY AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS.
8. ELLIS COUNTY AND PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.
9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS COUNTY.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS.

WITNESS, MY HAND, THIS THE ___ DAY OF ___, 2020.

BY:

ALFREDO CARRERA STELLA ROSE HOMES, LLC

STATE OF TEXAS: COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ALFREDO CARRERA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/HIS EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE ___ DAY OF ___, 2020.

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS:

OWNER: STELLA ROSE HOMES, LLC 4040 ORCHID LANE MANSFIELD, TX 76063 214.837.4012

SURVEYOR: TEXAS REALTY CAPTURE & SURVEYING, LLC. P.O. BOX 252 WAXAHACHIE, TEXAS 75188 489.518.0339 TBPLS FIRMA NO 10194359

JOB NO 10635

PLAT CARRERA RANCH

16.000 ACRES

SITUATED IN THE

T. JACKSON SURVEY, ABSTRACT NO. 574 IN THE ETJ OF THE CITY OF WAXAHACHIE ELLIS COUNTY, TEXAS 13 RESIDENTIAL LOTS CASE NUMBER SUB-56-20 JANUARY 2020

(19)

Table with 6 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, AREA ANGLE. Rows C1 through C4.

TYPICAL EASEMENTS (UNLESS OTHERWISE NOTED)

R=232.84' L=326.25' CH BRG = N 39°44'09" E CH DIST = 300.21'

R=341.56' L=145.62' Δ=24°25'39" CH BRG = N 11°46'36" E CH DIST = 144.52'

REMAINDER 122 IKERD, LLC INSTRUMENT NO. 1813169 OPRECT

CIRS = 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET

IRF = IRON ROD FOUND

D & UE = DRAINAGE AND UTILITY EASEMENT

BL = BUILDING LINE

RSE = ROCKETT SPECIAL UTILITY DISTRICT EASEMENT

JACOB ALAN WESTHOFF AND SARAH H. JAFFA INSTRUMENT # 1709327 OPRECT

DONALD E. BUSBY & LANE E. BUSBY INSTRUMENT NO. 1830918 OPRECT

STATE OF TEXAS: COUNTY OF ELLIS:

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS

APPROVED THIS, ___ DAY OF ___, 2020.

TODD LITTLE COUNTY CLERK

RANDY BTONSON COMMISSIONER PRECINCT 1

LANE GRAYSON COMMISSIONER PRECINCT 2

PAUL PERRY COMMISSIONER PRECINCT 3

KYLE BUTLER COMMISSIONER PRECINCT 4

ATTEST:

KRYSTAL VALDEZ COUNTY CLERK

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PERIODIC ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT

DEPARTMENT OF DEVELOPMENT DIRECTOR DATE

I, TIMOTHY J. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT"

TIMOTHY J. JACKSON REGISTRATION NUMBER 5644

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: CHAIRPERSON

DATE

ATTEST

DATE

(19)



PLANNING & ZONING DEPARTMENT
401 South Rogers Street | Waxahachie, Texas 75168
(469) 309-4290 | www.waxahachie.com/Departments/PlanningandZoning



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Alfredo Carrera Parcel ID #: _____
Subdivision Name: Carrera Ranch

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

- Buena Vista-Bethel SUD (972) 937-1212
- Carroll Water Company (972) 617-0817
- Mountain Peak SUD (972) 775-3765
- Rockett SUD (972) 617-3524
- Sardis-Lone Elm WSC (972) 775-8566
- Nash Foreston WSC (972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations. <i>(once line is upgraded to 8")</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. The water line size servicing the lots is <u>8"</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Jacob Morales
Print Name of General Manager of water provider or Designee

Rockett SUD
Name of water provider company

Jacob Morales
Signature of General Manager of water provider or Designee

9/9/2021
Date

Planning & Zoning Department
Zoning Staff Report

(20)



Case: ZDC-136-2021

MEETING DATE(S)

Planning & Zoning Commission: September 28, 2021

City Council: October 4, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 28, 2021, the Commission voted 6-0 to recommend approval of zoning change ZDC-136-2021, subject to staff comments.

CAPTION

Public Hearing request by Patty Dickerson, for a **Specific Use Permit (SUP)** for a Clothing Recycling Bin located at 204 E Parks Avenue (Property ID 170631) - Owner: CENTRAL PRESBYTERIAN CHURCH (ZDC-136-2021).

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit to allow two (2) clothing recycling bins to be located at 204 E Parks Ave.

CASE INFORMATION

Applicant: Patty Dickerson, Central Presbyterian Church

Property Owner(s): Central Presbyterian Church

Site Acreage: 1.422 acres

Current Zoning: Single Family-2 (SF-2) with SUP for Institution of Religious, Charitable or Philanthropic Nature

Requested Zoning: Single Family-2 (SF-2) with SUP for Institution of Religious, Charitable or Philanthropic Nature and SUP for Clothing Recycling Bins

SUBJECT PROPERTY

General Location: 204 E Parks Avenue

Parcel ID Number(s): 170631

Existing Use: Bethlehem Revisited is located on this subject property.

Development History: The subject property is located within the Town Addition. An SUP to allow an Institution of Religious, Charitable or Philanthropic Nature was approved by City Council on October 20, 1997.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Homes
East	PD-28-O	Central Presbyterian Church and Single Family Homes
South	SF-2	Single Family Homes
West	SF-2	Single Family Homes

Future Land Use Plan: Low Density Residential

Comprehensive Plan: This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie’s current development is of a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan: The clothing bins are accessible via N Jackson Street

Site Image:



PLANNING ANALYSIS

Purpose of Request

The applicant is requesting a Specific Use Permit be approved to allow for two (2) clothing recycling bins on the Bethlehem Revisited premises. A Specific Use Permit is required to be reviewed by City Council.

Proposed Use

The church currently has two (2) clothing recycling bins located on N Jackson Street along the exterior wall of Bethlehem Revisited. The bins belong to World Wear Project, but Central Presbyterian Church is responsible for donations and upkeep of the bins while on church property. Central Presbyterian removes collected items from the bins weekly (Thursdays) and keep the area clean and free from refuse. Proceeds from the bins go to Central Presbyterian’s Mission budget which is used to help furnish the Little Food Pantry and the four (4) little libraries around town. In addition to this, proceeds also go to local outreach programs such as support for Marvin Elementary’s snack program for low income children.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 19 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received two (1) letter of support for the proposed development.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:
 1. The property owner shall remain the operator of the donation/collection boxes.
 2. No trash, litter, excess donations or debris of any kind shall be allowed to accumulate within 25 feet of the donation/collection box site.
 3. The donation/collection box shall not stray from its approved location as a result of maintenance or service.
 4. The structural integrity of the donation/collection boxes shall be maintained at all times; any damage to the boxes shall be repaired within 24 hours’ notice of the damage.
 5. The visual integrity of the donation/collection box shall be maintained at all times; all required messages shall not be allowed to degrade; maintaining visual integrity of the boxes shall include removing any graffiti and rust, as well as repairing peeling paint or stickers (if required messages are displayed via sticker) within 24 hours’ notice.
 6. Donation/collection boxes shall be regularly serviced at least once a week; this service shall include emptying all donations from the box and completing a maintenance check & report in which any trash or damage to the box or the box site is attended to and documented.
 7. The operator of the donation/collection box shall retain and monitor an active email address and phone number capable of receiving messages at all times.
 8. Should the owner/operator wish to add additional bins to the site, an additional SUP shall be reviewed by City Council.

ATTACHED EXHIBITS

1. PON Responses
2. Ordinance
3. Exhibit A – Location Exhibit
4. Exhibit B – Operational Plan
5. Exhibit C – Concept Plan
6. Site Photo
7. Exhibit D – Staff Report

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Senior Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Executive Director of Development Services
sbrooks@waxahachie.com

PropertyID	Owner's Name	Owner's Address	Owner's City	Owner's State	Owner's ZIP
170687	SOUTHWESTERN BELL TELEPHONE CO ATTN: SBC PROPERTY TAX ADMIN	1010 PINE 9E-L-01	ST LOUIS	MO	63101
170630	VLEN LADD	1015 FERRIS AVE	WAXAHACHIE	TX	75165
170648	BELL CAMARA	201 OLDHAM	WAXAHACHIE	TX	75165
170644	GULLETT JARED G & KELLY N GULLETT	204 OLDHAM	WAXAHACHIE	TX	75165
170639	MCDANIEL CLARK W & ARIEL	205 OLDHAM ST	WAXAHACHIE	TX	75165
170642	CHAVEZ JUAN & CARMEN L	303 N FLAT ST	WAXAHACHIE	TX	75165
170679	BAYLOR HEALTH CARE SYSTEM ATTN: BRAD GAHM	3600 GASTON AVE STE 150	DALLAS	TX	75246
170652	ESPARZA OFELIA L/E	413 REDELL ST	GARLAND	TX	75040
170710	SCHNEIDER JOHN H & CONNIE	414 N COLLEGE ST	WAXAHACHIE	TX	75165
170709	KELLEY RAYMOND & JANICE P	418 N COLLEGE ST	WAXAHACHIE	TX	75165
170676	SIEGEL JAMES & LINDSAY	514 N ROGERS ST	WAXAHACHIE	TX	75165
170640	ZURAWSKI GERARD & SANDRA M TRUSTEES	7620 JORDAN LN	MIDLOTHIAN	TX	76065
220297	COVENANT LIFE CHRISTIAN CENTER	P O BOX 2509	WAXAHACHIE	TX	75168
170662	UNITED STATES POSTAL SERVICE	P O BOX 27497	GREENSBORO	NC	27498
170635	LOREN GRAY INVESTMENTS LLC	PO BOX 2868	WAXAHACHIE	TX	75168
170631	CENTRAL PRESBYTERIAN CHURCH	PO BOX 38	WAXAHACHIE	TX	75168
193309	CENTRAL PRESBYTERIAN CHURCH	PO BOX 38	WAXAHACHIE	TX	75168
170680	ROBINSON ALEX J DR	PO BOX 777	WAXAHACHIE	TX	75168
170647	NO INFORMATION FOUND				

(20)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-136-2021

RECEIVED SEP 15 2021

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 28, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 4, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Patty Dickerson, for a **Specific Use Permit (SUP)** for a **Clothing Recycling Bin** located at 402 N College Street (Property ID 193309 & 170631) - Owner: CENTRAL PRESBYTERIAN CHURCH (ZDC-136-2021)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-136-2021

City Reference: 170635

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, September 21, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Brad Yates member
Printed Name and Title

Date

9/13/21
PO Box 2868
Waxahachie, TX 75168
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC CLOTHING BIN DONATION BOX USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 204 E PAKRS AVENUE, BEING PROPERTY ID 170631, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 16 & 17 A-B-D & 18 A-B & 19, BLOCK 9, TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF2; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-136-2021. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2, with an SUP in order to permit an Clothing Bin Donation Box use on the following property: Lot 16 & 17 A-B-D & Lot 18 A-B & 19, Block 9, Town Addition, which is shown on Exhibit A, Operational Plan attached as Exhibit B, Concept Plan attached as Exhibit C, and Staff Report attached as Exhibit D.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City’s Comprehensive Plan and Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR AN CLOTHING BIN DONATION BOX USE IN THE SINGLE FAMILY-2 (SF-2) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number ZDC-136-2021.
2. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
3. All maintenance issues noted in this ordinance shall be addressed within 24 hours' notice.
4. The property owner shall remain the operator of the donation/collection boxes.
5. No trash, litter, excess donations or debris of any kind shall be allowed to accumulate within 25 feet of the donation/collection box site.
6. The donation/collection box shall not stray from its approved location as a result of maintenance or service.
7. The structural integrity of the donation/collection boxes shall be maintained at all times; any damage to the boxes shall be repaired within 24 hours' notice of the damage.
8. The visual integrity of the donation/collection box shall be maintained at all times; all required messages shall not be allowed to degrade; maintaining visual integrity of the boxes shall include removing any graffiti and rust, as well as repairing peeling paint or stickers (if required messages are displayed via sticker) within 24 hours' notice.
9. Donation/collection boxes shall be regularly serviced at least once a week; this service shall include emptying all donations from the box and completing a maintenance check & report in which any trash or damage to the box or the box site is attended to and documented.
10. The operator of the donation/collection box shall retain and monitor an active email address and phone number capable of receiving messages at all times.
11. Should the owner/operator wish to add additional bins to the site, an additional SUP shall be reviewed by City Council.
12. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance or Staff Report, as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Operational Plan, Exhibit C – Site Plan, and Exhibit D - Staff Report of the approved Ordinance. Where regulations are not specified in Exhibits B, C, D, or Zoning Ordinance, the regulations of the Single Family-2 Zoning District shall apply to this development.
13. If approved, the City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 4th day of October, 2021.

