

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, June 20, 2022 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
Travis Smith, Council Member Place 5
Chris Wright, Council Member Place 3

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. *Speakers must observe the five (5) minute time limit.*
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 June 6, 2022
 - b. Minutes of the City Council briefing of June 6, 2022
 - c. Event application for Fundraiser to be held July 23, 2022
6. **Present** Proclamation proclaiming June 2022 as World Elder Abuse Awareness Month
7. **Continue Public Hearing** on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Commercial (PD-C) zoning district located at 2374 W US Hwy 287 BYP (Property ID 219310) - Owner: COWBOY BAPTIST CHURCH OF MIDLOTHIAN (ZDC-45-2022)
8. **Consider** proposed Ordinance approving ZDC-45-2022
9. **Public Hearing** on a request by Nic Paul, for a Specific Use Permit (SUP) for an Accessory Structure +700sf. use within a Planned Development – 23 – Single Family – 1 (PD-23-SF-1) zoning district located at 3359 Howard Rd (Property ID 242726) - Owner: DAN & LORI WALSER (ZDC-56-2022)

10. *Consider* proposed Ordinance approving ZDC-56-2022
11. *Consider* approving Lions Park Master Plan
12. *Consider* proposed Resolution accepting SWAT Enhancement Grant
13. *Consider* contract award for Supervisory Control and Data Acquisition (SCADA) services for Sipes Instrumentation and Electric Services
14. *Convene* into Executive Session for consultation with attorney as permitted by Texas Government Code, Section 551.071 and for deliberation regarding real property as permitted under Section 551.072 of the Texas Government Code
15. *Reconvene* and take any necessary action
16. *Consider* conveyance of property by donation deed to Hope Clinic
17. Comments by Mayor, City Council, City Attorney and City Manager
18. 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

(50)

City Council
June 6, 2022

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, June 6, 2022 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
Travis Smith, Council Member Place 5
Chris Wright, Council Member Place 3

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
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

Pastor James Worley, Lighthouse Baptist Church gave the invocation. Council Member Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Brandy Mayo, 414 W. Marvin Avenue, Waxahachie, thanked City Council and the Planning and Zoning Commission for their time and service to the City of Waxahachie. Ms. Mayo spoke in opposition to ZDC-42-2022.

Justin Christ, 10003 Technology Boulevard West, Dallas, requested City Council's support of providing sanitary sewer service to his development located off of FM 879 in Waxahachie ETJ (extraterritorial jurisdiction).

Mr. Jeff Evans, 121 McClain, Waxahachie, and Ms. Cynthia Keeton, 411 Smokey Lane, Waxahachie, requested an update on their requested street improvements, pole light outage, high grass in the right-of-way, and vacant houses on their street.

5. Consent Agenda

- a. Minutes of the City Council meeting of May 16, 2022
- b. Minutes of the City Council briefing of May 16, 2022
- c. Minutes of the City Council special meeting of May 24, 2022
- d. Event application for Juneteenth Musical, Parade, & Celebration on June 17-18, 2022
- e. Accept the FY 2021-2022 Impact Fee Revenue and Expenditure Mid-Year Report
- f. Authorize supplemental appropriation funding the runoff election on June 18, 2022 in the amount of \$13,910

(5a)

- g. Resolution to suspend the effective date of a rate increase request by Oncor
- h. Set City Council meeting for Tuesday, July 5, 2022

RESOLUTION NO. 1325

RESOLUTION OF THE CITY OF WAXAHACHIE SUSPENDING THE JUNE 17, 2022 EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE

Action:

Mayor Pro Tem Billie Wallace moved to approve items a. through h. on the Consent Agenda. Council Member David Hill seconded, All Ayes.

6. Present Proclamation proclaiming June 19, 2022 as Juneteenth Day

Mayor Barnes presented a Proclamation proclaiming June 19, 2022 as Juneteenth Day.

7. Present Proclamation proclaiming June 4, 2022-July 4, 2022 as Crape Myrtle Month

Mayor Barnes presented a Proclamation proclaiming June 4, 2022-July 4, 2022 as Crape Myrtle Month.

8. Public Hearing on a request by Chad Adams, Oak Hull Investments, for a Replat of Lots 8, 9, & 10, Block 11, University Annex Addition, to create Lots 8A-10B, Block 11, University Annex Addition, 6 Residential Lots, being 1.129 acres, located at 107 Olive St and 510 Cynisca St., (Property ID 176473 & 176474) – Owner: STONEDALE DEVELOPMENT LLC (SUB-28-2022)

Mayor Barnes opened the Public Hearing and announced the applicant requested to continue the Public Hearing to the July 5, 2022 City Council meeting.

9. Consider approval of SUB-28-2022

Action:

Mayor Pro Tem Billie Wallace moved to continue the Public Hearing on a request by Chad Adams, Oak Hull Investments, for a Replat of Lots 8, 9, & 10, Block 11, University Annex Addition, to create Lots 8A-10B, Block 11, University Annex Addition, 6 Residential Lots, being 1.129 acres, located at 107 Olive St and 510 Cynisca St., (Property ID 176473 & 176474) – Owner: STONEDALE DEVELOPMENT LLC (SUB-28-2022) to the July 5, 2022 City Council meeting. Council Member Chris Wright seconded, All Ayes.

(5a)

- 10. Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Commercial (PD-C) zoning district located at 2374 W US Hwy 287 BYP (Property ID 219310) - Owner: COWBOY BAPTIST CHURCH OF MIDLOTHIAN (ZDC-45-2022)**

Mayor Barnes opened the Public Hearing and announced the applicant requested to continue the Public Hearing to the June 20, 2022 City Council meeting.

- 11. Consider proposed Ordinance approving ZDC-45-2022**

Action:

Mayor Pro Tem Billie Wallace moved to continue the Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Commercial (PD-C) zoning district located at 2374 W US Hwy 287 BYP (Property ID 219310) - Owner: COWBOY BAPTIST CHURCH OF MIDLOTHIAN (ZDC-45-2022) to the June 20, 2022 City Council meeting. Council Member Chris Wright seconded, All Ayes.

