

**NOTICE OF CITY COUNCIL BRIEFING SESSION
MARCH 19, 2018
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:00 P.M.**

Agenda

Council Members: Kevin Strength, Mayor
Mark Singleton, Mayor Pro Tem
Chuck Beatty, Councilmember
David Hill, Councilmember
Mary Lou Shipley, Councilmember

1. Call to Order
2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting
3. Adjourn

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 469-309-4005 or (TDD) 1-800-RELAY TX

A G E N D A

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 on ***Monday, March 19, 2018 at 7:00 p.m.***

Council Members: Kevin Strength, Mayor
Mark Singleton, Mayor Pro Tem
Chuck Beatty, Councilmember
David Hill, Councilmember
Mary Lou Shipley, Councilmember

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Texas Pledge of Allegiance *Honor the Texas Flag;
I pledge allegiance to thee;
Texas, one state under God, one and indivisible*
5. ***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 551.071, Texas Government Code.
6. ***Consent Agenda***

All matters listed under Item 6, 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 March 5, 2018
- b. Minutes of the City Council Briefing Session of March 5, 2018
- c. Minutes of the Joint Work Session of City Council and Planning and Zoning Commission of March 1, 2018
- d. Minutes of the Heritage Preservation Commission meeting of February 8, 2018
- e. Minutes of the Airport Board meeting of March 1, 2018
- f. Minutes of the Park Board meeting of March 8, 2018
- g. Minutes of the Cemetery Board meeting of March 8, 2018
- h. Monthly Code Enforcement Report for February 2018
- i. Monthly Violation Activity Statistics Report for February 2018
- j. Monthly Fire and EMS Report for February 2018
- k. Monthly Crime Report for January and February 2018
- l. Renewal of parking and loading zone lease spaces
- m. Approve High School Graduation fireworks display hosted by WISD

- n. Approve application for The Hachie 50 running race event
 - o. Approve application for Lake Waxahachie Vendor Permit
7. **Introduce** Honorary Councilmember
 8. **Present** Proclamation proclaiming April 9 through April 13, 2018 as “Boys and Girls Club Week in Waxahachie”
 9. **Consider** City of Waxahachie Annual Financial Report for year ended September 30, 2017
 10. **Consider** proposed contract with Kimley Horn to provide professional engineering services for the design of a new 24” water line from the elevated storage tank on FM 664 to Hwy 287 Business
 11. **Consider** proposed Resolution authorizing reimbursement of the operating fund from proceeds of future debt for professional engineering services associated with a new water line from the elevated storage tank on FM 664 to Hwy 287 Business
 12. **Consider** proposed contract with Kimley Horn to provide professional engineering services for the design of a new 12” water line and (2) pressure reducing valves for the realignment of the 791/769 water distribution system service area along FM 813 east of Hwy 287 Bypass from Dean Box Drive to the Sandstone Ranch Subdivision
 13. **Consider** proposed Resolution authorizing reimbursement of the operating fund from proceeds of future debt for professional engineering services for the design of a new 12” water line and (2) pressure reducing valves for the realignment of the 791/769 water distribution system service area along FM 813 east of Hwy 287 Bypass from Dean Box Drive to Sandstone Ranch Subdivision
 14. **Discuss** Food and Food Handlers Ordinance and take any necessary action
 15. **Consider** TxDOT Aviation Grant project to construct security fencing at Mid-Way Regional Airport
 16. **Convene** into Executive Session for the Performance Evaluation of City Manager as permitted by the Texas Government Code, Section 551.074
 17. **Reconvene** and take any necessary action
 18. Comments by Mayor, City Council, City Attorney and City Manager
 19. Adjourn

The City Council reserves the right to go into Executive Session on any posted item.

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City Council
March 5, 2018

(ba)

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, March 5, 2018 at 7:00 p.m.

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

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

1. Call to Order

Mayor Kevin Strength called the meeting to order.

City Manager Michael Scott introduced and welcomed Mr. Albert Lawrence as the new Assistant City Manager. He stated after a national search with over ninety applicants he hired Mr. Lawrence from Red Oak, Texas.

- 2. Invocation**
- 3. Pledge of Allegiance**
- 4. Texas Pledge of Allegiance**

Mr. Albert Lawrence, Assistant City Manager, gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

5. Public Comments

Mr. Kevin Ivy, 1980 East Highland Road, Waxahachie, expressed concern with the recent Ordinance adopting the replacement of 3 Tab Shingles. He stated growing up in the lumber industry thousands of 3 Tab Shingles were sold. Mr. Ivy stated he does understand that the new laminate shingles do withstand higher winds but is concerned that many homeowners cannot afford them noting City Council does not need to take away a citizen's choice of shingle.

6. Consent Agenda

- a. Minutes of the City Council meeting of February 19, 2018
- b. Minutes of the City Council Briefing Session of February 19, 2018
- c. Minutes of the regular Planning and Zoning Commission meeting of February 27, 2018
- d. Minutes of the Planning and Zoning Commission Briefing Session of February 27, 2018
- e. Minutes of the Firemen's Relief and Retirement Fund meeting of February 19, 2018
- f. Request by Clyde Hargrove, Bethany/Garden Valley, Ltd, for a Final Plat of Garden Valley West for 138 lots, being 22.707 acres out of J.B. & Ann Adams

(ba)

City Council
March 5, 2018
Page 2

Survey, Abstract 5 (Property ID 263936 and 261716) – Owner: WP LEGACY LTD (FP-18-0005)

Action:

Councilmember Chuck Beatty moved to approve items a. through f. on the Consent Agenda. Mayor Pro Tem Mark Singleton seconded, All Ayes.