MAYOR

ATTEST:

City Secretary

Exhibit A - Location Exhibit



Exhibit B - Operational Plan

(20)

Revised Operational Plan – Two recycle bins - Central Presbyterian Church

September 29, 2021

ZDC-136-2021

Update on operations for our 2 recycle bins:

Because we have experienced items left around our church bins on the ground and stacked on the bins, we secured a second bin to receive additional donated items. Contents of the bins are picked up by the company every Thursday. We also put a team in place of people volunteering to check the bins 3 times/week to be sure the area is clean and free from donations left on the ground. Additionally, we decided that if we are unable to control unwanted items (paint, carpet, furniture) members of the community leave at our bins (in spite of clear directions what we accept), we will return the bins to the owners.

We receive \$.003 per pound of clothing donated. We do not pay a fee to World Wear Project, Inc , the owner of the bins. This averages approximately \$100 to \$120 per month. This revenue goes into our mission budget at our church. The primary mission this money has been funding is our partnership with Marvin Elementary school down the street from our church. We take breakfast to the teachers occasionally; we make snack bags for kids who don't have food at home for holidays/weekends; we participate in school drives such as collecting glue sticks or notebook paper to supplement school supplies. We sponsor Christmas dinners and gifts for needy children as directed by the school counselor.

Also, some of the money received has been used for supplies for our community garden around the corner from the bins located on the same church property. We have purchased soil, fertilizer, seeds, plants for use in the garden over the years.

Patty Dickerson, Chairman, Earth Care Congregation ministry team

Central Presbyterian Church

Exhibit C - Concept Plan



Fellowship Park of CPC (Open to Public)

Central Presbyterian Church

Bethlehem Revisited (CPC Property)

Donation Boxes

ZDC-136-2021 Donation Box Exhibit

- Donation Boxes (2)
- Bethlehem Revisited (CPC Property)
- Central Presbyterian Church
- Fellowship Park of CPC (Open to Public)



Exhibit D - Staff Report

(20)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-136-2021



MEETING DATE(S)

Planning & Zoning Commission: September 28, 2021

City Council: October 4, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 28, 2021, the Commission voted 6-0 to recommend approval of zoning change ZDC-136-2021, subject to staff comments.

CAPTION

Public Hearing request by Patty Dickerson, for a **Specific Use Permit (SUP)** for a Clothing Recycling Bin located at 204 E Parks Avenue (Property ID 170631) - Owner: CENTRAL PRESBYTERIAN CHURCH (ZDC-136-2021).

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit to allow two (2) clothing recycling bins to be located at 204 E Parks Ave.

CASE INFORMATION

Applicant: Patty Dickerson, Central Presbyterian Church

Property Owner(s): Central Presbyterian Church

Site Acreage: 1.422 acres

Current Zoning: Single Family-2 (SF-2) with SUP for Institution of Religious, Charitable or Philanthropic Nature

Requested Zoning: Single Family-2 (SF-2) with SUP for Institution of Religious, Charitable or Philanthropic Nature and SUP for Clothing Recycling Bins

SUBJECT PROPERTY

General Location: 204 E Parks Avenue

Parcel ID Number(s): 170631

Existing Use: Bethlehem Revisited is located on this subject property.

Development History: The subject property is located within the Town Addition. An SUP to allow an Institution of Religious, Charitable or Philanthropic Nature was approved by City Council on October 20, 1997.

Exhibit D - Staff Report

(20)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Homes
East	PD-28-O	Central Presbyterian Church and Single Family Homes
South	SF-2	Single Family Homes
West	SF-2	Single Family Homes

Future Land Use Plan:

Low Density Residential

Comprehensive Plan:

This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan:

The clothing bins are accessible via N Jackson Street

Site Image:



PLANNING ANALYSIS

Purpose of Request

The applicant is requesting a Specific Use Permit be approved to allow for two (2) clothing recycling bins on the Bethlehem Revisited premises. A Specific Use Permit is required to be reviewed by City Council.

Proposed Use

The church currently has two (2) clothing recycling bins located on N Jackson Street along the exterior wall of Bethlehem Revisited. The bins belong to World Wear Project, but Central Presbyterian Church is responsible for donations and upkeep of the bins while on church property. Central Presbyterian removes collected items from the bins weekly (Thursdays) and keep the area clean and free from refuse. Proceeds from the bins go to Central Presbyterian's Mission budget which is used to help furnish the Little Food Pantry and the four (4) little libraries around town. In addition to this, proceeds also go to local outreach programs such as support for Marvin Elementary's snack program for low income children.

Exhibit D - Staff Report

(20)

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 19 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received two (1) letter of support for the proposed development.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:
 1. The property owner shall remain the operator of the donation/collection boxes.
 2. No trash, litter, excess donations or debris of any kind shall be allowed to accumulate within 25 feet of the donation/collection box site.
 3. The donation/collection box shall not stray from its approved location as a result of maintenance or service.
 4. The structural integrity of the donation/collection boxes shall be maintained at all times; any damage to the boxes shall be repaired within 24 hours' notice of the damage.
 5. The visual integrity of the donation/collection box shall be maintained at all times; all required messages shall not be allowed to degrade; maintaining visual integrity of the boxes shall include removing any graffiti and rust, as well as repairing peeling paint or stickers (if required messages are displayed via sticker) within 24 hours' notice.
 6. Donation/collection boxes shall be regularly serviced at least once a week; this service shall include emptying all donations from the box and completing a maintenance check & report in which any trash or damage to the box or the box site is attended to and documented.
 7. The operator of the donation/collection box shall retain and monitor an active email address and phone number capable of receiving messages at all times.
 8. Should the owner/operator wish to add additional bins to the site, an additional SUP shall be reviewed by City Council.

ATTACHED EXHIBITS

1. PON Responses
2. Ordinance
3. Exhibit A – Location Exhibit
4. Exhibit B – Operational Plan
5. Exhibit C – Concept Plan
6. Site Photo
7. Exhibit D – Staff Report

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Senior Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Executive Director of Development Services

sbrooks@waxahachie.com

(22)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-131-2021



MEETING DATE(S)

Planning & Zoning Commission: September 14, 2021

City Council: October 4, 2021 (Continued from the September 20, 2021 City Council meeting)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 14, 2021, the Commission voted 5-1 to recommend approval of zoning change ZDC-131-2021, subject to staff comments.

CAPTION

Public Hearing Request by Brad Yates, Colonial Restoration Group, Inc. for **Planned Development (PD)** to allow a **Private Club (Event Center)** use within a Single Family - 3 Zoning District located at 716 Dunaway Street (Property ID 193948) - Owner: LOREN GRAY INVESTMENTS, LLC (ZDC-131-2021)

APPLICANT REQUEST

The applicant is requesting to change the zoning of the subject property from Single Family-3 (SF-3) to Planned Development-Single Family-3 (PD-SF-3) to allow a Private Club (Event Center) use.

CASE INFORMATION

Applicant: Brad Yates, Colonial Restoration Group, Inc.

Property Owner(s): Loren Gray Investments, LLC.

Site Acreage: 0.873 acres

Current Zoning: SF-3

Requested Zoning: PD-SF-3 to allow for Private Club (Event Center)

SUBJECT PROPERTY

General Location: 716 Dunaway

Parcel ID Number(s): 193948

Existing Use: Vacant building (formerly The South Ward School/Bullard Heights School) is located on the subject property.

Development History: The property was platted as Lot 5 of the Bullard Addition. The school house on the site was constructed in 1911.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-3	Single Family House
East	SF-3	Single Family House
South	SF-3	Undeveloped
West	SF-3	Single Family House

Future Land Use Plan:

Retail

Comprehensive Plan:

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than do other types of nonresidential land use (e.g., office, commercial).

Thoroughfare Plan:

This site will be accessible via Dunaway Street.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting a zoning change for this site from SF-3 zoning to PD-SF-3 zoning to allow for a Private Club (Event Center) use on 0.873 acres. The school house located on the site will remain. A parking lot will be added to the subject site as well as additional screening and vegetation. An outdoor courtyard will also be included as part of the overall proposal.

Case History:

This Planned Development (PD) case, ZDC-131-2021 for The Heights Event Center, was approved by the Planning and Zoning Commission on September 14, 2021 by a vote of 5-1, per staff comments. At the September 20, 2021 City Council meeting, City Council voted to continue this case to the October 4, 2021 City Council meeting. The primary concern discussed during the Council meeting related to the proposed parking on the subject property. In the time since the last City Council meeting, the applicant

has provided staff with an updated Site Plan that has provided additional parking for the site increasing the number of spaces from forty-seven (47) spaces to fifty-six (56) available parking spaces.

Proposed Use:

The applicant is requesting approval for a zoning change to allow the existing South Ward/Bullard Heights School House to be converted into an Event Center. The building is currently 4,576 sq. ft. consisting of four rooms. The applicant intends to update the floorplan of the building to make the building more conducive to an event center use. A portion of the building will be converted to one large ballroom, while the remaining rooms remain intact. The remaining rooms will consist of restroom facilities, a small prep kitchen, and two gathering rooms. In addition to the already existing building, the applicant is proposing the addition of a courtyard area with a gazebo that will allow for an outdoor use as part of the Event Center. Examples of anticipated Event Center uses include weddings, class reunions, business and corporate events, and other small gatherings. Alcohol will be provided by outside vendors. A parking lot will be constructed to allow for on-site parking and a circular drive will be added to provide a drop-off/pick-up point to the main entrance of the proposed Event Center. The applicant will also repair and update the facade of the building by updating the building with new stucco material to help the building look more aesthetically pleasing. Additional vegetation and screening is also proposed to be added to the site.