- 12. Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Single Family -2 (SF-2) zoning district located at 505 W Marvin Avenue (Property ID 219714) - Owner: FIRST UNITED METHODIST (ZDC-42-2022)**

Jennifer Pruitt, Senior Director of Planning, presented the case noting the applicant is requesting to relocate an existing ground monument sign 50 ft. south of the existing location. The applicant is requesting to add a 16 square foot (2ft. x 8ft.) electronic message sign to the design of the new sign at First United Methodist Church (505 W. Marvin Ave.). Ms. Pruitt noted the applicant is meeting all requirements and staff recommends turning off the sign's lighting between 8pm-8am. Due to the location being located in an area with multiple historic structures, staff has concerns that approving the proposed electronic message sign could affect the character of the area. In addition, staff has reviewed 13 letters of opposition from within the 200-foot notification area and 2 letters of support. Due to staff concerns, staff recommended denial. Ms. Pruitt noted 41% of the property owners within 200-feet of the proposed Specific Use Permit have submitted letters of opposition.

Ms. Pruitt explained per Section 2.04 (h)(v)(1) of the Waxahachie Zoning Ordinance, a favorable vote of three-fourths (3/4) of all members, which equates to four (4) of the five (5) members, of the City Council shall be required to approve any change in zoning when written objections of twenty (20%) percent or more property owners within two hundred (200) feet of the proposed change are submitted to the City Secretary in accordance with the provision of Section 211.006 of the Local Government Code of the State of Texas.

Mayor Barnes opened the Public Hearing.

Greg Nehib, 1025 W. Main, Waxahachie, Texas, spoke on behalf of the First United Methodist Church as a trustee, and clarified that the church did not agree to the 8pm dimming of the sign and requested to follow the 10pm time per the current City ordinance. He asked that Council Members Chris Wright and David Hill abstain from the vote as they live on Marvin Avenue and their spouses have submitted letters of opposition.

(5A)

City Attorney Robert Brown explained that State law requires a super majority vote (4 of 5 Council Members) when there is more than 20% opposition from property owners located in the required notification area of a zoning change. Mr. Brown also explained that the Attorney General issued a ruling noting Council Members who live in an area or are in the notification area of a zoning change, do not have to abstain unless their economic impact is greater than any other property owner in the area. He also explained Council Members can abstain from voting at their pleasure but that does not lower the requirement of having 4 of 5 seated Council Members affirmative vote to approve.

Council Member Wright explained if he and Council Member Hill abstain from the vote as requested by Mr. Nehib, the motion will fail automatically as there will not be 4 favorable votes.

Those who spoke in opposition:

Maria Ortega, 603 W. Marvin, Waxahachie, Texas
Elizabeth Getzendaner Cunliffe, 415 W. Marvin, Waxahachie, Texas
David Walker, 909 W. Marvin, Waxahachie, Texas
Donnie Lord, 502 W. Marvin, Waxahachie, Texas
Jacqueline Montesano, 412 W. Marvin, Waxahachie, Texas

Those who spoke in favor:

Patrick Wilson, 310 Harbin Avenue, Waxahachie
Mike Tull, 136 Mustang Creek Drive, Waxahachie
Judy Demoney, 406 Jasmine lane, Waxahachie

There being no others to speak for or against ZDC-42-2022, Mayor Barnes closed the Public Hearing.

Mayor Pro Tem Billie Wallace stated the proposed sign meets all City Sign Ordinance standards and was recommended for approval from the Planning and Zoning Commission by a 4-1 vote on May 24, 2022. She reviewed the neighborhoods reasons for opposition and noted they are personal and there has been no explanation of why those in opposition want to restrict the free speech and free exercise of a church and does not believe City Council should obstruct the ability of a church to go about their business. She stated she believes if City Council does not approve the sign request it will be a violation of the First United Methodist's Church constitutional right to free exercise of religion and free speech. Mayor Pro Tem Wallace stated she will always defend the First Amendment right of churches in this City and will vote to approve this sign and anyone who stands against it, stands against the First Amendment of the United States Constitution.

Council Member Travis Smith requested City Council consider the precedence that has been set by allowing other electronic message signs in historic areas.

Council Member Wright stated he does not financially gain or lose anything because he resides on Marvin Avenue and noted he does not support an LED electronic message sign in a residentially zoned neighborhood. Mr. Wright asked the City Attorney if he should abstain and Mr. Brown explained it is his opinion that Council Members Wright and Hill do not have to abstain.

13. Consider proposed Ordinance approving ZDC-42-2022

Action:

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Mayor Pro Tem Billie Wallace moved to approve an Ordinance approving ZDC-42-2022 with restricting the illumination of the sign between 8pm-8am.

Council Member Travis Smith moved to amend the motion to remove the restriction and allow the illumination hours to comply with the current City standards. Mayor Pro Tem Wallace accepted the amendment to the motion. Council Member Travis Smith seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, and Travis Smith. Noes: David Hill and Chris Wright.

The motion failed due to lack of super majority.

14. Continue Public Hearing on a request by Dean Settlemyer, Just Settle Investments, LLC for a Replat of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022)

Ms. Pruitt presented the case noting the applicant is requesting approval to replat the subject property into one (1) lot for commercial use. The applicant is required to provide a 15' Utility, Water and Wastewater Easement and meet a 25' building line requirement along the eastern property line. The applicant is requesting a petition of relief waiver to allow for a reduced utility easement of 5' for a distance of 110 feet along the eastern property line with the standard 15' utility easement for the remainder of the eastern property line. She noted staff supports the request and recommends approval as presented.

Mayor Barnes continued the Public Hearing.

Dean Settlemyer, 605 Brookside Road, Waxahachie, noted staff comments have been met and staff recommends approval.

There being no others to speak for or against SUB-35-2022, Mayor Barnes closed the Public Hearing.

15. Consider approval of SUB-35-2022

Action:

Mayor Pro Tem Billie Wallace moved to approve a request by Dean Settlemyer, Just Settle Investments, LLC for a Replat of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022). Council Member Chris Wright seconded, All Ayes.