7. Introduce Honorary Councilmember

Mayor Pro Tem Mark Singleton introduced Miss Sloane Smith as the Honorary Councilmember for the month of March 2018. She is the daughter of Jill Chapman and the granddaughter of Steve and Hilda Chapman. Sloane is a senior at Waxahachie High School and ranks in the top 10 of her class. Other activities include: serving as Copy Editor for the Media Staff; President of the National Honor Society; involved with Interact and serves as the International Understanding Chair; participation in several Academic UIL events and has advanced to Regional competition; Founder and President of the newly established Power to the People Club at Waxahachie High School; recruiting approximately 50 members to help raise funds to benefit community organizations; and, has enjoyed competing with Academic Decathlon for the past two years and is currently serving as President. Sloane has a passion for writing. She writes for the school newspaper and yearbook, has contributed articles to Ellis County Living Magazine, and entered a national competition for short stories. Sloane will pursue a degree in English and History, but has not yet committed to a specific university.

8. Present Proclamation proclaiming March 2018 as “March for Meals Awareness Month”

Mayor Strength read a Proclamation proclaiming March 2018 as “March for Meals Awareness Month” and presented it to Ms. Lisa Deese, Community Engagement Specialist, Meals on Wheels.

9. Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within a Planned Development-General Retail (PD-GR) zoning district, located at 125 Park Place Blvd, being LOT 4A BLK A PARK PLACE PROFESSIONAL CENTER .6885 AC (Property ID 247587) – Owner: HOLTZ PROCUREMENT LTD (SU-18-0015)

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the applicant seeks to replace and relocate an already existing sign on the property. He stated the request meets the Zoning and height Ordinance. Mr. Brooks stated he received a letter from a property within 200 feet noting they supported the sign and asked it be turned off from 10:00 p.m. to 6:00 a.m. He supported the request due to the location of the sign.

There being no others to speak for or against SU-18-0015, Mayor Strength closed the Public Hearing.

(6a)

10. Consider proposed Ordinance approving Zoning Change No. SU-18-0015

ORDINANCE NO. 3005

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ELECTRONIC MESSAGE SIGN USE WITHIN A PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) ZONING DISTRICT, LOCATED AT 125 PARK PLACE BLVD, BEING PROPERTY ID 247587, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4A, BLOCK A IN THE PARK PLACE PROFESSIONAL CENTER SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember David Hill moved to approve Ordinance No. 3005 as presented. Councilmember Chuck Beatty seconded, All Ayes.

11. Public Hearing on a request by Jeff Crannell, CCM Engineering, for an Amendment to Ordinance No. 2752 for the Camden Park Phases 1 and 2 Planned Development District to increase Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0016)

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant seeks to increase maximum lot coverage in Camden Park. Staff recommended approval.

There being no others to speak for or against PD-18-0016, Mayor Strength closed the Public Hearing.

12. Consider proposed Ordinance approving Zoning Change No. PD-18-0016

ORDINANCE NO. 3006

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), LOCATED IN THE CAMDEN PARK PHASES 1 AND 2 SUBDIVISION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 69.283 ACRES KNOWN AS THE CAMDEN PARK PHASES 1 AND 2 SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 3006 as presented. Councilmember David Hill seconded, All Ayes.

(6a)

13. **Public Hearing on a request by Steve Miller, Steve Miller Real Estate, for a Zoning Change from a Single Family-3 (SF3) zoning district to Planned Development-Single Family-3 (PD-SF3) with Concept Plan, located at 415 W. Light Street, being LOT 1 BLK 13 BULLARD-REV 0.323 AC (Property ID 172392) - Owner: COLE DONALD I & PEGGY E REVOCABLE LIVING TRUST (PD-18-0007)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant seeks a Planned Development with the intention to eventually replat the lot into two lots so the newly created lot can have a single family residence on it. Mr. Brooks stated the newly created lots would be smaller than the SF-3 zoning districts minimums and there would be a 12 foot Right-of-Way dedication required that would further reduce the size of the lots.

There being no others to speak for or against PD-18-0007, Mayor Strength closed the Public Hearing.

14. **Consider proposed Ordinance approving Zoning Change No. PD-18-0007**

ORDINANCE NO. 3007

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF-3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), WITH CONCEPT PLAN LOCATED AT 415 W. LIGHT STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.323 ACRES KNOWN AS PROPERTY ID 172392 OF THE BULLARD-REV SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Mary Lou Shipley moved to approve Ordinance No. 3007 as presented. Mayor Kevin Strength seconded, All Ayes.

15. **Public Hearing on a request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-3 (SF3) zoning district to Planned Development-Single Family-3 (PD-SF3) with Concept Plan, located at 1201 Wyatt Street, being LOT A&B BLK 212 TOWN - WAXAHACHIE 0.572 AC (Property ID 171515) - Owner: SOUTHFORK CAPITAL LLC (PD-18-0009)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant is seeking a Planned Development (PD) to allow for a replat one lot into five lots to build single family residences. He stated the area is within the Infill Overlay and has historically been zoned for SF-3, but the lot sizes for SF-3 have changed over time, thus creating the need for the PD.

Mr. Chris Acker, applicant, 5100 Honeysuckle Road, Midlothian, Texas, stated he will build smaller homes that will support the surrounding neighborhood.

(6a)

City Council
March 5, 2018
Page 5

There being no others to speak for or against PD-18-0009, Mayor Strength closed the Public Hearing.

16. Consider proposed Ordinance approving Zoning Change No. PD-18-0009

ORDINANCE NO. 3008

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF-3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), WITH CONCEPT PLAN LOCATED AT THE NORTHEAST CORNER OF WYATT STREET AND EAST ROSS STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.572 ACRES KNOWN AS PROPERTY ID 171515 OF THE TOWN SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3008 and waiving the impact fees. Councilmember David Hill seconded, All Ayes.

17. Public Hearing on a request by Chris Acker, Southfork Capital LLC, for a Replat of Block 212 and a portion of Block 214 of Town Addition, to create Lots 1-4, Block 212, and Lot 3, Block 214, Town Addition, 0.7431 acres (Property ID 171515) – Owner: SOUTHFORK CAPITAL LLC (RP-18-0010)

Mayor Strength opened the Public Hearing.