SPECIAL EXCEPTION/VARIANCE REQUEST:

On-site Screening

The applicant is requesting that screening for the subject property be primarily vegetative with more enhanced screening to be constructed for the courtyard area. The courtyard screening will consist of a concrete base with concrete columns and decorative cedar fencing in between the columns. The applicant is requesting the easing of screening restrictions due to the fact that that building already exists, and that the surrounding three existing streets and one unimproved alley act as an additional buffer to this site.

- Per Sec. 5.03 (f)(i) of the Zoning Ordinance, a solid brick or masonry screening wall of not less than six (6) feet nor more than eight (8) feet in height shall be erected on the property line separating these districts.
 - o Staff is willing to be flexible in regard to the screening. Since the schoolhouse is already existing on this site, staff believes that requiring a masonry screening wall to be constructed around the perimeter of the property would not be aesthetically pleasing. However, staff would like to see 6' ornamental iron fencing with masonry columns placed every 30' around the perimeter of the subject property. This would not be required for the enhanced screening the applicant is already proposing for the courtyard area. Vegetative screening will need to be included as part of the screening as well.

Sidewalks

The applicant is requesting that the sidewalk requirement be waived due to there not being other sidewalks in the area. The applicant has also stated that sidewalks would encourage additional street parking to the proposed event center.

- Per the City of Waxahachie Subdivision Ordinance, "sidewalks not less than six feet (6') shall be provided within all non-residential developments".
 - o Staff suggests that sidewalks be constructed along Dunaway and a portion of W Avenue C to allow access to a private sidewalk for the proposed event center.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **28** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Inside 200 ft.: Staff received two (2) letters of support and one (1) letter of opposition for the proposed development.

Outside 200 ft.: Staff received one (1) letters of support for the proposed development.

STAFF CONCERNS

Noise

Due to the SF-3 zoning in place and the existing single family use that largely surrounds the subject property, staff is concerned that noise generated from the event center will be disruptive to the surrounding neighbors. Staff is most concerned with the following sections contained within Chapter 20 – Noise of the City’s Code of Ordinance:

- Sec. 20-1 – Prohibited Generally
It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the city.

- Sec. 20-2 – Radios, Phonographs, Etc.
Using, operating or permitting to be played, used or operated, any radio receiving set, television set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto, shall be deemed a violation of this chapter. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

- Sec. 20-10 – Yelling, Shouting
Yelling, shouting, hooting, whistling or singing in the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity shall be deemed a violation of this chapter.

Street Parking

Staff is concerned that the proposed site will be under parked leading to street parking around the site. Given that the width of the streets in this area are narrow, street parking could lead to the clogging of thoroughfares in the area.

APPLICANT RESPONSE TO CONCERNS

Noise

The applicant has proposed self-imposed curfews of 10pm on weekdays and 12am on weekends. The applicant has also provided staff with signed documents expressing support of the proposed use from the property owners of 802 S Rogers Street, 700 S Rogers Street, and 401 Brady Street.

Street Parking

The applicant has presented staff with a mutually signed agreement with the Full Life Assembly of God (800 S Rogers Street) stating that their parking lot can be used for overflow parking for the proposed

event center and vice versa (approx. 37 additional spaces). While staff cannot officially count these spaces when reviewing the available parking for the site, this does reduce concerns regarding the possibility of street parking.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:
 1. A mutually agreed upon Development Agreement will be required for the development.
 2. 6ft. ornamental fencing with masonry columns spaced every 30’ as well as enhanced landscape screening should be provided along Brady Street, W Avenue C, and the unimproved ROW along the rear of the property.
 3. Sidewalks shall be installed along Dunaway Street and a portion of W Avenue C to allow connectivity to a private sidewalk located on the subject property.
 4. The event center shall have a mandatory curfew of 10pm on weekdays and 12am on weekends.
 5. Any exterior light added or located on the property shall be inward facing.
 6. A detailed Site Plan packet shall be approved the Planning and Zoning Commission prior to any on-site improvements being made.

ATTACHED EXHIBITS

1. Development Agreement/Ordinance
2. Property Owner Notification Responses
3. Letters of Support
4. Operational Plan
5. Location Exhibit
6. Conceptual Site Plan
7. Conceptual Elevations
8. Mutual Parking Agreement
9. Staff Report

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:
 Chris Webb
 Senior Planner
cwebb@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Executive Director of Development Services
sbrooks@waxahachie.com

STATE OF TEXAS § DEVELOPMENT AGREEMENT
 § FOR THE HEIGHTS EVENT CENTER
 COUNTY OF ELLIS §

This Development Agreement for the Heights Event Center (“Agreement”) is entered into between Loren Gray Investments, LLC (“LGI”) and the City of Waxahachie, Texas (“City”). LGI and the City are sometimes referred herein together as the “Parties” and individually as a “Party.”

Recitals:

1. LGI is the owner of approximately 0.873 acres of real property generally located at 716 Dunaway Street, parcel number 193948, in the City of Waxahachie, Texas (the “Property”), for which he has requested a change in the Property’s Single-Family-3 zoning to a Planned Development (“PD”) Single Family-3 zoning, revising allowable use development standards. The Property is currently zoned Single Family-3 by the City, and is anticipated to have the zoning changed to PD-SF-3 zoning on October 4, 2021.

2. The planned use of the Property is to create a Planned Development to allow for a Private Club (Event Center). The PD zoning process is utilized to ensure that the Property would develop in a manner that meets the City’s desired development standards, as well as providing LGI with agreed-upon and negotiated standards consistent with their business objectives.

3. As is reflected by the public records of the City, significant discussions and negotiations between representatives of LGI and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning and development standards to be reflected in the PD zoning change Ordinance No. (TBD) (the “The Heights Event Center PD Ordinance”), a copy of which is attached hereto as *Exhibit A* and which contains the negotiated zoning and development standards for The Heights Event Center.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in The Heights Event Center PD Ordinance as contractually-binding obligations between the City of Waxahachie and LGI, and to recognize LGI’s reasonable investment-backed expectations in The Heights Event Center PD Ordinance and the planned development of The Heights Event Center.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

Section 1. Incorporation of Premises. The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Term. This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so (“Effective Date”). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing (“Term”).

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning and development standards contained in the The Heights Event Center PD Ordinance, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the developer.

The Developer agrees to:

- (A) A mutually agreed upon Development Agreement will be required for the property.
- (B) A 6-foot ornamental fence with masonry columns spaced every 30', as well as enhanced landscape screening, shall be provided along Brady Street, W Avenue C, and the unimproved ROW along the rear of the property.
- (C) Sidewalks shall be installed along Dunaway Street and a portion of W Avenue C to allow for connectivity to a private sidewalk located on the subject property.
- (D) The Event Center shall have a mandatory curfew of 10pm on weekdays and 12am on weekends.
- (E) Any exterior lights added or located on the property shall be inward facing.
- (F) A detailed Site Plan packet shall be reviewed and approved by the Planning and Zoning Commission and City Council prior to any on-site improvements being made.
- (G) All development within the Planned Development will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
- (H) Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance, Development Agreement, or Staff Report, shall conform to those requirements and/or standards prescribed in Exhibits B – Concept Plan, Exhibit C – Conceptual Elevations, and Exhibit D - Staff Report. Where regulations are not specified in Exhibits B, C, D, or in this ordinance, the regulations of Single Family-3 zoning shall apply to this development.
- (I) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

In consideration of LGI's agreement in this regard, the City of Waxahachie agrees that LGI has reasonable investment-backed expectations in The Heights Event Center PD Ordinance, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the The Heights Event Center PD Ordinance without impacting LGI's reasonable investment-backed expectations.

Section 4. Miscellaneous

- A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.
- B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.
- C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.
- E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.
- F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.
- G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon LGI and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

(22)

{Signature Pages Follow}

(22)

EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(22)

: Loren Gray Investments, LLC (Applicant)

By: _____

Date: _____

: Loren Gray Investments, LLC (Owner)

By: _____

Date: _____

STATE OF TEXAS

§
§
§

COUNTY OF ELLIS

Before me, the undersigned authority, on this _____ day of _____, personally appeared _____, representative of Loren Gray Investments, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

EXHIBIT A

The Heights Event Center

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF-3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), TO ALLOW A PRIVATE CLUB (EVENT CENTER), LOCATED AT 716 DUNAWAY STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.873 ACRES KNOWN AS PROPERTY ID 193948, BEING LOT 5 OF THE BULLARD REVISED SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-131-2021. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from SF-3 to PD-SF-3, with Concept Plan; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said zoning amendment;

NOW, THEREFORE, this property is rezoned from SF-3 to PD-SF-3, with Concept Plan in order to facilitate development of the subject property in a manner that allows a Private Club (Event Center) use on the following property: Property ID 193948, being known as Lot 5 of the Bullard - Revised subdivision, which is shown on Exhibit A, Concept Plan which is shown as Exhibit B, Conceptual Elevations shown as Exhibit C and Staff Report shown as Exhibit D.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development to create a Private Club (Event Center), and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Site/Concept Plan packet (Exhibits B-D).

Development Regulations

1. A mutually agreed upon Development Agreement will be required for the property.
2. A 6-foot ornamental fence with masonry columns spaced every 30' as well as enhanced landscape screening shall be provided along Brady Street, W Avenue C, and the unimproved ROW along the rear of the property.
3. Sidewalks shall be installed along Dunaway Street and a portion of W Avenue C to allow connectivity to a private sidewalk located on the subject property.
4. The event center shall have a mandatory curfew of 10pm on weekdays and 12am on weekends.
5. Any exterior lights added or located on the property shall be inward facing towards the development.
6. All development within the Planned Development will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
7. A detailed Site Plan packet shall be reviewed and approved by the Planning and Zoning Commission and City Council prior to any on-site improvements being made.
8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance, Development Agreement, or Staff Report, shall conform to those requirements and/or standards prescribed in Exhibits B – Concept Plan, Exhibit C – Conceptual Elevations, and Exhibit D - Staff Report. Where regulations are not specified in Exhibits B, C, D, or in this ordinance, the regulations of Single Family-3 zoning shall apply to this development.
9. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED, AND ADOPTED on this 4th day of October, 2021.