16. Consider and take action on a resolution directing publication of notice of intention to issue Certificates of Obligation, Series 2022; directing the preparation of a preliminary official statement and related materials; and providing an effective date

City Manager Michael Scott presented the proposed Resolution directing publication of notice of intention to issue Certificates of Obligation for the following projects:

Streets:

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- Construction of University Avenue, Wilmington Avenue, and Chiles Street
- Engineering of Perry Street and Charlotte Avenue
- Construction of Park Improvements/Boat Dock Park
- Purchase of Fire Truck 1

Water:

- Construction of Perry Street, East Ross Street, and Water Street Water Line Rehab
- Engineering/Construction of Oldham Avenue, West Main St. Old Water Well Plugging, IH 35 Water Main from Lofland Road to Butcher Road, and South Prong Dam and Spillway Improvements
- Engineering of 715 and 719 Water Service Area Boundary Relocation Phase 2 and Howard Road Water Treatment Plan Filer 6 and Raw Meter

Sewer:

- Construction of Lower Mustang Creek Lift Station Expansion Phase 4 and South Rogers Street, alley sewers, and Bauder Street
- Engineering of Perry Street and alley sewers

Council Member Wright expressed his support for using Certificates of Obligation to fund needed services and infrastructure. He noted he supports park projects but does not support using bond funds to pay for them.

RESOLUTION NO. 1326

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; DIRECTING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND RELATED MATERIALS; AND PROVIDING AN EFFECTIVE DATE

Action:

Mayor Pro Tem Billie Wallace moved to approve Resolution No. 1326. Council Member Travis Smith seconded, All Ayes.

17. Consider supplemental appropriation of \$15,222 to fund Cemetery gravestone repairs

Brad Barnes, Assistant Director of Parks and Recreation, requested approval of a supplemental appropriation of \$15,222 to fund Cemetery gravestone repairs caused by vandalism on February 28th. He explained the total quoted cost for repairs was \$49,936.24 and the City received \$34,715 in donations from companies, organizations, and individuals. He noted most repairs to this point have been completed by volunteers and companies donating their time, materials, and energy. Mr. Barnes requested a supplemental appropriation to pay the outstanding balance to have the remaining 97 gravestones repaired.

Action:

Council Member Travis Smith moved to approve a supplemental appropriation of \$15,222 to fund Cemetery gravestone repairs. Mayor Pro Tem Billie Wallace seconded, All Ayes.

(5a)

18. Consider supplemental appropriation of \$29,900 to fund increase for Wastewater Administration Professional Services

Brandon Lacy, Assistant Director of Utilities, requested a supplemental appropriation in the amount of \$29,000 to increase the expenditure budget for professional services in the Wastewater Administration Department to allow several projects to reach completion and provide extra resources for unforeseen engineering service related expenses for the remaining budget year.

Action:

Mayor Pro Tem Billie Wallace moved to approve a supplemental appropriation of \$29,000 to fund increase for Wastewater Administration Professional Services. Mayor Doug Barnes seconded, All Ayes.

19. Consider authorizing a professional services agreement for engineering services for the design of the Perry Avenue Water & Sewer Improvements

Johnny Partain, Utilities Engineer, requested approval to authorize a professional services agreement for engineering services for the design of the Perry Avenue water and sewer improvements with Teague Nall & Perkins Inc. Mr. Partain explained the proposal includes survey, design, bidding, and construction administration services for the project which will provide new infrastructure that will update and improve water and wastewater on Perry Avenue.

Action:

Mayor Pro Tem Billie Wallace moved to approve authorizing a professional services agreement for engineering services for the design of Perry Avenue water and sewer improvements with Teague Nall & Perkins Inc. in the amount of \$336,160. Council Member Chris Wright seconded, All Ayes.

20. Consider authorizing a professional services agreement for engineering services for the design of the IH35E 18-inch water transmission main Lofland Road to Butcher Road

David Bailey, Utilities Director, requested approval to authorize a professional services agreement with Birkhoff, Hendricks & Carter L.L.P. for engineering services for the design of the IH35E (east right-of-way) 18" water transmission main Lofland Road to Butcher Road. Mr. Bailey explained the proposal includes survey, design, bidding, land rights acquisition and construction administration services for this project which will add additional infrastructure to assist in the transitioning of water out of the Sokoll Water Plant to the northern areas of Waxahachie.

Action:

Mayor Pro Tem Billie Wallace moved to authorize a professional services agreement with Birkhoff, Hendricks & Carter L.L.P. for engineering services for the design of the IH35E 18" water transmission main Lofland Road to Butcher Road in the amount of 352,913. Council Member Travis Smith seconded, All Ayes

21. Consider bid award for additions to Water Distribution System-Marshall Road/Lofland Road 24" transmission main

Mr. Bailey requested approval of a bid award to Circle H Contractors in the amount of \$3,253,674.69 for construction of approximately 9,600 linear feet of proposed 24" reinforced concrete cylinder pipe water transmission line along Marshall Road/Lofland Road. He explained the proposed 24" water main

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will help transport water from the Robert W. Sokoll Water Treatment Plant utilizing our existing capacity and deliver water to the northern section of the city.

Action:

Mayor Pro Tem Billie Wallace moved to approve a bid award for additions to Water Distribution System-Marshall Raod/Lofland Road 24" transmission main to Circle H Contractors in the amount of \$3,253,674.69 with a \$325,370 contingency funding. Council Member Chris Wright seconded, All Ayes.

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

City Secretary Amber Villarreal announced early voting has started and Election day for Place 2 runoff will be June 18, 2022.

City Manager Michael Scott thanked City Council for their support on the agenda items presented. Mr. Scott congratulated City Secretary Amber Villarreal on being selected as Yellow Rose Chapter Municipal Clerk of the Year. Mr. Scott also congratulated Senior Plans Examiner Jason Watson on receiving his Master Code Professional certification. Mr. Scott noted the certification is the highest level of designation the Code Council offers and only a little over 800 people have received that designation.

Council Member Chris Wright thanked Planning Director Jennifer Pruitt and Planner Zack King for their work on ZDC-42-2022. He explained his vote was not based on an electronic message sign requested by a church but an electronic message sign requested in a residential neighborhood.

Council Member Travis Smith congratulated Ms. Villarreal on receiving Yellow Rose Chapter Municipal Clerk of the Year. Mr. Smith thanked the numerous volunteers who give back to the community and those who assisted with Gingerbread Trail and the Railyard Park Concert Series.

Senior Director of Planning Jennifer Pruitt reminded City Council about the Comprehensive Plan Advisory Committee meeting on Tuesday, June 21, 2022 at 6:30 p.m.