Mr. Brooks stated the Replat is a companion case to Item 15 noting with the zoning approved and in place, he recommended approval.

There being no others to speak for or against RP-18-0010, Mayor Strength closed the Public Hearing.

18. Consider approving RP-18-0010

Action:

Mayor Pro Tem Mark Singleton moved to approve a request by Chris Acker, Southfork Capital LLC, for a Replat of Block 212 and a portion of Block 214 of Town Addition, to create Lots 1-4, Block 212, and Lot 3, Block 214, Town Addition, 0.7431 acres (Property ID 171515) – Owner: SOUTHFORK CAPITAL LLC (RP-18-0010). Councilmember Chuck Beatty seconded, All Ayes.

19. Consider C-10's Car Show and Concert to be held September 15, 2018

Ms. Anita Brown, Downtown Development Director, reported this is the fourth year of the C-10's Car Show held at Getzendaner Park and second year to carry over to downtown. She stated the event coordinators will limit the event to 800 vehicles. Ms. Brown noted the bulk of the event will take place in Getzendaner Park and then gather downtown for an evening concert. She requested street closure on Jackson Street from Main to Jefferson from noon to 11:00 p.m. and Franklin Street from College to Jackson from noon to 11:00 p.m.

(6a)

Action:

Councilmember David Hill moved to approve the C-10's Car Show and Concert to be held on September 15, 2018. Councilmember Chuck Beatty seconded, All Ayes.

20. Consider Rate Review Mechanism Tariff relating to Atmos Energy

Mr. Doug Barnes, Director of Economic Development, presented Ordinance No. 3009 noting the RRM Tariff on which the 2017 rates were based allowed a rate of return on equity of 10.50%. The revised RRM Tariff reduces that to 9.8%. The revised RRM Tariff also captures the reduction in federal income tax rates from 35% to 21%, and should result in a rate reduction effective by mid-March 2018.

ORDINANCE NO. 3009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM ("RRM") AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX" OR "COMPANY") AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.

Action:

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 3009 as presented. Councilmember Chuck Beatty seconded, All Ayes.

21. Discuss Food and Food Handlers Ordinance and take any necessary action

Mayor Strength announced Item 21 will be considered at a later date.

Action:

Mayor Pro Tem Mark Singleton moved to table Item 21 for further discussion. Councilmember David Hill seconded, All Ayes.

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

City Council welcomed Assistant City Manager Albert Lawrence and thanked Honorary Councilmember Sloane Smith for her attendance.

City Manager welcomed Mr. Lawrence and commended Mr. Chris Seale, Horticulturist, for the beautiful flowers around town.

(b)(6)

Mayor Strength stated City Council has met some new staff members noting he is very excited about Mr. Scott's winning team.

Mayor Pro Tem Mark Singleton stated the flowers around town look great. He announced the WISD Superintendent decided to stay in Waxahachie. Mayor Pro Tem Singleton stated the Building Department is doing great with a 10 day turn-around of new plans. He noted the City Staff is strong and thanked fellow Councilmembers noting the city has a bright future that will challenge us.

Councilmember David Hill referenced the C-10's Car Show noting his son organizes the show for free bringing vehicles in from coast to coast with most being trailered in. He stated his son doesn't profit from the show and that his group collects food for the local food bank.

Attorney Robert Brown stated it is a privilege to have former City Attorney Steve Chapman in the audience.

23. Adjourn

There being no further business, the meeting adjourned at 7:45 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

City Council
March 5, 2018

(66)

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, March 5, 2018 at 6:00 p.m.

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

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

1. Call to Order

Mayor Kevin Strength called the meeting to order.

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

City Manager Michael Scott welcomed staff, guest and candidates. He introduced Mr. Albert Lawrence as the new Assistant City Manager.

Mr. Shon Brooks, Director of Planning, reviewed items on the agenda noting staff is in agreement with a Final Plat on the Consent Agenda. Quickway Signs has satisfied all requirements on the electronic sign pertaining to item 9. He stated Camden Park is back with a request for lot increase on item 11 noting staff is in support. Item 13 is requesting an Infill Ordinance turning one lot into two lots and it does meet the intent of the Ordinance. Mr. Brooks reviewed item 15 noting it is one lot being subdivided into five lots. He stated the lots will be a little smaller but it is a good use for the area. If approved, item 17 will follow for consideration on a Replat on these lots. Mr. Brooks stated there was a question from an adjacent property owner as to how he can connect his water/sewer line and it was determined he can be served from Marvin Street.

Ms. Anita Brown, Downtown Development Directo, stated item 19 is a request for a C-10's Car Show and Concert to be held September 15, 2018. She stated this is the fourth year and the event will cap at 800 cars. Ms. Brown stated it is a great event and the request for street closures are the same as last year's request.

Mr. Doug Barnes, Director of Economic Development, reported item 20 pertains to a rate review mechanism tariff relating to Atmos Energy. He stated Atmos is filing rate increase cases effective April 1st to help cover cost of laying pipe. It will be an increase of 9.8%.

{Councilmember Chuck Beatty arrived}

Mr. Ryan Studdard, Director of Building and Community Services, and Ms. Leila Cole, Health Inspector, presented a proposed Ordinance repealing and replacing Ordinance No. 2520 Food and Food Handlers. Mr. Studdard reviewed the purpose for the changes as listed below:

(6b)

- Update TFER chapter from §229 dated 2006 to the new §228 dated 2015
- Update terms and definitions where applicable per the new TFER
- Replace all environmental health language with Building and Community Services
- Update language in Article III to include the new Notice of Improvement Plan and to reference section 1-12 of the code

Mr. Studdard stated to simplify the ordinance, all sections removed were identified as a duplicate and/or the same standards are reflected in the 2015 TFER §228 rules. He stated this will allow for better customer service for our restaurants, allow staff to start implementing and provide improvement plans.