(22)

MAYOR

ATTEST:

City Secretary

PropertyID	Owner's Name	Owner's Address	Owner's City	Owner's State	Owner's ZIP
172311	JONES NELSON W	107 CHAPMAN CIR	WAXAHACHIE	TX	75165
202987	GONZALEZ LEONARD & DEBORAH	1231 AMBERWOOD DR	DUARTE	CA	91010
202989	GILAD YUVAL	1709 MACKENZIE LN	CEDAR PARK	TX	78613
202988	MARTINEZ ALFREDO & SARA	225 CHIMNEY ROCK DR	WAXAHACHIE	TX	75167
173187	405 W AVE C SERIES OF CM SANCHES & ASSOCIATES LLC	300 LYNN ST	WAXAHACHIE	TX	75165
173188	409 W AVE C A SERIES OF CM SANCHEZ & ASSOCIATES LLC	300 LYNN ST	WAXAHACHIE	TX	75165
173195	403 W AVE C SERIES OF CM SANCHEZ & ASSOCIATES LLC	300 LYNN ST	WAXAHACHIE	TX	75165
173196	400 DEWBERRY SERIES OF CM SANCHEZ & ASSOCIATES LLC	300 LYNN ST	WAXAHACHIE	TX	75165
172312	HARBIN JAMES B II	302 DEWBERRY ST	WAXAHACHIE	TX	75165
172305	STRENGTH GUNTHER	302 MODENE AVE	WAXAHACHIE	TX	75165
172313	DUNBAR JEFFREY G	303 W AVENUE C	WAXAHACHIE	TX	75165
172314	TURBO PROPERTIES LLC	307 S ELM	WAXAHACHIE	TX	75165
193948	SOUND BRIDGE ACOUSTIC LABS INC	3501 I 35 E	WAXAHACHIE	TX	75165
202980	SOSA STACY & CHRIS AGUAYO	401 BRADY ST	WAXAHACHIE	TX	75165
194026	CONTRERRAS RACHEL	402 DEWBERRY ST	WAXAHACHIE	TX	75165
276671	SKEANS ABIGAIL K	407 W LIGHT ST	WAXAHACHIE	TX	75165
202985	BRANTLEY ZACK JACOB	6250 KINGSTON DR	MIDLOTHIAN	TX	76065
172310	COLE DONALD I & PEGGY E	700 DUNAWAY ST	WAXAHACHIE	TX	75165
172319	COLE I CHRISTOPHER	700 DUNAWAY ST	WAXAHACHIE	TX	75165
172367	SLETMOEN ROSA L S	700 S ROGERS ST	WAXAHACHIE	TX	75165
172368	MARCHBANKS STEPHANIE C	708 S ROGERS ST	WAXAHACHIE	TX	75165
172391	SMITH PATRICIA L	801 GIVENS ST	WAXAHACHIE	TX	75165
202986	VILLA JUAN M & MISSY R	805 GIVENS ST	WAXAHACHIE	TX	75165
172306	BRUNNER DENISA	806 DUNAWAY ST	WAXAHACHIE	TX	75165
172369	SOUTH PARK ASSEMBLY OF GOD	PO BOX 249	WAXAHACHIE	TX	75168
193799	SOUTH PARK ASSEMBLY OF GOD	PO BOX 249	WAXAHACHIE	TX	75168
172384	SANCHEZ CARLOS I SR	PO BOX 2673	WAXAHACHIE	TX	75168
172393	SANCHEZ CARLOS I SR	PO BOX 2673	WAXAHACHIE	TX	75168

(22)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-131-2021

RECEIVED SEP 03 2021

JONES NELSON W
107 CHAPMAN CIR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 14, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 20, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Brad Yates, Colonial Restoration Group, Inc. for **Planned Development (PD)** to allow a Private Club (Event Center) use within a Single Family - 3 Zoning District located at 716 Dunaway Street (Property ID 193948) - Owner: LOREN GRAY INVESTMENTS, LLC (ZDC-131-2021)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: SUB-131-2021

City Reference: 172311

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, September 7, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

This is a quiet residential neighborhood. The proposed location is practically in my back yard of my property. NOT APPROPRIATE.

Nelson W Jones, M.D.

Signature

8-29-21

Date

Nelson W. Jones, M.D.

Printed Name and Title

303 W. Light St.
Waxahachie, TX 75165

Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(22)

Loren Gray Investments, LLC

PO Box 2868

Waxahachie, TX. 75168

City of Waxahachie

August 23, 2021

This letter is to show support and acknowledgement of Loren Gray Investments, LLC plan for the building located at 716 Dunaway. The proposed plan will take the existing structure and renovate for use as an event center that will become known as "The Heights". This center will be used for class reunions, family gatherings, weddings and baby showers, corporate events, weddings, and small gatherings.

Roger Restw

802 S. Rogers St.

Address

(22)

Loren Gray Investments, LLC

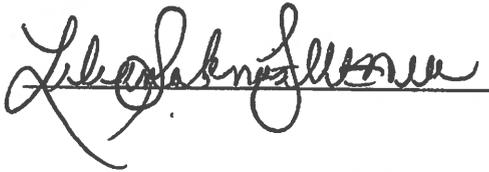
PO Box 2868

Waxahachie, TX. 75168

City of Waxahachie

August 23, 2021

This letter is to show support and acknowledgement of Loren Gray Investments, LLC plan for the building located at 716 Dunaway. The proposed plan will take the existing structure and renovate for use as an event center that will become known as "The Heights". This center will be used for class reunions, family gatherings, weddings and baby showers, corporate events, weddings, and small gatherings.



700 S. Rogers St
Address
1469-563-5841

(22)

Loren Gray Investments, LLC

PO Box 2868

Waxahachie, TX. 75168

City of Waxahachie

August 23, 2021

This letter is to show support and acknowledgement of Loren Gray Investments, LLC plan for the building located at 716 Dunaway. The proposed plan will take the existing structure and renovate for use as an event center that will become known as "The Heights". This center will be used for class reunions, family gatherings, weddings and baby showers, corporate events, weddings, and small gatherings.



Chris Aguayo

401 Brady St

Address

(22)

Loren Gray Investments, LLC
PO Box 2868
Waxahachie, TX 75168
972-938-3383

Proposed Project:
The Heights Event Venue
716 Dunaway Street
Waxahachie, TX 75165

August 4, 2021

Loren Gray Investments, LLC is a Real Estate Investment Company that was formed in 2009. It currently holds, manages and develops properties throughout Ellis County. The Bullard Heights School located at 716 Dunaway in Waxahachie was purchased roughly 9 months ago. After extensive investigation and informal conversations with the surrounding neighbors, it was concluded that the current best use of the space is an event venue.

The existing structure is approximately 4576 square feet consisting of basically 4 rooms. With minimal changes, a portion can be converted to one large ballroom leaving the remaining rooms intact. These rooms will consist of restroom facilities, small prep kitchen and two gathering rooms. In addition to indoor space, there will be an approximately 5500 square foot fenced in courtyard to allow for outdoor gatherings. Anticipated occupancy for indoor facilities is 225.

The finished project will be a multi-use facility that will house activities such as class reunions, family reunions, wedding and baby showers, weddings, receptions, business and corporate events, and small gatherings. All food and beverage will be outside vendors, but require insurance and security onsite for event.

The attractiveness of this project is that the facility is small in size and located near the heart of downtown. Due to it being surrounded by residential properties, the events scheduled will be sensitive to the noise ordinances currently in place.

The Bullard Heights School has been vacant since approximately 2000. It has fallen into disarray, been vandalized and is quickly becoming a forgotten part of Waxahachie's history. The easiest use of this space would be to raze the structure and develop the land; however, with Waxahachie's deep rooted history and sensitivity to old structures, the restoration of the Bullard Heights School into The Heights Event Center would allow us to remember the past and find an alternate use for a struggling building.

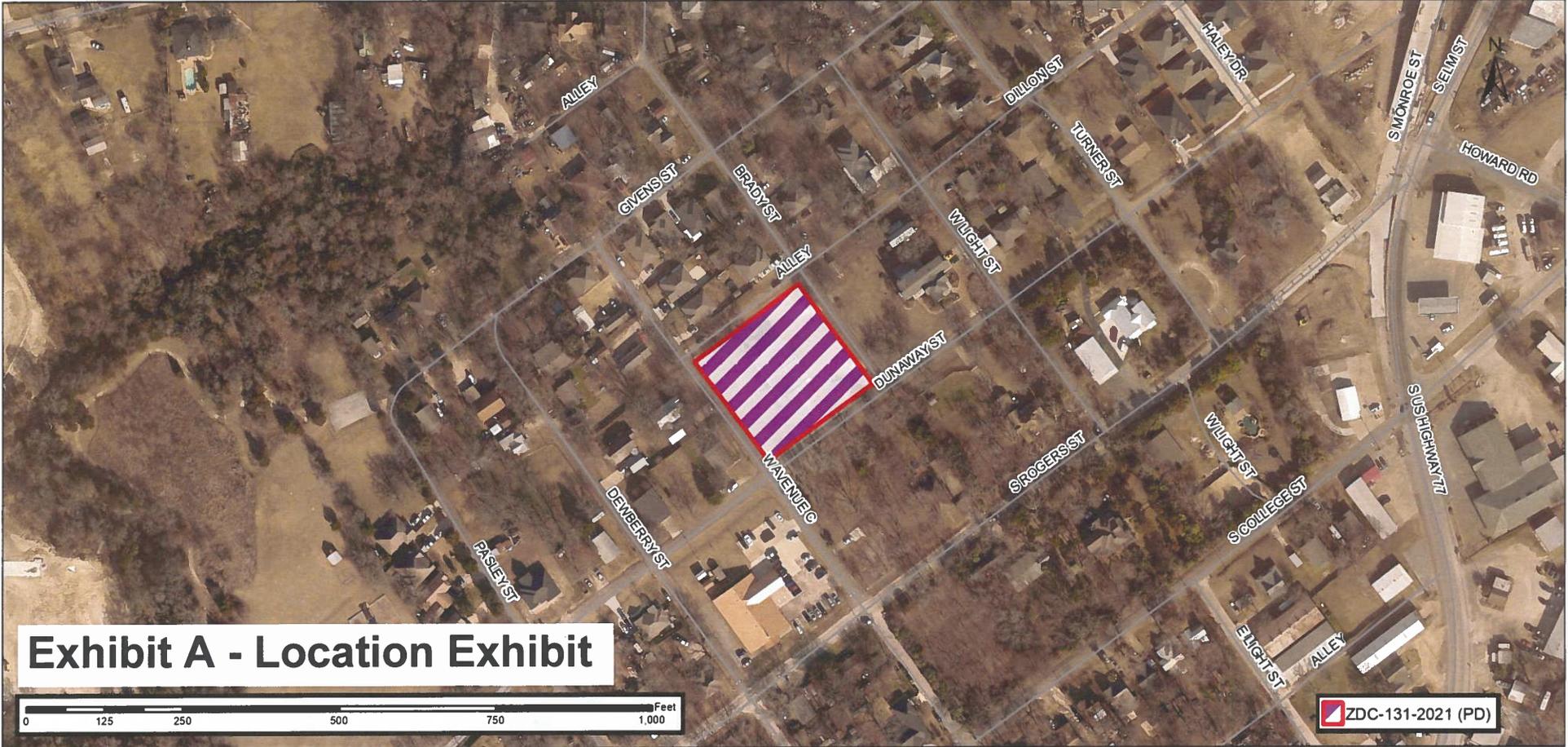
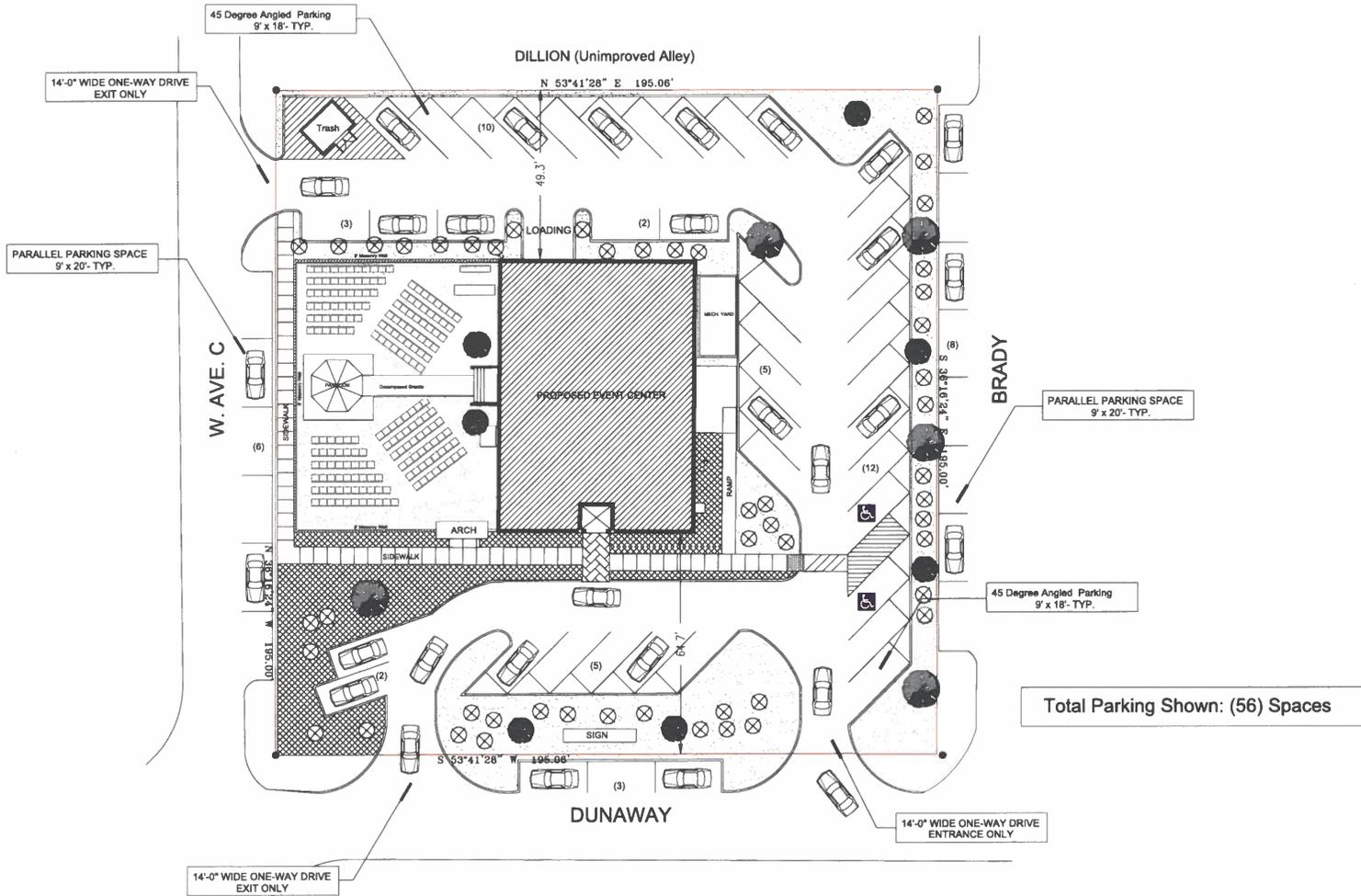