Mayor Barnes reported the pancake breakfast fly-in at Mid-Way Regional Airport was successful and noted the airport is an asset to our community.

23. Adjourn

There being no further business, the meeting adjourned at 8:56 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5b)

City Council
June 6, 2022

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, June 6, 2022 at 6:00 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
Chris Wright, Council Member Place 3

Council Member Absent: Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
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 5d, approving event application for Juneteenth Musical, Parade, and Celebration on June 17-18, 2022.
- Item 5e, accepting the FY 2021-2022 Impact Fee Revenue and Expenditure Mid-Year Report.
- Item 5f, authorizing supplemental appropriation funding the runoff election on June 18, 2022 in the amount of \$13,910.
- Item 5g, resolution to suspend the effective date of a rate increase request by Oncor.
- Item 5h, set City Council meeting for Tuesday, July 5, 2022 due to the 4th of July holiday.
- Item 6, proclamation proclaiming June 19, 2022 as Juneteenth Day.
- Item 7, proclamation proclaiming June 4, 2022-July 4, 2022 as Crape Myrtle Month.
- Item 16, resolution directing publication of notice of intention to issue Certificates of Obligation, Series 2022.

Council Member Chris Wright expressed his opposition for using Certificates of Obligation to fund park projects.

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

- SUB-28-2022, the applicant requested to continue the Public Hearing to the July 5, 2022 City Council meeting.
- ZDC-45-2022, the applicant requested to continue the Public Hearing to the June 20, 2022 City Council meeting.

(5b)

- ZDC-42-2022, the applicant is requesting to relocate an existing ground monument sign 50 ft. south of the existing location. The applicant is requesting to add a 16 square foot (2ft. x 8ft.) electronic message sign to the design of the new sign at First United Methodist Church (505 W. Marvin Ave.). Ms. Pruitt noted the applicant is meeting all requirements. Due to the location being in an area with multiple historic structures, staff has concerns that approving the proposed electronic message sign could affect the character of the area. In addition, staff has reviewed several letters of opposition from surrounding neighbors regarding the potential negative affect of the proposed sign on the character of West Marvin Avenue. Due to staff concerns, staff recommends denial.
- SUB-35-2022, the applicant is requesting approval to replat the subject property into one (1) lot for commercial use. The applicant is required to provide a 15' Utility, Water and Wastewater Easement and meet a 25' building line requirement along the eastern property line. The applicant is requesting a petition of relief waiver to allow for a reduced utility easement of 5' for a distance of 110 feet along the eastern property line with the standard 15' utility easement for the remainder of the eastern property line. Ms. Pruitt noted staff supports the request and recommends approval as presented.

Brad Barnes, Assistant Director of Parks and Recreation, reviewed Item 17 requesting approval of a supplemental appropriation in the amount of \$15,222 to fund cemetery gravestone repairs.

Brandon Lacy, Assistant Director of Utilities, reviewed Item 18 requesting approval of a supplemental appropriation in the amount of \$29,900 to fund increase for Wastewater Administration Professional Services.

Johnny Partain, Utilities Engineer, reviewed Item 19 authorizing a professional services agreement for engineering services for the design of the Perry Avenue water and sewer improvements in the amount of \$154,792.

David Bailey, Director of Utilities, reviewed Item 20 authorizing a professional services agreement for engineering services for the design of the IH35E 18" water transmission main Lofland Road to Butcher Road in the amount of \$352,913.

Mr. Bailey reviewed Item 21 approving a bid award to Circle H Contractors, L.P. for the construction of the Marshall Road/Lofland Road 24" water transmission main in the amount of \$3,253,674.69 which includes the project contingency and funding for acquisition of necessary easements.

3. Adjourn

There being no further business, the meeting adjourned at 6:32 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary



(5C)

Application for a Festival or Event Permit

Event Name and Description: Fundraiser to build a home for a local homeless man, Thomas Jordan

Applicant Information

Name: Rhonda Miller

Address: 2029 Old Maypearl Rd

City, State, Zip: Waxahachie, TX 75167 Phone: 214-868-2574

E-mail Address: _____

Organization Information

Organization Name: Ellis County Homeless Coalition

Address: 613 Ferris Ave., Suite 105, Waxahachie TX 75165

Authorized Head of Organization: Frances Stuart, President

Phone: 469-360-8538 E-mail Address: _____

Event Chairperson/Contact

Name: Rhonda Miller

Address: 2029 Old Maypearl Rd

City, State, Zip: Waxahachie, TX 75167 Phone: 214-868-2574

E-mail Address: _____

Event Information

Event Location/Address: Railyard Park, Waxahachie TX

Purpose: Fundraiser

Event Start Date and Time: July 23, 2022 at 10am

Event End Date and Time: July 23, 2022 at 2pm

(5C)

Approximate Number of Persons Attending Event Per Day: 100

Site Preparation and Set-Up Date and Time: July 23 @ 9.00am

Clean-Up Completion Date and Time: July 23 @ 3pm

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.

Street closure, food trucks, musicians on stage

Requested City Services: Block off road to traffic other than the food trucks; insure stage power is ready for use.

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

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

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

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.

Rhonda Miller 5/24/22

Signature of Applicant

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).*

(50)

Bonner, Jami

From: Martinez, Gumaro
Sent: Tuesday, May 24, 2022 10:43 AM
To: Bonner, Jami; Barnes, Bradley; Campos, Yadira; Skistimas, Kelly; Mosley, Laurie; Ricky Boyd; Wade Goolsbey; Gaertner, James; Massey, Matt; Me'Lony Jordan
Cc: Scott, Michael; Lawrence, Albert; Crocker, Clarice; Villarreal, Amber
Subject: RE: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

I would advise there are additional polycarts for trash and also an additional portable restroom for the event.

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

From: Bonner, Jami
Sent: Tuesday, May 24, 2022 10:09 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>
Cc: Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

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

(5C)

Bonner, Jami

From: Gaertner, James
Sent: Tuesday, May 24, 2022 10:38 AM
To: Skistimas, Kelly; Wade Goolsbey; Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Mosley, Laurie; Ricky Boyd; Massey, Matt; Me'Lony Jordan
Cc: Scott, Michael; Lawrence, Albert; Crocker, Clarice; Villarreal, Amber
Subject: RE: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

I don't have any comments. Please have them coordinate with Matt for the barricades.