Mr. Scott reviewed the Ordinance noting it mirrors the state standards and keeps us consistent with their practices.

Discussion was held and Mayor Pro Tem Mark Singleton stated he is highly suspicious noting it is not substantiated by any facts. He stated this is government overreach and questioned if it is applicable for our citizens. Mayor Pro Tem Singleton stated staff is trying to fix problems that are not there. He stated he would like to have a couple of weeks to consider and recommended staff get with local businesses to discuss. He asked City Attorney Robert Brown is this mandatory and Mr. Brown stated it is not.

Mr. Studdard stated the effort is trying to help the restaurants noting staff is being customer service friendly.

Ms. Leila Cole stated this was brought to her attention when she was in Austin training. She explained the process of her inspections noting her goal is to educate the restaurants.

Mr. Scott stated staff's intention is not to put another layer on restaurants. He stated Staff will provide additional information to Council.

Mr. Studdard introduced his Staff as follows noting they are all leaders within their departments:

Ms. Leila Cole – Health Inspector
Mr. JD Cobb - Facility Maintenance Coordinator
Ms. Mary Del Bueno - Community Service Coordinator
Ms. Pam Speaks - Sr. Code Enforcement Officer
Ms. Mari Herrera - Building and Development Coordinator
Mr. Jason Watson – Building Inspector
Mr. Johnny Thompson - Senior Building Inspector with 28 years of service

3. Adjourn

There being no further business, the meeting adjourned at 6:40 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(b6)

City Council and Planning & Zoning Commission
March 1, 2018

A Joint Work Session of the Mayor and City Council and Planning & Zoning Commission of the City of Waxahachie, Texas were held in the City Council Conference Room at City Hall, 401 S. Rogers on Thursday, March 1, 2018 at 5:30 p.m.

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

Planning & Zoning
Members Present: Rick Keeler, Chairman
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins

Others Present: Michael Scott, City Manager
Lori Cartwright, City Secretary
Tommy Ludwig, Exec. Director of Community Services
Shon Brook, Director of Planning
Kelly Dent, Planner

1. Call to Order by Mayor Kevin Strength and Chairman Rick Keeler

Mayor Strength called the City Council meeting to order.

Chairman Rick Keeler called the Planning and Zoning Commission meeting to order.

2. Discussion of modifications to Zoning Ordinance

City Manager Michael Scott made some opening remarks and thanked all in attendance. He stated the Planning Department has been working to make the zoning book more user-friendly.

Mr. Shon Brooks, Director of Planning, thanked Ms. Kelly Dent, Planner, for her assistance in refreshing the zoning book. He stated it is not a complete rewrite but it is being refreshed and making it a lot easier for staff and developers.

Topics of discussion included: Use Chart and Definitions, Zoning Districts, Parking, and Development Standards.

Mr. Brooks noted there are fifty Planned Developments in the Zoning Ordinance and it is ever changing and Specific Use Permits are ever changing. The Use Chart has been condensed from 37 pages to 14 and staff is working toward moving the paragraph form into table form to make it easier to use.

(b)(c)

Mr. Brooks reviewed the Zoning Ordinance refresh to include the following: He discussed "Parking Districts" versus "Parking Use" and presented photos depicting Mixed Use Residential.

Zoning Districts

- Remove Parking
- Remove General Retail Limited
- Add Mixed Use Residential
- Add Mixed Use Non-Residential
- Add Downtown Neighborhood

Section Reorganization

- Remove PD districts out of the ordinance (item included in the zoning map)
- Remove SUP section out of the ordinance (item included in the zoning map)

Development Standards

- Remove standards from individual chapters and condense in independent sections
- Design Standards to be discussed at a later meeting

Mr. Brooks reviewed the following Development Standards:

Accessory Buildings, Landscaping, Fencing and Screening, and Home Occupation

- Removed from individual zoning districts
- Independent Sections Created

Multi Family Development Standards

- Requirements are taken from the zoning districts
- Multiple districts compressed

Off-Street Parking and Loading

- Removed parking chart
- Add parking to the use chart

After discussion, Mr. Brooks stated the next joint work session is scheduled for March 26, 2018. Items of discussion will include: Design Standards, Signage, Landscaping and Hotel. He noted staff will hold an Open House for developers to come in and review the changes noting the final step will be Ordinance adoption.

3. Adjourn

There being no further business, the meeting adjourned at 7:25 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(6d)

MINUTES

A meeting of the **Heritage Preservation Commission** of the City of Waxahachie, Texas was held in the City Council Chambers/Conference Room at City Hall, 401 S. Rogers on **Thursday, February 8, 2018 at 5:30 p.m.**

Heritage Preservation Commission Members present: Becky Kauffman
Louis Brown
Shannon Simpson
Glinda Felty
Jane Wedding
Curtiss Thompson

Planning & Zoning Commission Liaison: Bonney Ramsey

Heritage Preservation Officer: Anita Brown

City Council Liaison: Mary Lou Shipley

Guests: Melisa and Justin Olson, Ethan Bowman

1. Call to Order

The meeting was called to order at 5:30 p.m.