Exhibit A - Location Exhibit



Total Parking Shown: (56) Spaces

Landscaping Requirements

PROPOSED BUILDING FLOOR AREA:	4,718 SF		
50% LANDSCAPING REQUIREMENT BASED ON FLOOR AREA	2,359 SF		
ACTUAL LANDSCAPED SITE AREA:	7,793 SF		
CANOPY TREE	1/500 SF	REQUIRED: (5)	PROVIDED: (5)
UNDERSTORY TREE	1/250 SF	REQUIRED: (10)	PROVIDED: (10)
SHRUBS	1/70 SF	34	PROVIDED: (40)
GROUND COVER	15%	REQUIRED: (353 SF)	PROVIDED: (775 SF)

Landscape Notes

ALL LANDSCAPING TO BE COMPLIANT WITH THE CITY OF WAXAHACHIE'S LANDSCAPE ORDINANCE
 ALL PLANT MATERIALS ARE TO BE ON THE CITY'S APPROVED PLANTING LIST PER SEC. 5.04
 ALL PLANT MATERIALS WILL BE IRRIGATED BY AN APPROVED AUTOMATIC SPRINKLER SYSTEM
 FOR WHICH COMPLETE PLANS ARE TO BE PROVIDED UPON SUBMITTAL FOR THE BUILDING PERMIT

Landscape Key

	CANOPY TREE
	UNDERSTORY TREE
	SHRUB WITH SEASONAL COLOR
	GROUND COVER
	HYDROMULCH BERMUDA GRASS

Conceptual Site Plan

The Heights Event Center
 716 Dunaway Street
 City of Waxahachie, Ellis County, Texas



1:15

REVISED 9.23.21

(22)

NO.	DATE	DESCRIPTION

The Heights Event Center
 716 Dunaway
 Waxahachie, Texas



Colonial Restoration Group
 Waxahachie, Texas



308 East Marley Avenue
 Waxahachie, TX 75115
 (972) 923-2289

Designed by: A. Mottila Date: _____
 Drawn by: KRI Date: _____
 Checked by: A. Mottila Date: _____
 C.A. by: A. Mottila Date: _____

716 Dunaway
 www.mottilaarchitects.com

Exhibit C - Conceptual Elevations



Exhibit C - Conceptual Elevations



Exhibit C - Conceptual Elevations



Exhibit C - Conceptual Elevations



Mutual Release and Agreement

August 23, 2021

This agreement is between Loren Gray Investments, LLC, owner of The Heights Event Center, and Full Life Assembly of God. Both agree that terms of agreement are for mutual use of parking facilities that each entity has on their respective properties for use only as overflow parking. In addition, to granting parking both Loren Gray Investments, LLC and Full Life Assembly of God hold harmless from liability each entity from actions of persons either incorporated with or without the said organization.

Roger Reston, Pastor

Full Life Assembly of God

A handwritten signature in black ink, appearing to be 'Loren Gray', written over a horizontal line. The signature is stylized and cursive.

Loren Gray Investments, LLC

(25)

TAXING UNIT: CITY OF WAXAHACHIE

Resolution No. _____

RESOLUTION OF **CANDIDATE NOMINATIONS** FOR THE ELLIS APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE YEARS 2022-2023

WHEREAS, Section 6.03 (g) of the Texas Property Tax Code, requires that each taxing unit entitled to vote may nominate by Resolution one candidate for each of the five positions to be filled and submit those nominations to the Chief Appraiser of the Ellis Appraisal District before October 15, 2021.

THEREFORE, the City of Waxahachie submits the following nomination(s) with contact information for Board of Directors of the Ellis Appraisal District for 2022-2023:

Name	E-mail	Cell	Bio Included

ACTION TAKEN this 7th day of September, 2021, in Open Session of the governing body of the above mentioned taxing unit; as authorized under Section 6.03 of the Texas Property Tax Code, for the purpose of nominating candidates to the Board of Directors of the Ellis Appraisal District.

Presiding Officer

ATTEST: _____

(26)



Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager

Date: September 29, 2021

Re: Consider Resolution Approving the City's Investment Policy as Required by the Texas Public Funds Investment Act

This item is a resolution approving the City of Waxahachie Investment Policy in accordance with the State of Texas Public Funds Investment Act (TPFIA). As outlined in the Government Code Chapter 2256, the City Council is required to approve the City's Investment Policy annually. The Investment Policy was last known to have been approved October 17, 2011.

The Investment Policy outlines the City's investment strategy, standards of care, authorized investments, policy guidelines, prohibited investments and reporting.

The City's current investment strategy is to maintain sufficient funds in the bank to pay upcoming bills and invoices for the day-to-day operations of the City. Any additional funds, including balances and reserves in the general fund and restricted funds, and bond funds, are held in an investment pool. As bills are paid, funds are moved as needed from the investment pool to the bank. This investment pool, LOGIC, is a AAA rated local government investment pool that provides government entities across the state the opportunity to pool their money with other entities to achieve economies of scale in a conservative fund in full compliance with the Texas Public Funds Investment Act.

(26)

City of Waxahachie, Texas

Investment Policy

PURPOSE: To establish policies for the investment of funds of the City of Waxahachie in accordance with Texas Government Code, Chapter 2256 – the Public Funds Investment Act (the “PFIA”).

POLICY: I. Scope

This Investment Policy applies to the investment activities of the City of Waxahachie, Robert Sokoll Water Treatment Plant, Mid-Way Regional Airport, and Waxahachie Community Development Corporation. All financial assets of these entities, including the following fund types, shall be administered in accordance with the provisions of these policies.

General Fund

Special Revenue Funds

Debt Service Funds

Capital Project Funds

Enterprise Funds

Internal Service Funds

Any new funds created by the City, unless specifically exempted from this Policy by the City Council or by law.

It is the expressed intent of this Policy, the Council and City management that the City’s investment program will at all times be performed and maintain compliance within the existing parameters of the PFIA, including but not limited to those items enumerated in this document.

II. Objectives

Investment of funds shall be governed by the following investment objectives, in order of priority: preservation and safety of principal; liquidity; and yield.

1. Safety - The primary objective of the City's investment activity is the preservation and safety of capital. Each investment transaction shall seek to first avoid capital losses, whether they be from securities defaults or erosion of market value.

2. Liquidity - The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with estimated

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cash flow requirements and by investing in securities with active secondary markets.

3. Yield

a. Non-Restricted Cash & Investments – The City's pooled operating portfolio shall be designed with the objective of earning a rate equal to the average rate of return of the U.S. Treasury Bills (or Notes for longer maturities) at a maturity level comparable to the portfolio's weighted average maturity.

b. Restricted Cash & Investments – Applicable Tax-Exempt Debt Proceeds shall attempt to achieve a market rate of return while complying with applicable arbitrage and yield restriction regulations.

III. Responsibility and Control

The Finance Director and Assistant Finance Director shall act as the City's Investment Officers. Management responsibility for the investment program is hereby delegated to the Investment Officers, who shall establish procedures for the operation of the investment program consistent with this Investment Policy. Such procedures shall include delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this Policy and the procedures established by the Investment Officers. The Investment Officers shall be responsible for all transactions undertaken, and shall establish a system of controls to regulate the activities of subordinate investment officials.

The City shall, in conjunction with its annual financial audit, perform a compliance audit of management controls on investments and adherence to the City's Investment Policy.

In order to ensure qualified and capable investment management, each Investment Officer shall attend investment training no less than once every two years and shall accumulate not less than eight (8) hours of instruction relating to investment responsibilities. A newly appointed Investment Officer shall attend training accumulating at least ten (10) hours of instruction within twelve (12) months of the date the Officer took office or assumed the Officer's duties.

Training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the PFIA. The approved independent investment training sources include: Government Finance Officers Association, Government Finance Officers Association of Texas, Government Treasurers' Organization of Texas, Council of Governments University of North Texas Center for Public Management, American Institute of Certified Public Accountants, and Association of Governmental Accountants.