James G.

From: Skistimas, Kelly <kelly.skistimas@waxahachie.com>
Sent: Tuesday, May 24, 2022 10:35 AM
To: Wade Goolsbey <wgoolsby@waxahachiepd.org>; Bonner, Jami <jami.bonner@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>
Subject: RE: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

The street closure would be the portion of College between the amphitheater and Fresh Coffee. Close at College and Rogers, the just past the crosswalk between Fresh Coffee and the park. No businesses would be blocked.

Kelly Skistimas
Cultural Arts and Programming Manager
City of Waxahachie
Office: 469.309.4051
Cell: 214.463.7815



From: Wade Goolsbey <wgoolsby@waxahachiepd.org>
Sent: Tuesday, May 24, 2022 10:12 AM
To: Bonner, Jami <jami.bonner@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice

(50)

Bonner, Jami

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Cultural Arts and Programming Manager
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Subject: RE: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

Jami,
We really need to see the locations of where they want to close the street.

Wade G. Goolsby
Chief of Police
Waxahachie Police Department
469-309-4411

H.E.A.R.T
Honor Ethics Accountability Respect Transparency

(50)

Bonner, Jami

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Tuesday, May 24, 2022 10:12 AM
To: Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Skistimas, Kelly; Mosley, Laurie; Ricky Boyd; Gaertner, James; Massey, Matt; Me'Lony Jordan
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Subject: RE: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

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Chief of Police
Waxahachie Police Department
469-309-4411

H.E.A.R.T
Honor Ethics Accountability Respect Transparency

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Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

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

(50)

Bonner, Jami

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Tuesday, May 24, 2022 11:09 AM
To: Bonner, Jami
Subject: RE: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

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: Tuesday, May 24, 2022 10:09 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>
Cc: Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

[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

(5c)

Bonner, Jami

From: Me'Lony Jordan
Sent: Tuesday, May 24, 2022 11:33 AM
To: Bonner, Jami
Subject: RE: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

ALL food trucks required to have current valid mobile food permit from the City of Waxahachie (or) obtain a temporary food establishment permit. All non-mobile food vendors are required to obtain a temporary food establishment to offer any items for human consumption even if items are given away without charge.
Applications as well as payment can be done online.

*The City of Waxahachie has a new online portal for electronic plan review and permits, **please see below and submit your applications with required documentation online.***

You are required to upload the following documents for approval:

- **Completed (Temporary) Food Permit Application** - Available online under Building and Community Services -
- Valid State ID
- Copy of a Menu
- Copy of a Certified Food Managers (CFM) Certificate for verification
- ***Cottage Law Only*** Copy of Labeling
- ***Catering Kitchens Only*** Proof of Commissary Kitchen and Inspection Report
- ***Manufacture Only*** State Manufacturing License and Copy of Labeling

Use the Link below to access the online portal.

<https://waxahachietx-energovpub.tylerhost.net/Apps/SelfService#/home>

Thank you,



MeLony Jordan
Health Inspector/CCO
Office: (469) 309-4134
Mobile: (972) 740-6724

From: Bonner, Jami
Sent: Tuesday, May 24, 2022 10:09 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>
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Subject: Event Application - Fundraiser to Build a Home for Homeless Man, Thomas Jordan

(6)

PROCLAMATION

WHEREAS, the month of June, has been designated as World Elder Abuse Awareness Month to shine light on the problem of physical, emotional, and financial abuse of elders; and

WHEREAS, City of Waxahachie, and our community partners recognize that our senior citizens are valued members of our society; and

WHEREAS, abuse, neglect, and exploitation is a tragedy inflicted on vulnerable senior citizens is an ever increasing problem that crosses all social economic boundaries; and

WHEREAS, the federal Nursing Home Reform Act of 1987 guarantees residents their individual rights in order to promote and maintain their dignity and their individual rights to maintain their dignity and autonomy; and

WHEREAS, we wish to honor and celebrate these citizens, to recognize their rich individuality, and reaffirm their sense of safety, as well as the right to have a say in their care; and

WHEREAS, it is thanks to community partners for their contribution in preventing abuse, neglect, and exploration before it happens by developing community based prevention, awareness, education and training programs.

NOW, THEREFORE, I, Mayor Doug Barnes, along with the entire City Council, do hereby proclaim June 2022 as

“WORLD ELDER ABUSE AWARENESS MONTH”

in the City of Waxahachie and encourage all citizens to join me in these important observances.

Proclaimed this 20th day of June 2022.

MAYOR

ATTEST:

CITY SECRETARY

(7+8)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: June 15, 2022

Re: ZDC-45-2022 Cowboy Church – Electronic Message Sign

On June 15, 2022, the applicant requested to continue case no. ZDC-45-2022 from the June 20 2022, City Council meeting agenda to the July 5, 2022, City Council meeting agenda.

(9)

Planning & Zoning Department Plat Staff Report



Case: ZDC-56-2022

MEETING DATE(S)

Planning & Zoning Commission: June 14, 2022
City Council: June 20, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting, held June 14, 2022, the Commission voted 5-0 to recommend approval of case number ZDC-56-2022, subject to staff comments.

CAPTION

Public Hearing on a request by Nic Paul, for a **Specific Use Permit (SUP)** for an **Accessory Structure equal or greater than 700SF** use within a **Planned Development-23-Single Family-1 (PD-23-SF-1)** zoning district located at 3359 Howard Rd. (Property ID 242726) – Owner: Dan & Lori Walser (ZDC-56-2022).

APPLICANT REQUEST

The applicant is requesting to construct at +700 sq. ft. (1,500 sq. ft.) accessory structure to the rear of a single family residential lot.

CASE INFORMATION

<i>Applicant:</i>	Nic Paul
<i>Property Owner(s):</i>	Dan & Lori Walser
<i>Site Acreage:</i>	1.503 acres
<i>Current Zoning :</i>	PD-23-SF-1
<i>Requested Zoning:</i>	PD-23-SF-1 with a Specific Use Permit (SUP) for an accessory structure greater than 700 square feet.

SUBJECT PROPERTY

<i>General Location:</i>	3359 Howard Rd.
<i>Parcel ID Number(s):</i>	283877
<i>Current Zoning:</i>	Planned Development-23-Single Family-1 (PD-23-SF-1)
<i>Existing Use:</i>	The existing use is residential.
<i>Development History</i>	The subject property is platted as Lot 5 of the Waxahachie Lake Estates Addition.