2. Approve minutes of meeting held January 11, 2018

Glinda Felty made a motion to approve the minutes of the meeting held on January 11, 2018. The motion was seconded by Shannon Simpson. **All ayes.**

3. Consider approval of new HT tax exemption applications

101 Richmond Lane—listed as M priority in HHM 2004 survey, c. 1955; question whether door and shutters are original

213 Penn Street—listed as M priority in HHM 1985 survey, c. 1900; question about siding, door, windows

Jane Wedding made a motion to **table** the above applications pending receipt of historic photos and/or evidence that questioned elements are original. Motion was seconded by Louis Brown. **All ayes.**

4. Consider approval of renewal HT tax exemption applications

The following properties were reviewed by the Commission:

855 Cantrell	210 N. College	209 W. Franklin	501 N. Gibson
104 Harbin	205 Harbin	214 S. Hawkins	523 Highland
105 W. Jefferson	417 W. Jefferson	115 Kaufman	604 W. Main
704 W. Main	711 W. Main	716 W. Main	818 W. Main
1025 W. Main	1030 W. Main	1109 W. Main	401 E. Marvin
1201 E. Marvin	207 W. Marvin	405 W. Marvin	707 W. Marvin

(6d)

1115 W. Marvin	308 Oldham	407 Oldham	239 Patrick
243 Patrick	200 N. Rogers	217 S. Rogers	104 Savannah
107 Savannah	617 Solon	509 Sycamore	317 Virginia
511 Water	716 Water		

Shannon Simpson made a motion to approve the above properties for the 2018 HT exemption. Jane Wedding seconded the motion. **All ayes.**

5. Citizens Petitions & Requests

Ethan Bowman, 205 Oldham, told the board that his application for the HT exemption was denied in 2017 because of inappropriate railing. He asked what to do to bring the property back into compliance. There was some discussion and review of historic and current photos. The board told Mr. Bowman that the current railing at 205 Oldham could have been used on that type of property and advised him to submit another application. Melisa Olson asked if it was too late to apply for the 2018 exemption. The deadline is March 15th.

6. Comments by Commission members and Heritage Preservation Officer

Becky thanked the members for attending the council briefing session and meeting and reported that both ordinances were passed and adopted by city council. Mary Lou Shipley stated that the council supports these efforts to improve and increase the exemptions and incentives for property owners. Becky pointed out the duties of the HPC as outlined in the ordinances and noted that the board needs to start researching and preparing information on the Oldham properties for the public meeting on creating that Overlay District. She would like a folder for each property with current, historic, and survey photos and any other pertinent information. There was some discussion on where to hold the meeting and Central Presbyterian Church was offered as a possibility because of its proximity to the neighborhood. Jane Wedding brought up the issue of encouraging tongue & groove decking on porches. Anita reported that the city has been allotted one CLG grant for a member to attend the FORUM conference in Des Moines in July 2018. This grant pays for airfare and hotel but not meals and conference registration.

7. Adjourn

A motion to adjourn was made by Shannon Simpson and seconded by Jane Wedding. **All ayes.** Meeting adjourned at 6:19 pm.

Respectfully submitted by Anita Brown

**MID-WAY REGIONAL AIRPORT
JOINT AIRPORT BOARD MINUTES**

(be)

 **DRAFT**

A regular meeting of the Mid-Way Regional Airport Joint Airport Board was held on Thursday, March 1, 2018, at 4:00 p.m., in the Rex Odom Conference Room, at Mid-Way Regional Airport, 131 Airport Dr., Midlothian, Texas.

Members Present: Drew Sambell, Chair
Kent McGuire, Vice Chair
Ray Barksdale, Secretary
David Box
Kyle Ballard
Randall Porche
Alex Smith

Others Present: Judy Demoney, Airport Manager
Tammy Bowen, Airport Operations Assistant
Chris Dick, Manager, City of Midlothian
Chelsey Gordon, Assistant to the Waxahachie City Manager
Ken Lantz, Partner, Southern Star Aviation

REGULAR AGENDA

Opening: Drew Sambell called the meeting to order, and gave the invocation.

Board Announcements: There were no Board announcements.

CONSENT AGENDA:

- Minutes of Meeting held January 11, 2018
- Financial Report
- Manager's Report
- Airport Operation's Report
- FBO Report

David Box moved to approve the Consent Agenda as presented; second by Kyle Ballard. All Ayes.

REGULAR AGENDA:

TxDOT Aviation Grant for Security Fencing: Judy Demoney told the Board that Congress approved the FAA Budget. Through the NPE program, the Airport is eligible to receive \$150,000 annually for capital development projects. The funds can be accumulated up to four years. Judy said that the Airport can now proceed with the security-fencing project doing it over a 4-year period. Whenever you do a revenue-producing project like the hangars we built last year you have to wait three years before you can get AIP (Airport Improvement Program) funds, so it is to our advantage to do it this way because it will save us \$38,000. Judy reminded the Board that it is also in our Masterplan to do it over a 4-year period. The Airport has \$85,200 out of \$150,000 in NPE left over from last year, so we can do the design and engineering this year. The construction of the chain link fence and gates around the terminal area will be in 2019. No construction will happen in 2020 so that we can bank another \$150,000 of NPE. In 2021 we will do the construction of the game fence around the entire property. The total 4-year estimate for the project is \$790,000 with \$79,000 being our local share. Judy said that TxDOT has completed the audit for the hangar project and we should be getting back a little over \$79,000 which by Grant Assurances will have to go into a fund account for the Airport. If approved by the Board, Judy will present to the City Councils for approval.

Kyle Ballard made a motion to proceed with the security-fencing project and for Judy Demoney to present the project to both the City of Midlothian and City of Waxahachie Councils; second by David Box. All Ayes.

(be)

Appoint Sub-Committees for 2018: Drew Sambell appointed:

Economic Development: Kyle Ballard – Chair, David Box and Drew Sambell.

Tenant Relations: Randall Porche – Chair, Kent McGuire and Drew Sambell.

Finance: Alex Smith – Chair, Ray Barksdale and Randall Porche.

Randall Porche moved to approve the Airport Board sub-committees as appointed; second by David Box.
All Ayes.

Executive Session: The Board adjourned into Executive Session to deliberate economic development negotiations as permitted by the Texas Government Code, Section 551.087, at 4:17 p.m.

Regular Session: The Board reconvened to Regular Session at 5:34 p.m. No action was taken.

Other Business: Drew Sambell said that he is in a Boy Scout troop and there are some Scouts that would like to do an Eagle project. Drew asked the Board to be thinking of some ideas that might make a good Eagle project at the Airport.

Public Comments: There were no public comments.

Adjournment: There being no further business,

Kent McGuire moved to adjourn; second by Randall Porsche. All Ayes.