Approved

IV. Standard of Care

Investments shall be made with judgment and care under prevailing circumstances that a person of prudence, discretion and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

All participants in the investment process shall seek to act responsibly as custodians of the public trust. Investment Officers shall avoid any transactions that might impair public confidence in the City's ability to govern effectively. The City Council recognizes that in a diversified portfolio, occasional measured losses due to market volatility are inevitable, and must be considered within the context of the overall portfolio's return.

Investment Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Investment Officers and employees shall disclose to the City Manager any material financial interests in financial institutions that conduct business with the City and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio.

If an Investment Officer has a personal business relationship with an entity seeking to sell an investment to the City, or is related within the second degree by affinity or consanguinity, to an individual seeking to sell an investment to the City, the Investment Officer shall file a statement of disclosure with the City Council and the Texas Ethics Commission.

V. Reporting

The Investment Officers shall submit a quarterly investment report in compliance with the PFIA, that contains a summary statement of each pooled fund group stating the beginning market value, additions and changes to market value and the ending market value for the quarter. The report shall also state the book value, market value and maturity date of each separately invested asset. The report shall include fully accrued interest for the reporting period. Weighted average yield to maturity shall be the portfolio's performance measurement standard. Lastly, the report shall state the compliance of the City with the investment strategies stated in the City's Investment Policy. This report shall be submitted to the City Council and the City Manager.

During any fiscal year in which the City invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposits, money market accounts or similar accounts, the quarterly investment reports must be formally reviewed by an independent auditor and the auditor must report the results of the review to the City Council.

Approved

VI. Monitoring Market Value and Credit Rating

Not less than quarterly, the Investment Officers shall monitor the market price of investments by use of a third-party independent sources and the credit rating on all authorized investments requiring a minimum credit rating. If any investment falls below the minimum rating required by the PFIA, the Investment Officers shall take all prudent measures that are consistent with its Investment Policy to liquidate that investment that does not have the minimum rating.

VII. Investments

1. Authorized Investment Instruments - Assets of funds of the government of the City of Waxahachie may be invested in:

a. Obligations, including letters of credit, of the United States or its agencies or instrumentalities, including the Federal Home Loan Banks;

b. Direct obligations of the State of Texas or its agencies and instrumentalities;

c. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;

d. Obligations of states, agencies, counties, cities, and other political subdivisions of the State of Texas rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;

e. Fully insured or collateralized financial institution deposits that are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor ("FDIC"); or the National Credit Union Share Insurance Fund or its successor ("NCUSIF"); and meet the requirements of the PFIA:

f. Repurchase Agreements (direct security repurchase agreements and reverse repurchase agreements in accordance with the PFIA) collateralized by U.S. Treasury or U.S. Government Agency and Instrumentality securities.

g. SEC registered, no load money market funds that have a rating of AAAM, or its equivalent, by at least one nationally recognized rating firm and a stated objective to maintain a \$1.0000 share value. The Fund must be registered with and regulated by the Securities and Exchange Commission and provide a prospectus and other information. The City cannot own more than 10% of any mutual fund's total assets;

h. Eligible Investment pools organized and managed in accordance with the PFIA and specifically authorized by the City Council.

Approved

2. The purchase of all individual investment instruments shall be executed on a delivery versus payment (“DVP”) basis and shall be held in a third-party institution designated and approved by the City Council. (See Appendix A Authorized Broker/Dealer Firms.)

3. The City requires a competitive environment for all individual security purchases and sales, financial institution time deposit and transaction accounts, and money market mutual fund and local government investment pool selections.

4. The City will not be required to liquidate an investment that becomes unauthorized subsequent to its purchase.

5. An Investment Officer may not purchase any investment from a firm which has not delivered a written instrument to the City as required by Sec. 2256.005(k)(l) of the PFIA.

VIII. STRATEGIES

The City may utilize fund-type or pooled investment groups. These groups will reflect similar needs as to maturity limits, diversity, and liquidity.

All investment-specific restrictions shall be measured at the time of purchase and based on portfolio book value.

(1) Operating Funds

This pooled investment group includes cash and investments available for current operations.

Suitability - Any investment eligible in the Investment Policy is suitable for Operating Funds.

Safety of Principal - All investments shall be of high quality with no perceived default risk. Market price fluctuations may occur. However, by managing the weighted average days to maturity for the Operating Fund’s portfolio to less than 270 days and restricting the maximum allowable maturity to two years, the price volatility of the overall portfolio will be minimized.

Marketability - Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement.

Liquidity - The Operating Funds require the greatest short-term liquidity of any of the Fund types. Cash equivalent investments will provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Diversification - Investment maturities should be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of the City. Market cycle

Approved

risk will be reduced by diversifying the appropriate maturity structure out through two years.

Yield - Attaining a competitive market yield for comparable investment-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling three-month Treasury Bill portfolio will be the minimum yield objective.

(2) Bond Proceeds and Capital Improvement Funds

Suitability - Any investment eligible in the Investment Policy is suitable for the Bond Proceeds and Capital Improvement Funds.

Safety of Principal - All investments will be of high quality with no perceived default risk. Market fluctuations may occur. However, by restricting the maximum maturity to three years, and by managing the Bond Proceeds and Capital Improvement Funds to balance the short term and long term anticipated cash flow requirements, the market risk of the portfolio will be minimized.

Marketability - The balancing of short-term and long-term cash flow needs requires the short-term portion of the Bond Proceeds and Capital Improvement Funds to have securities with active and efficient secondary markets.

Liquidity - Selecting investment maturities that provide greater cash flow than the anticipated needs and maintaining appropriate cash-equivalent balances will reduce the liquidity risk of unanticipated expenditures.

Diversification - Investment maturities should blend the short-term and long-term cash flow needs to provide adequate liquidity, yield enhancement, and stability.

Yield - Attaining a competitive market yield for comparable investment-types and portfolio structures is the desired objective, however this portfolio maintains an investment strategy is comply with any applicable arbitrage or yield restriction regulations.

(3) Debt Service Funds

Suitability - Any investment eligible in the Investment Policy is suitable for the Debt Service Funds.

Safety of Principal - All investments shall be of high quality with no perceived default risk. Market price fluctuations may occur. However, by managing Debt Service Funds to not exceed the debt service payment schedule the market risk of the overall portfolio will be minimized.

Approved

Marketability - Securities with active and efficient secondary markets are not necessary as the event of an unanticipated cash flow requirement is not probable.

Liquidity - Debt Service Funds have predictable payment schedules. Therefore, investment maturities should not exceed the anticipated cash flow requirements. Cash equivalent investments may provide a competitive yield alternative for short term fixed maturity investments. A singular repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any debt service payment. This investment structure is commonly referred to as a flexible repurchase agreement.

Diversification - Market conditions influence the attractiveness of fully extending maturity to the next "unfunded" payment date. Generally, if investment rates are anticipated to decrease over time, the City is best served by locking in most investments. If the interest rates are potentially rising, then investing in shorter and larger amounts may provide advantage. At no time shall the debt service schedule be exceeded in an attempt to bolster yield.

Yield - Attaining a competitive market yield for comparable investment-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling three-month Treasury Bill portfolio shall be the minimum yield objective.

(4) Debt Service Reserve Funds

Suitability - Any investment eligible in the Investment Policy is suitable for Debt Service Reserve Funds. Bond resolution and loan documentation constraints and insurance company restrictions may create specific considerations in addition to the Investment Policy.

Safety of Principal - All investments shall be of high quality with no perceived default risk. Market price fluctuations may occur. However, managing Debt Service Reserve Fund maturities to not exceed the call provisions of the borrowing reduces the market risk if the City's debt is redeemed and the Reserve Fund liquidated. No stated final investment maturity shall exceed the shorter of the final maturity of the borrowing or three years. Annual mark-to-market requirements or specific maturity and average life limitations within the borrowing's documentation will influence the attractiveness of market risk and reduce the opportunity for maturity extension.

Marketability - Securities with less active and efficient secondary markets are acceptable for Debt Service Reserve Funds.

Liquidity - Debt Service Reserve Funds have no anticipated expenditures. The Funds are deposited to provide annual debt service payment protection to the City's debt holders. The funds are "returned" to the City at the final debt service payment. Market conditions and arbitrage regulation compliance determine the advantage of investment

Approved

diversification and liquidity. Generally, if investment rates exceed the cost of borrowing, the City is best served by locking in investment maturities and reducing liquidity. If the borrowing cost cannot be exceeded, then concurrent market conditions will determine the attractiveness of locking in maturities or investing shorter and anticipating future increased yields.

Diversification - Market conditions and the arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for Debt Service Reserve Funds. At no time shall the final debt service payment date of the bond issue be exceeded in an attempt to bolster yield.

Yield - Achieving a positive spread to the applicable borrowing cost is the desired objective. Debt Service Reserve Fund portfolio management shall at all times operate within the limits of the Investment Policy's risk constraints.

IX Safekeeping and Custody

The City shall contract with financial institutions for the safekeeping of securities either owned by the City as part of its investment portfolio or held as collateral to secure demand or time deposits. Securities owned by the City shall be held in the City's account as evidenced by safekeeping receipts of the institution holding the securities. The City shall approve all third-party custodians for the holding of securities pledged to the City as collateral to secure financial institution deposits.

The City has established a collateral policy in compliance with Government Code Chapter 2257, Public Funds Collateral Act. Deposits secured with irrevocable letters of credit shall have 100% of principal plus anticipated interest of the deposit, less any amount insured by the FDIC or NCUSIF. Deposits secured with pledged marketable securities shall have a market value equal to or greater than 102% of the principal plus accrued interest of the deposit, less any amount insured by the FDIC or NCUSIF. All deposits shall be insured or collateralized in compliance with applicable State law. The City reserves the right, in its sole discretion, to accept or reject any form of insurance or collateralization pledged towards financial institution deposits. Financial institutions serving as City Depositories will be required to sign a depository agreement with the City. The collateralized deposit portion of the agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing, and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- The agreement must be in writing;
- The agreement has to be executed by the Depository and City contemporaneously with the acquisition of the asset;

Approved

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- The agreement must be approved by the Board of Directors or designated committee of the Depository and a copy of the meeting minutes must be delivered to the City; and
- The agreement must be part of the Depository's "official record" continuously since its execution.

Acceptable forms of collateral are limited to those authorized in the Public Funds Collateral Act.

All collateral shall be subject to inspection and audit by the City or the City's independent auditors.

X. City Council Approval

At least annually, the City Council shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the Investment Policy and investment strategies and that the written instrument so adopted shall record any changes made to either the Investment Policy or investment strategies.

Approved

(26)

Appendix A.
Authorized Broker/Dealer Firms

To be determined.

Approved

(26)

ORDINANCE NO. _____

A RESOLUTION APPROVING AND ADOPTING THE CITY OF WAXAHACHIE INVESTMENT POLICY, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Texas Public Funds Investment Act requires City Council to approve the City's Investment Policy annually; and

WHEREAS, the Investment Policy outlines the City's investment strategy, standards of care, authorized investments, policy guidelines, prohibited investments and reporting.