(9)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Future Development	Single Family Residential Home
East	Future Development	Single Family Residential Home
South	PD-23-SF-1	Single Family Residential Home
West	Rural Residential	Single Family Residential Home

Future Land Use Plan: Estate Residential

Comprehensive Plan: This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan: The subject property is accessible via Howard Rd.

Site Aerial:



PLANNING ANALYSIS

The applicant is proposing to construct a +700 sq. ft. (1,500 sq. ft.) accessory structure to the side and rear of a single family residential lot at 3359 Howard Road. The Ellis County Appraisal District states that the primary structure on the property is 2,395 square feet. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 square feet requires a Specific Use Permit (SUP) to be approved by City Council.

Proposed Use:

The proposed accessory structure is comprised of 1,500 square feet of fully enclosed space. The applicant is proposing to construct the structure out of exterior metal panels. The structure is intended to be used for the storage of vehicles and equipment, and serve as a workshop space. The applicant has confirmed to staff that the structure will not be used as a dwelling of any kind and will not be metered, sold, or leased separately from the existing home. The accessory structure will be connected to the exiting driveway with

(9)

a concrete drive. At the time of this report (June 6, 2022), staff received one letter in support and one letter in opposition of the request.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 11 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

As of the date of this staff report, staff has received 4 responses. 3 letters of support, and 1 letter of opposition.

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 accessory structure shall not be used as a dwelling.
 2. The accessory structure shall not be used for commercial purposes.
 3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
 4. The concrete will be extended from the driveway to the accessory structure.
 5. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

ATTACHED EXHIBITS

Identify the exhibits that will be included as agenda backup material.

1. Ordinance
2. Location Map
3. Site Layout Exhibit
4. Site Plan
5. PON Responses

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:
 Ashlie Jones
 Senior Planner
ashlie.jones@waxahachie.com

Reviewed by:
 Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com

(10)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EQUAL TO OR GREATER THAN 700 SQUARE FEET USE WITHIN A PLANNED DEVELOPMENT-23-SINGLE FAMILY-1 (PD-23-SF-1) ZONING DISTRICT, LOCATED 3359 HOWARD ROAD, BEING PROPERTY ID 242726, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 5, IN THE WAXAHACHIE LAKE ESTATES #1 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, the described property is classified in said ordinance and any amendments thereto as PD-23-SF-1; 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-56-2022. 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 PD-23-SF-1 to PD-23-SF-1, with an SUP in order to permit an Accessory Structure Equal to or Greater Than 700 Square Feet use on the following property: Lot 5, of the Waxahachie Lake Estates #1 subdivision, which is shown on Exhibit A, in accordance with the Site Layout Exhibit attached as Exhibit B, the Site Plan attached as Exhibit C, and the 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.

(10)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE EQUAL TO OR GREATER THAN 700 SQUARE FEET USE WITHIN A PLANNED DEVELOPMENT – 23 – SINGLE FAMILY – 1 (PD-23-SF-1) ZONING 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-56-2022.
2. The development shall adhere to the City Council approved Exhibit A – Location Exhibit, Exhibit B- Site Layout Exhibit, Exhibit C – Site Plan, Ex, and Exhibit D – Staff Report.
3. The accessory structure shall not be used as a dwelling.
4. The accessory structure shall not be used for commercial purposes.
5. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
6. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.
7. 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.
8. If approved, City Council reserves the right to review the Specific Use Permit at any point in the future, 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.

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 _____ day of _____, 2022.

(10)

MAYOR

ATTEST:

City Secretary

(10)

Exhibit B- Site Layout



(10)

Exhibit D

Planning & Zoning Department Plat Staff Report



Case: ZDC-56-2022

MEETING DATE(S)

Planning & Zoning Commission: June 14, 2022
City Council: June 20, 2022

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Site Acreage: 1.503 acres
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Requested Zoning: PD-23-SF-1 with a Specific Use Permit (SUP) for an accessory structure greater than 700 square feet.

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Parcel ID Number(s): 283877
Current Zoning: Planned Development-23-Single Family-1 (PD-23-SF-1)
Existing Use: The existing use is residential.
Development History The subject property is platted as Lot 5 of the Waxahachie Lake Estates Addition.

(10)

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RECOMMENDATION

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- Denial
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STAFF CONTACT INFORMATION

Prepared by:
 Ashlie Jones
 Senior Planner
ashlie.jones@waxahachie.com

Reviewed by:
 Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com



Memorandum

To: Honorable Mayor and City Council
From: Brad Barnes, Assistant Director of Parks & Recreation
Thru: Michael Scott, City Manager
Date: June 20, 2022
Re: Consider Adoption of Lions Park Master Plan

Item Description: Consider adopting the Lions Park Master Plan as presented.

Item Summary: Our consultant, La Terra Studio, has been working with the master plan steering committee; made up of members of City Council, the Park Board, administration, and City staff; to develop a formal document to provide guidelines for the further development of Lion's Park. The process involved getting input from the steering committee members, and deliberating the benefits, needs, concerns, and opportunities of potential elements within the park.

The elements of the Master Plan include the following: a 475-space parking lot, a lighted flex field, sport courts (tennis, pickleball, basketball), a splash pad, a playground, picnic pavilions, a food truck plaza, improvements to the existing softball/baseball fields, a walking trail, and a fitness court.

After several iterations of this process and fine-tuning the concepts, a final concept and magnitude of probable costs were developed for Council to review and make recommendations.

The Park Board unanimously voted to recommend the final draft of the Master Plan to City Council during their meeting on May 12, 2022.

Staff Recommendation: Staff recommends adopting the Lions Park Master Plan as presented.

LIONS PARK

PARK MASTER PLAN



CITY OF
WAXAHACHIE
TEXAS

June 20, 2022

SUMMARY

The Lions Park Master Plan is a long-term vision with short-term goals designed and supported by the aspirations of the City of Waxahachie and its engaged steering committee to make meaningful improvements to the park.