Respectfully submitted, Tammy Bowen, Airport Operations Assistant

Park Board
March 8, 2018

(b7f)

A meeting of the City of Waxahachie Park Board was held on Thursday, March 8, 2018 at 3:00 p.m. in the City Council Conference Room, 401 South Rogers, Waxahachie, Texas.

Members Present: Chad Hicks, Chairman
Ginger Cole, Vice Chairman
Coy B. Sevier
Betsy Engelbrechtsen

Members Absent: William Major
Byron Gibson

Others Present: John Smith, Director of Parks and Recreation
Michael Scott, City Manager
Lawrence Albert, Assistant City Manager
Lori Cartwright, City Secretary
David Hill, Council Representative

1. Call to Order

Chairman Chad Hicks called the meeting to order.

2. Approval of minutes of the Park Board meeting of January 4, 2018

Action:

Mr. Coy Sevier moved to approve the minutes of the Park Board meeting of January 4, 2018. Vice Chairman Ginger Cole seconded, All Ayes.

3. Discuss Park activities and take any necessary action

Director of Parks and Recreation John Smith introduced Mr. David Bond to discuss a water skiing school at Lake Waxahachie.

Mr. David Bond, 194 Old Howard Road, Waxahachie, reported he is seeking to have an LLC in order to have a small water skiing and wake boarding school and requested approval from the Board.

Chairman Chad Hicks asked if anyone will be certified in CPR on the boat. Mr. Bond stated there will be someone on the boat certified in CPR. Mr. Bond stated he and a deck hand will take four skiers and a couple of parents out a time noting the school is for beginners and intermediate.

Chairman Hicks asked Mr. Bond to share his education and training in water skiing. Mr. Bond stated his education in water skiing was spending growing up in a water skiing school and also going back teaching at that location. He stated they will only operate during the weekdays from approximately afternoon hours to 6:00 p.m.

Mr. Smith stated the applicant's insurance is pending subject to City Council approval.

(6f)

Action:

After further discussion, Mr. Coy Sevier moved to approve a Lake Waxahachie Vendor Permit to allow water skiing instruction requested by Mr. David Bond, subject to City Council approval and proper insurance as required. Ms. Betsy Engelbrechtsen seconded, All Ayes.

Mr. Smith reported January and February two 5k Fun Runs were held in Getzendaner Park as well as Community Theater at the Chautauqua Auditorium. Upcoming events include:

- March 24 – Old Fashion Singing at the Chautauqua
- April 4 – Cops and Kids Event
- April 21 – Crossroads Film Festival and “Sister’s on the Fly”
- April 21 – Keep Waxahachie Beautiful Spring Cleaning Day
- May 5 – Community Theater “My Fair Lady” at the Chautauqua
- May 19 – Tree Climbing and Pruning Conference and Competition
- May 19 – Old Fashion Singing

Mr. Smith reported the park pavilion reservations are booking rapidly. He stated April is almost booked solid in Getzendaner Park. He reported the Chautauqua fire suppression system installation is going according to plan.

4. Discuss Park projects and take any necessary action

Mr. Smith reported the Lions Club has proposed a Hachie 50 Legacy Lane at Getzendaner Park. He stated it will be installed at the entry to the hike and bike trail noting the location is where the Hachie 50 starts and stops their run. Mr. Smith stated the area will have an extension of names who won the run noting the Lions Club will provide funding.

City Manager Michael Scott stated the Hachie 50 running race is a growing event and the proposed area is dirt and this will be an improvement to the trail.

Action:

Vice Chairman Ginger Cole moved to approve the Hachie 50 Legacy Lane as presented. Ms. Betsy Engelbrechtsen seconded, All Ayes.

Mr. Smith presented an update on the following park projects:

- Camping Ordinance passed and new signs and information will be included on signage
- Penn Park Phase II – Construction documents are to be delivered early March
- Little Creek Trail – Documents are to be delivered mid-March
- Sidewalk connecting the Chautauqua and restrooms is complete
- Mustang Creek Park improvements will start soon. Pond clean-up is to be performed by community volunteers
- Settler’s Glen Park funding is requested for 2019
- Boat Dock Park improvements are completed. The Park will be evaluated during the spring events and holidays before moving forward at Spring Park

(b7)

5. Public Comments

Mr. David Bond, 194 Old Howard Road, Waxahachie, stated at a previous meeting discussion was held pertaining to activities at the end of Old Howard Road and it was determined the Staff would get with Oncor to install a light. He asked the status of getting the light. Mr. Smith stated he will revisit with Oncor on the timeframe of installation.

6. Adjourn

There being no further business, the meeting adjourned at 3:57 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

Cemetery Board
March 8, 2018

(69)

A meeting of the City of Waxahachie Cemetery Board was held on Thursday, March 8, 2018 at 8:30 a.m. in the City Council Conference Room, 401 S. Rogers, Waxahachie, Texas.

Members Present: Chad Hicks, Chairman
Peggy Crabtree
Connie McGuire
Chelsea Holder

Others Present: John Smith, Director of Parks and Recreation
Lori Cartwright, City Secretary
Albert Lawrence, Assistant City Manager
David Hill, Council Representative

1. Call to Order

Chairman Chad Hicks called the meeting to order.

2. Approval of minutes of the City Cemetery Board meeting of January 4, 2018

Action:

Mrs. Connie McGuire moved to approve the minutes of the Cemetery Board meeting of January 4, 2018. Mrs. Peggy Crabtree seconded, All Ayes.

3. Discuss cemetery activities and take any necessary action

Mr. John Smith, Director of Parks and Recreation, reported nine funerals were held in January and eight spaces were sold and two spaces were sold in February.

4. Discuss Cemetery Pavilion and take any necessary action

Mr. Bill Freeman, Sales Representative, Columbarium Concepts, stated the use of cremation has greatly increased for several reasons: much lower cost than cemetery interment; more efficient land use; more ecological; and limited expansion of cemeteries. He presented a brochure of Columbarium's noting they are mainly in church locations. Mr. Freeman presented a cremation box fabricated of granite and stainless steel noting the granite vault door is wrapped in stainless steel. He noted the vault door stays closed with a super magnet.