WHEREAS, the attached Investment Policy has been reviewed and updated to reflect changes to the Texas Public Funds Investment Act and inclusion of best practices;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

Section 1. In accordance with Chapter 2256 of the Texas Government Code, the Investment Policy attached hereto and incorporated herein, relating to the investment of funds by the City of Waxahachie, is approved and adopted.

Section 2. This resolution shall become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED on this the 4th day of October, 2021.

MAYOR

ATTEST:

City Secretary

(27)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Michael Scott, City Manager
Date: October 4, 2021
Re: Water / Waste Water Service Fee Increases

On Monday, October 4, 2021, an item will appear before the City Council, in association with Section 33 (Section 33-43 (a) through (k)) of the Waxahachie, Texas, City Ordinances. These portions of the ordinance state what the Utilities Department charges for specific Water and Waste Water related service fees (tapping, meter set fees, street cutting, road boring etc.).

Each fiscal year (FY), the Utilities Department reviews service fees (water and waste water) that are associated with the services that the Department provides. The goal of the Utilities are to provide exceptional services at an efficient cost that covers the price of operations. A review of fees in FY2021 revealed that the Utilities Department is not collecting enough funds in specific areas to cover the cost of operations. The last time that service fees were increased in the Utilities Department were in FY2017.

There are several reasons that current rates are not covering current expenses. Reasons include, but are not limited to the following: Winter Storm Uri, COVID-19, Private Sector Operation Cost Increases, Supply Chain Challenges, and Utilities Department Operation Cost Increases. The proposed increases will allow the Utilities to cover operational costs and still provide services at an efficient rate. Even with the proposed increases, the Utilities still charge some of the lowest, if not the lowest, fees compared to other local jurisdictions.

I am available at your convenience should you need any additional information.

Shon Brooks

ORDINANCE NO. 3290

AN ORDINANCE SETTING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE OF OCTOBER 1, 2021 AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE TEXAS:

That Section 33 of the Code of Ordinances, City of Waxahachie, is hereby amended to read as follows:

SECTION 33-33. Deposits required.

Residential: A deposit of ninety-two dollars (\$92.00) is required for regular residential service. A deposit of sixty-nine dollars (\$69.00) is required for accounts with wastewater and trash collection service. A deposit of forty-three dollars (\$43.00) is required for trash collection service only. The billing department may adjust the amount of deposit based on payment history.

Residential New Construction: A deposit of one hundred fifty-nine dollars (\$159.00) is required for each new construction residential account.

Apartments, Commercial, and Industrial: The billing department may require higher amounts; however, deposits are generally based on meter size as follows:

up to 1" water meter	\$238.00
1 ½" water meter	\$357.00
2" water meter	\$594.00
3" water meter	\$1,187.00
4" water meter	\$2,373.00
6" water meter	\$3,559.00
8" water meter	\$7,117.00
10" water meter or larger	\$11,861.00
Fire Hydrant meter with RPZ *	\$2,147.00

*Customer will be responsible for the cost of any damages incurred while meter is in their possession.

No interest shall be paid on deposits. No deposit is required for other government entities. The billing department may waive the deposit for separate irrigation meters.

That Section 33-36 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-36. Water and Wastewater Rates.

(A) Water inside city: From and after the effective date of this ordinance, uniform monthly water rates which shall prevail to all City of Waxahachie water customers are:

MONTHLY WATER RATES:

(1) Minimum water bill for the first fifteen hundred (1,500) gallons of usage (all accounts):

up to 1" water meter	\$19.71
1 1/2" water meter	\$44.02
2" water meter	\$64.61
3" water meter	\$125.62
4" water meter	\$259.88
6" water meter	\$505.40
8" water meter	\$874.40
10" water meter or larger	\$1,367.02
Fire Hydrant meter	\$216.40

(2) The amount shown for the first fifteen hundred gallons of consumption in the above schedule shall constitute a minimum bill for each customer. Billing shall be made in hundreds of gallons. Irrigation meters using less than 200 gallons per month will not be charged.

(3) Residential and sprinkler system meters will be subject to the following rates:

1,501 - 10,000	\$5.19
10,001 – 20,000	\$6.02
20,001 - 30,000	\$6.82
30,001 – 40,000	\$7.56
40,001 & above	\$8.56

Non-irrigation apartment meters, and commercial/industrial meters will be charged at a rate of \$5.19 per thousand gallons for all monthly usage above 1,500 gallons.

(B) Wastewater inside city: From and after the effective date of this ordinance, sewer charges to apply to each dwelling unit for all single family and duplex residential connections all mobile home parks or apartment complexes, and all commercial and industrial customers shall be as follows:

Monthly Wastewater Rates

Water Usage	Apartments, Mobile Home, Single-Family and Duplex Residence (Per Dwelling Unit)
First 1,500 gallons	\$24.88 (minimum charge)
Over 1,500 to 11,000 gallons	\$4.38 per 1,000 gallons
All over 11,000 gallons, maximum billing per dwelling	\$66.51

When there is a single billing for more than one (1) residence, each unit is to receive a one thousand five hundred-gallon credit before additional charges are made, not to exceed eleven thousand (11,000) gallons per unit.

Water Usage	Commercial	Industrial	Industrial Cost Recovery Per 1,000 Gallons
First 1,500 gallons	\$24.88 (minimum charge)	\$24.88 (minimum charge)	\$0.21 (minimum charge)
All usage over 1,500 gallons	\$4.38 per 1,000 gallons	\$4.38 per 1,000 gallons	\$0.21 per 1,000 gallons

That Section 33-40 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-40. Late charges; service restored upon payment of bill; fee for returned checks; fee for replacement of cut-off valve; fire hydrant meter set fee; broken curb stop fee; cut lock fee; reread meter service charge; tampering penalty.

(a) Late Fee. Payment for utility service shall be due fourteen (14) days after the billing date. Any account with a balance due fourteen (14) days after the due date shall be assessed a penalty of \$10.00. If such date falls on the weekend or legal holiday, then payment is due the next business day.

(b) Disconnection for Nonpayment: Any account with a balance due greater than \$130.00, twenty-one (21) days after the billing date, shall be subject to disconnection. The past due amount plus a reconnect fee of \$41.00 (\$74.00 after regular office hours) must be paid prior to reconnection of services.

(c) Return Connection Fee: Customers are encouraged but not required to be present (or have a representative present) anytime service is reestablished (This is recommended in order to prevent flooding and water damage that could result from interior faucets being left in the "on" position, hanging toilets floats, leaks and other conditions that could arise subsequent to the disconnection.) In the event the customer or a designated representative (a) cannot be located on-site when the service is reconnected and (b) the meter registers usage after the service has been reestablished and thus presents the risk of water damage, the service will be turned back off and the customer will be notified of the problem and asked to reschedule the reconnection. Subsequent trips to reestablish service will be subject to a Return Reconnection Fee of \$41.00 each if performed during working hours or \$74.00 if performed after working hours. This fee is applicable when service has

been disconnected for nonpayment; when service to a new account is established or when service has been disconnected at the request of the customer.

(d) Return Check Fee. In the event the bank does not honor a customer's check for any service or good provided by the City, a \$35.00 fee will be charged.

(e) Replacement of Cut-off Valve. In the event a customer has damaged a cut-off valve or curb stop to the point the valve must be replaced, then, the customer shall be billed a ~~\$74.00~~ one hundred and thirty dollar (\$130.00) replacement fee, plus the actual cost of materials to replace the damaged item. In the event a customer has broken a cut-off valve for the purpose of removing a lock, an additional tampering penalty of \$152.00 (see "(j)" below) must be paid before service is restored.

(f) Fire hydrant meter set fee: \$38.00

(g) Meter Box Replacement Fee: ~~\$63.00~~ 130.00 plus actual materials cost

(h) Cut lock fee: \$152.00

(i) Reread meter service charge: \$18.00

(j) Tampering penalty: \$152.00

(k) New account fee: \$19.00

(l) Sokoll Rate fee: \$1.30 per 1,000 gallons

(m) Solid Waste fee: \$11.43 (*excluding sales tax)

That Section 33-43 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-43. Fees for tapping, street cutting and road boring.

(a) Tapping fees shall be amended as follows:

(1) For water:

Cost of materials and labor to be provided by the private property owner / private developer and the registered utility contractor.

(2) For sewer:

Cost of materials and labor to be provided by the private property owner / private developer and the registered utility contractor.

(3) All meters will be sized in accordance with the director of utilities and/or city building official. This includes all new construction, industrial and commercial; all remodeling of existing structures which may require additional water service; and all irrigation/sprinkler systems.

(4) Meter set fee:

5/8 x 3/4-inch meter, box, and set fee: Six hundred dollars (\$600.00).

1-inch and larger: Cost of materials and labor to be provided by the private property owner / private developer and the registered utility contractor.

(b) Street cutting fees shall be as follows:

(1) Asphalt or seal coated street repair:
Thirty-two dollars (\$32.00) per linear foot with a three hundred ten dollar (\$310.00) minimum or actual cost.

(2) Concrete street repair:
Forty-three dollars (\$43.00) per linear foot with a four hundred twenty-five dollar (\$425.00) minimum or actual cost.

(c) Road boring fees:

Cost of materials and labor to be provided by the private property owner / private developer and the registered utility contractor.

(d) Fee for sending a crew and equipment to locate and/or remove an existing water and/or sewer tap/service is:
Three hundred seventy-five dollars (\$375.00)

(e) Fee for bull head 1-inch water service:
Eight hundred fifty dollars (\$850.00)

(f) Fee for water and/or sewer utility investigations:
Sixty-five dollars (\$65.00)

(g) Industrial pretreatment permits and permit amendment fees:
One hundred forty dollars (\$140.00) per permit year.

(h) Surcharge fees:
Conventional Pollutants of BOD, TSS and Fats, Oils, and Grease in excess of 240 mg/l, 270 mg/l, and 20 mg/l respectively in any waste stream discharged to POTW, will be surcharged at the following rates:

BOD: Twenty-eight cents (\$0.28) per pound.
TSS: Twenty-eight cents (\$0.28) per pound.
Fats, Oil, and Grease: Twenty-five cents (\$0.25) per pound.

(i) Industrial sampling and resampling fees:
One hundred twenty-five dollars (\$125.00) per event.

(j) Waste hauler permitting fee:
One hundred fifty-five dollars (\$155.00) for first truck; and
Ninety-five dollars (\$95.00) additional trucks.

(k) Meter Testing Fee
Fifty dollars (\$50.00) plus the cost of the test up front (per test). If the test concludes that the meter is outside of the scope of the current American Water Works Association (AWWA)

(27)

standards, the fee and the cost of the test will be reimbursed through the citizen's water bill in the form of a credit.

PASSED, APPROVED AND ADOPTED this the 7⁴ day of ~~September~~ October, 2021.

MAYOR

ATTEST:

City Secretary

ORDINANCE NO. _____

AN ORDINANCE SETTING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE OF OCTOBER 1, 2021 AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE TEXAS:

That Section 33 of the Code of Ordinances, City of Waxahachie, is hereby amended to read as follows:

SECTION 33-33. Deposits required.