The Plan's vision takes advantage of existing site assets while extending the recreational offerings available to residents and visitors of Waxahachie. The Plan also takes into consideration the multiple adjacent properties influencing the experience of the park. Through renovation, re-purposing and new construction, implementation of the Plan will: provide more organized access to the park, support multipurpose use of open areas within the park, and provide new recreational opportunities.

The first objective of the Plan is to identify current items that can be retained and upgraded to meet the needs of the community. Second, it identifies opportunities that could add new amenities to the park. Third, it creates a flexible framework for long-term implementation and growth as well as consideration for completing the improvements in one construction effort.

The Plan document is intended to guide sustainable park improvements, to promote a cohesive character and identity, steward the asset of Lions Park, and celebrate the parks recreational value.



(11)

Overview

Beginning in mid-January of 2022, the approximately four-month planning process engaged the Waxahachie steering committee in an open dialogue regarding the future of Lions Park. During the initial phase of the project, it was identified that the park warranted much needed improvements.

la terra studio, a professional park planning consultant, was hired to create the master plan. The consultant assisted City staff in developing a process to execute the plan. The following steps were followed:

- Kick off and Information Gathering
- Inventory and Analysis
- Steering Committee Input Meeting
- Concept Sketch Presentation
- Refined Concept Presentation
- Draft Plan and Recommendations
- Final Plan Recommendations
- Master Plan Adoption (TBD)

Programming

la terra studio facilitated a programming meeting with the steering committee that identified the park's most memorable assets, the biggest concerns, and the types of improvements that would like to be implemented. Various opportunities and constraints were identified and incorporated into the concept development phase.



(11)

Park Plan

The Master Plan proposes specific park and infrastructure recommendations for short-term and long-term, projects. The intent of the plan is to create a framework for coherent long-term initiatives that is both visionary in concept and flexible in implementation.

Focus Areas

Vehicular Organization

Provide organized parking that meets the needs of a busy day at the park and to remove traffic through the park.

Practice Field Facility

The plan proposes to rehab the current baseball/softball fields into a usable practice facility that is not intended for games.

Flex Field

Develop a large open space that has lighting from the perimeter to allow for flexible field configurations

Activity Zone

Create an area in the center of the park that provides multiple active recreational opportunities for various age groups.

Trails

Create loop trail opportunities that connect to existing and future regional trails.

Food Truck Plaza

Potential opportunities for 3rd party vendors to provide food at the park. Additional city policies may have to be addressed.



(11)

Implementation

A Magnitude or Probable Cost analysis for the park is intended to provide next steps for creating a priority list of improvements. While the vision is big and all portions of the park may not be constructed in one project, the itemized list can guide the city to appropriate funds as they become available. The magnitude or probable cost within this report were developed to understand a range that the improvements may cost. Many factors will influence each budget and construction project.



CLIENT: City of Waxahachie
PROJECT: Jans Park

5/12/2022

PRELIMINARY Magnitude of Probable Cost

Item No.	Description	Unit	Quantity	Unit Cost	Total Amount	Soft Cost 10%	Sub Total	Contingency 10%	Total Item Cost
1	Parking	EA	475	\$3,200.00	\$1,520,000.00	\$ 152,000.00	\$ 1,672,000.00	\$167,200.00	\$ 1,839,200.00
2	Entry Drive	LB	1	\$75,000.00	\$75,000.00	\$ 7,500.00	\$ 82,500.00	\$8,250.00	\$ 90,750.00
3	Loop Trail (12' Width)(+/- .5 mile)	LF	2,640	\$72.00	\$190,080.00	\$ 19,008.00	\$ 209,088.00	\$20,908.80	\$229,996.80
4	Walks (8' Width)	LF	1,000	\$48.00	\$48,000.00	\$ 4,800.00	\$ 52,800.00	\$5,280.00	\$58,080.00
5	Baseball/Softball Field Renovations	EA	4	\$95,000.00	\$380,000.00	\$ 38,000.00	\$ 418,000.00	\$41,800.00	\$459,800.00
6	Flax Field (includes Lighting)	LS	1	\$450,000.00	\$450,000.00	\$ 45,000.00	\$ 495,000.00	\$49,500.00	\$544,500.00
7	Tennis Courts	EA	2	\$125,000.00	\$250,000.00	\$ 25,000.00	\$ 275,000.00	\$27,500.00	\$302,500.00
8	Pickleball Courts	EA	4	\$70,000.00	\$280,000.00	\$ 28,000.00	\$ 308,000.00	\$30,800.00	\$338,800.00
9	Playground	LB	1	\$250,000.00	\$250,000.00	\$ 25,000.00	\$ 275,000.00	\$27,500.00	\$302,500.00
10	Spa/Spa	LB	1	\$450,000.00	\$450,000.00	\$ 45,000.00	\$ 495,000.00	\$49,500.00	\$544,500.00
11	Basketball Court	LS	1	\$150,000.00	\$150,000.00	\$ 15,000.00	\$ 165,000.00	\$16,500.00	\$181,500.00
12	Small Pavilions	EA	3	\$35,000.00	\$105,000.00	\$ 10,500.00	\$ 115,500.00	\$11,550.00	\$127,050.00
13	Landscape Improvements (including Buffer of Service Yard)	LS	1	\$250,000.00	\$250,000.00	\$ 25,000.00	\$ 275,000.00	\$27,500.00	\$302,500.00
14	Food Truck Plaza	LS	1	\$50,000.00	\$50,000.00	\$ 5,000.00	\$ 55,000.00	\$5,500.00	\$60,500.00
15	Site Furnishings and Signage	LS	1	\$80,000.00	\$80,000.00	\$ 8,000.00	\$ 88,000.00	\$8,800.00	\$96,800.00
16	Existing Restroom Improvements	LS	1	\$125,000.00	\$125,000.00	\$ 12,500.00	\$ 137,500.00	\$13,750.00	\$151,250.00
17	Expanded Restrooms Between Flax Field and Practice Fields	LS	1	\$250,000.00	\$250,000.00	\$ 25,000.00	\$ 275,000.00	\$27,500.00	\$302,500.00
18	Fitness Court (additional cost through grant opportunities)	LS	1	\$50,000.00	\$50,000.00	\$ 5,000.00	\$ 55,000.00	\$5,500.00	\$60,500.00
Sub-Total							\$4,933,080.00		
Soft Cost (Surveying for Design, Testing, Construction Documents, ETC.)					10%	\$493,308.00			
Subtotal of Base Project Cost							\$5,426,388.00		
10% Contingency							\$542,638.80		
Total Magnitude of Probable Cost							\$5,969,026.80		

This statement was prepared utilizing standard cost estimate practices. It is understood and agreed that this is an estimate only, and that the Landscape Architect shall not be liable to Owner or to a third party for any failure to accurately estimate the cost of the project, or any part thereof.