Chairman Chad Hicks expressed concern with the super magnet concept noting super magnets are easy to come by and asked, with the size of the box, what would stop someone from opening one. Mr. Freeman stated the super magnet is strategically placed.

Mr. John Smith asked who would engrave the granite. Mr. Freeman stated his company would engrave with a cost of approximately \$250.00.

{Mrs. Connie McGuire left the meeting}

Mr. Freeman stated Units of eight cost \$12,000 storing eight cremations.

(69)

Mr. Doug Pate, Nay Company, presented a revised conceptual drawing of the pavilion that would accommodate columbarium burials. Mr. Pate stated the pavilion will have a skylight. Mr. John Smith stated there are 144 columbarium spaces and if sold at \$1,000 each, it will pay for the cost of building the pavilion. After further discussion, Mr. Pate stated he will get a cost estimate and be the designer on the pavilion, but the city will have to go out for bids. Mr. Smith recommended considering the drawing at the next Cemetery Board meeting.

Mrs. Peggy Crabtree moved the Nay Company bring a cost estimate of the proposed drawing to the Cemetery Board meeting of April 5, 2018 for consideration. Ms. Chelsea Holder seconded, All Ayes.

5. Discuss improvements to Cemetery maintenance building

Mr. Smith presented a drawing of the maintenance building and recommended to build a concrete pad next to the building to hold and store more equipment. He stated it will be fenced off for security. Mr. Smith stated the cost is approximately \$4,000.00.

Ms. Peggy Crabtree moved to approve \$4,000 for a slab with security fencing at the maintenance building. Ms. Chelsea Holder seconded, All Ayes.

6. Public Comments

Mr. Smith introduced Mr. Albert Lawrence, Assistant City Manager, to the Board. Mr. Lawrence stated he has fifteen years of experience in city government.

7. Adjourn

There being no further business, the meeting adjourned at 9:35 a.m.

Respectfully submitted,

Lori Cartwright
City Secretary



(6h)

Code Enforcement Activity Report

Report Criteria:

Location Type	Location Field	Date From	To
All	All	02/01/2018	02/28/2018

Case Activity:

	DelBuono, Mary	Jordan, Me'Lony	Pickard, Sunnie	Speaks, Pam	Total
New Cases		32	15	23	70
Closed Cases	1	26	14	20	61
Open Cases at start of period	1	22	8	20	51
Open Cases at end of period		28	9	23	60

Violation Activity

New Violations Cited	DelBuono, Mary	Jordan, Me'Lony	Pickard, Sunnie	Speaks, Pam	Total
Accessory Structure Not Maintained			1		1
Clutter Prohibited		2			2
Construction/Demolition Litter	1	1			2
High Grass/Weeds; Junk/Debris; Limbs/Yard Waste	3	8	8	9	28
Illegal Dumping		1		1	2
Junk Vehicle	1	3		10	14
Not keeping property clean; garbage accumulation		7	1	2	10
Off Street Parking		7	1		8
Outside Storage Prohibited	1	22	2	3	28
Parking on Unimproved Surface		6	2	10	18
Rat Harborage Prohibited			1	1	2
Signage		1			1
Totals	6	58	16	36	116

Date: 3/8/2018
Time: 10:37:37 AM

MONTHLY VIOLATION ACTIVITY STATISTICS

From 2/1/2018 To 2/28/2018

Page 1
ytd_sum.rdlc

Information contained here in for YTD is for 2/1/2018 To 2/28/2018
Information contained here in for Previous YTD is for 10/1/2016 To 2/28/2017

VIOLATION ISSUED BY:	CURRENT MONTH	YEAR TO DATE	PREVIOUS YTD	VARIATION IN (+/-)
Municipal Police Department	461	3259	3306	-47
TOTALS	461	3259	3306	-47
TOTAL NEW FEES LEVIED:	\$106,836.80	\$819,204.74	\$932,589.93	\$-113,385.19
FUNDS COLLECTED:				
State Taxes:	\$51,628.78	\$229,621.63	\$210,387.50	\$19,234.13
Fines:	\$91,557.43	\$349,522.94	\$290,774.62	\$58,748.32
LEA Fees:	\$3,243.80	\$13,648.90	\$12,618.80	\$1,030.10
Multiuse:	\$1,220.00	\$7,310.00	\$17,870.00	\$-10,560.00
D/L Fees:	\$6,443.50	\$13,071.97	\$11,150.89	\$1,921.08
Warrant Fees:	\$11,568.30	\$24,003.40	\$19,606.80	\$4,396.60
Capias Fees:	\$7,552.50	\$15,183.98	\$10,488.00	\$4,695.98
Pay Plan Fees:	\$5,410.95	\$17,138.65	\$15,251.00	\$1,887.65
Collection Fees:	\$16,695.24	\$30,071.03	\$22,623.14	\$7,447.89
TOTALS	\$195,320.50	\$699,572.50	\$610,770.75	\$88,801.75
WARRANT INFORMATION:				
Warrants Issued:	256	1105	1090	15
Capias Issued:	19	519	475	44
TOTALS	275	1624	1565	59
Warrants Closed:	320	1116	814	302
Capias Closed:	199	674	404	270
TOTALS	519	1790	1218	572
OTHER INFORMATION:				
Citations Closed:	794	3550	3342	208
Failure to Appear:	0	12	46	-34

Average current month speeding ticket issued was for 18.0 miles above posted limit.