Residential: A deposit of ninety-two dollars (\$92.00) is required for regular residential service. A deposit of sixty-nine dollars (\$69.00) is required for accounts with wastewater and trash collection service. A deposit of forty-three dollars (\$43.00) is required for trash collection service only. The billing department may adjust the amount of deposit based on payment history.

Residential New Construction: A deposit of one hundred fifty-nine dollars (\$159.00) is required for each new construction residential account.

Apartments, Commercial, and Industrial: The billing department may require higher amounts; however, deposits are generally based on meter size as follows:

up to 1" water meter	\$238.00
1 1/2" water meter	\$357.00
2" water meter	\$594.00
3" water meter	\$1,187.00
4" water meter	\$2,373.00
6" water meter	\$3,559.00
8" water meter	\$7,117.00
10" water meter or larger	\$11,861.00
Fire Hydrant meter with RPZ *	\$2,147.00

*Customer will be responsible for the cost of any damages incurred while meter is in their possession.

No interest shall be paid on deposits. No deposit is required for other government entities. The billing department may waive the deposit for separate irrigation meters.

That Section 33-36 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-36. Water and Wastewater Rates.

(27)

(A) Water inside city: From and after the effective date of this ordinance, uniform monthly water rates which shall prevail to all City of Waxahachie water customers are:

MONTHLY WATER RATES:

(1) Minimum water bill for the first fifteen hundred (1,500) gallons of usage (all accounts):

up to 1" water meter	\$19.71
1 ½" water meter	\$44.02
2" water meter	\$64.61
3" water meter	\$125.62
4" water meter	\$259.88
6" water meter	\$505.40
8" water meter	\$874.40
10" water meter or larger	\$1,367.02
Fire Hydrant meter	\$216.40

(2) The amount shown for the first fifteen hundred gallons of consumption in the above schedule shall constitute a minimum bill for each customer. Billing shall be made in hundreds of gallons. Irrigation meters using less than 200 gallons per month will not be charged.

(3) Residential and sprinkler system meters will be subject to the following rates:

1,501 - 10,000	\$5.19
10,001 – 20,000	\$6.02
20,001 - 30,000	\$6.82
30,001 – 40,000	\$7.56
40,001 & above	\$8.56

Non-irrigation apartment meters, and commercial/industrial meters will be charged at a rate of \$5.19 per thousand gallons for all monthly usage above 1,500 gallons.

(B) Wastewater inside city: From and after the effective date of this ordinance, sewer charges to apply to each dwelling unit for all single family and duplex residential connections all mobile home parks or apartment complexes, and all commercial and industrial customers shall be as follows:

Monthly Wastewater Rates

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Water Usage	Apartments, Mobile Home, Single-Family and Duplex Residence (Per Dwelling Unit)
First 1,500 gallons	\$24.88 (minimum charge)
Over 1,500 to 11,000 gallons	\$4.38 per 1,000 gallons
All over 11,000 gallons, maximum billing per dwelling	\$66.51

When there is a single billing for more than one (1) residence, each unit is to receive a one thousand five hundred-gallon credit before additional charges are made, not to exceed eleven thousand (11,000) gallons per unit.

Water Usage	Commercial	Industrial	Industrial Cost Recovery Per 1,000 Gallons
First 1,500 gallons	\$24.88 (minimum charge)	\$24.88 (minimum charge)	\$0.21 (minimum charge)
All usage over 1,500 gallons	\$4.38 per 1,000 gallons	\$4.38 per 1,000 gallons	\$0.21 per 1,000 gallons

That Section 33-40 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-40. Late charges; service restored upon payment of bill; fee for returned checks; fee for replacement of cut-off valve; fire hydrant meter set fee; broken curb stop fee; cut lock fee; reread meter service charge; tampering penalty.

(a) Late Fee. Payment for utility service shall be due fourteen (14) days after the billing date. Any account with a balance due fourteen (14) days after the due date shall be assessed a penalty of \$10.00. If such date falls on the weekend or legal holiday, then payment is due the next business day.

(b) Disconnection for Nonpayment: Any account with a balance due greater than \$130.00, twenty-one (21) days after the billing date, shall be subject to disconnection. The past due amount plus a reconnect fee of \$41.00 (\$74.00 after regular office hours) must be paid prior to reconnection of services.

(c) Return Connection Fee: Customers are encouraged but not required to be present (or have a representative present) anytime service is reestablished (This is recommended in order to prevent flooding and water damage that could result from interior faucets being left in the "on" position, hanging toilets floats, leaks and other conditions that could arise subsequent to the disconnection.) In the event the customer or a designated representative (a) cannot be located on-site when the service is reconnected and (b) the meter registers usage after the service has been reestablished and thus presents the risk of water damage, the service will be turned back off and the customer will be notified of the problem and asked to reschedule the reconnection. Subsequent trips to reestablish service will be subject to a Return Reconnection Fee of \$41.00 each if performed during working hours or \$74.00 if performed after working hours. This fee is applicable when service has

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been disconnected for nonpayment; when service to a new account is established or when service has been disconnected at the request of the customer.

(d) Return Check Fee. In the event the bank does not honor a customer's check for any service or good provided by the City, a \$35.00 fee will be charged.

(e) Replacement of Cut-off Valve. In the event a customer has damaged a cut-off valve or curb stop to the point the valve must be replaced, then, the customer shall be billed a one hundred thirty dollar (\$130.00) replacement fee, plus the actual cost of materials to replace the damaged item. In the event a customer has broken a cut-off valve for the purpose of removing a lock, an additional tampering penalty of \$152.00 (see "(j)" below) must be paid before service is restored.

(f) Fire hydrant meter set fee: \$38.00

(g) Meter Box Replacement Fee: \$130.00 plus actual materials cost

(h) Cut lock fee: \$152.00

(i) Reread meter service charge: \$18.00

(j) Tampering penalty: \$152.00

(k) New account fee: \$19.00

(l) Sokoll Rate fee: \$1.30 per 1,000 gallons

(m) Solid Waste fee: \$11.43 (*excluding sales tax)

That Section 33-43 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-43. Fees for tapping, street cutting and road boring.

(a) Tapping fees shall be amended as follows:

(1) For water:

Cost of materials and labor to be provided by the private property owner / private developer and the registered utility contractor.

(2) For sewer:

Cost of materials and labor to be provided by the private property owner / private developer and the registered utility contractor.

(3) All meters will be sized in accordance with the director of utilities and/or city building official. This includes all new construction, industrial and commercial; all remodeling of existing structures which may require additional water service; and all irrigation/sprinkler systems.

(4) Meter set fee:

5/8 x 3/4-inch meter, box, and set fee: Six hundred dollars (\$600.00)

1-inch and larger: Cost of materials and labor to be provided by the private property owner / private developer and the registered utility contractor.

(b) Street cutting fees shall be as follows:

(1) Asphalt or seal coated street repair:

Thirty-two dollars (\$32.00) per linear foot with a three hundred ten dollar (\$310.00) minimum or actual cost.

(2) Concrete street repair:

Forty-three dollars (\$43.00) per linear foot with a four hundred twenty-five dollar (\$425.00) minimum or actual cost.

(c) Road boring fees:

Cost of materials and labor to be provided by the private property owner / private developer and the registered utility contractor.

(d) Fee for sending a crew and equipment to locate and/or remove an existing water and/or sewer tap/service is:

Three hundred seventy-five dollars (\$375.00)

(e) Fee for bull head 1-inch water service:

Eight hundred fifty dollars (\$850.00)

(f) Fee for water and/or sewer utility investigations:

Sixty-five dollars (\$65.00)

(g) Industrial pretreatment permits and permit amendment fees:

One hundred forty dollars (\$140.00) per permit year.

(h) Surcharge fees:

Conventional Pollutants of BOD, TSS and Fats, Oils, and Grease in excess of 240 mg/l, 270 mg/l, and 20 mg/l respectively in any waste stream discharged to POTW, will be surcharged at the following rates:

BOD: Twenty-eight cents (\$0.28) per pound.

TSS: Twenty-eight cents (\$0.28) per pound.

Fats, Oil, and Grease: Twenty-five cents (\$0.25) per pound.

(i) Industrial sampling and resampling fees:

One hundred twenty-five dollars (\$125.00) per event.

(j) Waste hauler permitting fee:

One hundred fifty-five dollars (\$155.00) for first truck; and

Ninety-five dollars (\$95.00) additional trucks.

(k) Meter Testing Fee

Fifty dollars (\$50.00) plus the cost of the test up front (per test). If the test concludes that the meter is outside of the scope of the current American Water Works Association (AWWA) standards, the fee and the cost of the test will be reimbursed through the citizen's water bill in the form of a credit.

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PASSED, APPROVED AND ADOPTED this the 4th day of October, 2021.

MAYOR

ATTEST:

City Secretary

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Memorandum

To: Honorable Mayor and City Council
From: Wade G. Goolsby, Chief of Police
Thru: Michael Scott, City Manager
Date: September 27, 2021
Re: Contract – Taft & Associates

In this year's budget, one of the positions approved for the police department was a Crisis Response Specialist. This position is intended to help us provide better service in responding to people in mental crisis and provide an additional resource for first responders in need of support. The job description for this position has been developed and requires a graduate degree in Social Work, Psychology, or a related field. It is expected that this individual would assist in responding to calls in the field, follow up with families and build a mental health program that could use interns to assist in handling some of the activities involved around providing support and treatment for individuals in need. The goal of the program is monitor known individuals with mental health needs and provide intervention when needed in order to minimize the number events requiring police involvement. It was anticipated that this person would be a city employee, but another option has become available.

For the past several years, the Waxahachie Police Department has utilized Dr. Philip Taft and Associates out of Corsicana for our pre-employment psychological evaluations and have been very satisfied with his work. Dr. Taft is a resident of Waxahachie and learned that the police department is seeking to create the position for a Crisis Response Specialist. Dr. Taft approached the department with a proposal to provide a

full-time person to fill the position of the Crisis Response Specialist under his organization's name and supervision.

The contract with Dr. Taft would be very similar to the contract that we currently have with Unified Connections for our information technology services. A full-time employee would be provided to the police department but have the resources of an entire organization to support that individual. In instances of a sustained absence, a replacement person could fill in until the regular person returned. The individual and the program would be managed by a professional that knows how to measure the results and success of the program. Dr. Taft already provides contractual services to some jails for psychological evaluation of prisoners so he is familiar with providing contractual services and working with governmental entities.

The budget request was approved for a total of \$97,656 in salary and benefits for the Crisis Response Specialist position.

Dr. Taft is proposing an annual contract of \$88,000 and that would cover all salary and benefits but would not include any potential overtime. Overtime would be managed by a cooperative effort between the police department and Dr. Taft. We would still provide the items that were included in the budget - a computer and accessories and office space in the police department a lease vehicle and \$500 for any needed training. Either party can cancel the contract with 30 days' notice in the event that either party is not satisfied with the agreement.

The proposed contact with Dr. Taft and associates would not only meet the needs of the police department but would provide much better management of the program due to our lack of knowledge and expertise in the field.

I am requesting approval for the City Manager to enter into an annual contract with Dr. Taft and Associates for providing a Crisis Response Specialist. Legal counsel has reviewed and approved the contract.