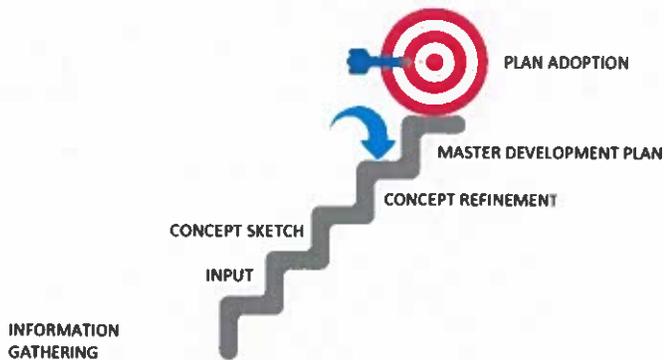
Note: Each item listed includes: Mobilization, Bonds, Insurance, Site Preparation, Construction Staking, Erosion Control, SWPPP, Tree Protection, Demolition, and other ancillary items to complete each phase.



(11)

Conclusion

The Lions Park Master Plan represents the long-term vision for the park. The planning process was thorough, transparent, and inclusive. Implementation of the improvements recommended in this plan will take dedication to this vision and the results will have a positive impact on many people who experience this great community asset.



(11)

Acknowledgments

The City of Waxahachie would like to thank the following individuals for engaging, participating, and influencing the Master Planning process:

Steering Committee Members:

- Michael Scott - City Manager
- Albert Lawrence - Deputy City Manager
- James Villarreal - Assistant Director of Sports Complex
- Chad Hicks - Park Board Chairman
- Jenny Bridges - Park Board Member
- David Hill - Council Member
- Gumaro Martinez - Executive Director of Parks & Leisure Services
- Bradley Barnes - Assistant Director of Parks & Recreation

Elected Officials:

- Doug Barnes – Mayor
- Billie Wallace - Mayor Pro Tem
- David Hill - Council Member
- Chris Wright - Council Member
- Travis Smith - Council Member

City Officials:

- Michael Scott - City Manager
- Albert Lawrence - Deputy City Manager
- Gumaro Martinez - Executive Director of Parks & Leisure Services
- Bradley Barnes - Assistant Director of Parks & Recreation

It has been a pleasure for la terra studio, inc. to be a part of a great visioning and planning project and we look forward to seeing the efforts come to fruition over the next few years.



Michael Black, ASLA
CEO
la terra studio, inc.



(12)



Memorandum

To: Honorable Mayor and City Council
From: Daniel Frisby, Emergency Management Specialist
Thru: Michael Scott, City Manager 
Date: June 21, 2022
Re: Consider a Resolution accepting SWAT Enhancement Grant

Item Description: Consider passing a resolution accepting the terms of the SWAT Night Vision Enhancement, Homeland Security Grant Program.

Item Summary: We are completing the grant process, and seeking reimbursement for: 9 Night Vision Monocular devices, 9 Helmet mounts, and 29 Infrared Beacons. One of the requirements for the Homeland Security Grant Program is a Resolution passed by the City Council which is attached to this Memorandum.

Fiscal Impact: There are no matching funds required for this grant, and it will be 100% funded.

(12)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF WAXAHACHIE ACCEPTING THE TERMS OF THE SWAT NIGHT VISION ENHANCEMENT, HOMELAND SECURITY GRANT PROGRAM.

WHEREAS, the City of Waxahachie finds it in the best interest of the citizens of Waxahachie to accept the ST/CP 2021 SWAT Night Vision Enhancement Grant to be executed for the year 2022; and

WHEREAS, Waxahachie City Council agrees that in the event of loss or misuse of the Office of the Governor funds, Waxahachie City Council assures that the funds will be returned to the Office of the Governor in full; and.

WHEREAS, Waxahachie City Council designates Deputy City Manager Albert Lawrence as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that Waxahachie City Council approves submission of the grant application for the SWAT Night Vision Enhancement to the Office of the Governor.

PASSED, APPROVED, AND ADOPTED on this the 20th of June, 2022.

MAYOR

ATTEST:

CITY SECRETARY



Memorandum

To: Honorable Mayor and City Council

From: David Bailey, Senior Director of Utilities

Thru: Michael Scott, City Manager

Date: June 20, 2022

Re: Consider a contract award for Supervisory Control and Data Acquisition (SCADA) services for Sipes Instrumentation and Electric Services

Item Description: On Monday, June 20, 2022 an award for a service contract to Sipes Instrumentation and Electric Services associated with instrumentation repair, parts, and software support services for the City's SCADA system will appear before the City Council in the amount of \$213,055.

Item Summary: This is a contract for services related to the City's SCADA system. The SCADA system helps monitor and regulate the City's Water Distribution and Wastewater Collection System. The City has utilized a third party vendor to perform these services for a number of years and current utilization has reached a threshold, dictating the need to formally advertise this services.

As a result in May 2022, the Utilities Department advertised a Request for Competitive Sealed Proposals (RFCSP) for this service. The Department received two proposals in response:

- Sipes Instrumentation and Electric Service - \$213,055 (Evaluation Score: 97.40)
- Tesco Controls Inc. - \$235,425 (Evaluation Score: 85.80)

RFCSPs allow the City to evaluate and make award recommendations based on criteria beyond price. The City scored each proposal on price, capability and expertise, overall approach, and match to the City's technical requirements. Sipes Instrumentation and Electric Service received the highest overall evaluation score and has been determined to be the best provider of these services based on the City's needs.

(13)

Fiscal Impact: This service contract is a three year agreement in the amount of \$213,055 with two (2) one-year renewal options at the City's sole discretion. This service is an annually budgeted expense within the department's Operating and Maintenance budget and staff will continue to do so in future years to maintain this service contract. **Staff is requesting City Council approval of this service contract to Sipes Instrumentation and Electric Service in the amount of \$213,055.**