By: Jammie Alchior

Date: 3-8-18

Date: 3/8/2018

Time: 10:35:28 AM

CRIMINAL SECTION

(61)

COURT City of Waxahachie	TRAFFIC MISDEMEANORS			NON-TRAFFIC MISDEMEANORS		
MONTH 2 YEAR 2018	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:	2877	1780	353	454	176	183
a. Active Cases	816	139	325	12	38	64
b. Inactive Cases	2061	1641	28	442	138	119
2. New Cases Filed	290	136	24	21	1	5
3. Cases Reactivated	245	148	4	33	9	6
4. All Other Cases Added	0	0	0	0	0	0
5. Total Cases on Docket (Sum of Lines 1a, 2, 3 & 4)	1351	423	353	66	48	75
6. Dispositions Prior to Court Appearance or Trial:						
a. Uncontested Dispositions (Disposed without appearance before a judge (CCP Art. 27.14))	331	206	30	33	5	14
b. Dismissed by Prosecution	2	2	1	2	1	1
7. Dispositions at Trial:						
a. Convictions						
1) Guilty Plea or Nolo Contendere	0	0	0	0	0	0
2) By the Court	1	0	0	0	0	0
3) By the Jury	0	0	0	0	0	0
b. Acquittals:						
1) By the Court	0	0	0	0	0	0
2) By the Jury	0	0	0	0	0	0
c. Dismissed by Prosecution	0	0	0	0	0	0
8. Compliance Dismissals:						
a. After Driver Safety Course (CCP, Art. 45.0511)	62					
b. After Deferred Disposition (CCP, Art. 45.051)	60	4	4	3	2	1
c. After Teen Court (CCP, Art. 45.052)	0	0	0	0	0	0
d. After Tobacco Awareness Course (HSC, Sec. 161.253)					0	
e. After Treatment for Chemical Dependency (CCP, Art. 45.053)				0	0	
f. After Proof of Financial Responsibility (TC, Sec. 601.193)	8					
g. All Other Transportation Code Dismissals	2	0	0	0	1	0
9. All Other Dispositions	0	0	0	0	0	0
10. Total Cases Disposed (Sum of Lines 6, 7, 8 & 9)	466	212	35	38	9	16
11. Cases Placed on Inactive Status	92	84	0	22	1	3
12. Total Cases Pending End of Month:	2701	1704	342	437	168	172
a. Active Cases (Equals Line 5 minus the sum of Lines 10 & 11)	793	127	318	6	38	56
b. Inactive Cases (Equals Line 1b minus Line 3 plus Line 11)	1908	1577	24	431	130	116
13. Show Cause Hearings Held	0	0	0	0	0	0
14. Cases Appealed:						
a. After Trial	0	0	0	0	0	0
b. Without Trial	0	0	0	0	0	0

(61)

JUVENILE/MINOR ACTIVITY

COURT City of Waxahachie	TOTAL
MONTH 2 YEAR 2018	
1. Transportation Code Cases Filed	6
2. Non-Driving Alcohol Beverage Code Cases Filed	1
3. Driving Under the Influence of Alcohol Cases Filed	0
4. Drug Paraphernalia Cases Filed (HSC, Ch. 481)	0
5. Tobacco Cases Filed (HSC, Sec. 161.252)	0
6. Failure to Attend School Cases Filed (Ed. Code, Sec. 25.094)	0
7. Education Code (Except Failure to Attend) Cases Filed	0
8. Violation of Local Daytime Curfew Ordinances Cases Filed (Local Govt. Code, Sec 341.905)	0
9. All Other Non-Traffic Fine-Only Cases Filed	1
10. Transfer to Juvenile Court:	
a. Mandatory Transfer (Fam. Code, Sec. 51.08(b)(1))	0
b. Discretionary Transfer (Fam. Code, Sec. 51.08(b)(2))	0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct) (CCP, Art. 45.050 (c)(1))	0
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges) (CCP, Art. 45.050 (c)(2))	0
13. Juvenile Statement Magistrate Warning:	
a. Warnings Administered	0
b. Statements Certified	0
14. Detention Hearings Held (Fam. Code, Sec. 54.01)	0
15. Orders for Non-Secure Custody Issued	0
16. Parent Contributing to Nonattendance Cases Filed (Ed. Code, Sec. 25.093)	0

(61)

ADDITIONAL ACTIVITY

COURT City of Waxahachie	NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL
MONTH 2 YEAR 2018		
Magistrate Warnings:		
a. Class C Misdemeanors	103	
b. Class A and B Misdemeanors	45	14
c. Felonies	12	4
		TOTAL
Arrest Warrants Issued:		
a. Class C Misdemeanors		256
b. Class A and B Misdemeanors		0
c. Felonies		0
Capases Pro Fine Issued		19
Search Warrants Issued		0
Warrants for Fire, Health and Code Inspections Filed (CCP, Art. 18.05)		0
Examining Trials Conducted		0
Emergency Mental Health Hearings Held		0
Magistrate's Orders for Emergency Protection Issued		0
Magistrate's Orders Ignition Interlock Device Issued (CCP, Art. 17.441)		0
0. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond		0
1. Driver's License Denial, Revocation or Suspension Hearings Held (TC, Sec. 521.300)		0
2. Disposition of Stolen Property Hearings Held (CCP, Ch. 47)		0
3. Peace Bond Hearings Held		0
4. Cases in Which Fine and Court Costs Satisfied by Community Service:		
a. Partial Satisfaction		0
b. Full Satisfaction		2
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit		40
16. Cases in Which Fine and Court Costs Waived for Indigency		0
17. Amount of Fines and Court Costs Waived for Indigency		\$0.00
18. Fines, Court Costs and Other Amounts Collected:		
a. Retained by City		\$143,331.10
b. Remitted to State		\$51,991.40
c. Total		\$195,322.50

(6j)

WAXAHACHIE FIRE DEPARTMENT

FIRE & EMS MONTHLY REPORT

February 2018

MONTHLY FIRE STATISTICS

TOTAL FIRE/RESCUE CALLS: 369

AVERAGE RESPONSE TIMES: 5 Minutes 41 Seconds

BREAKDOWN OF FIRE/RESCUE/MISC. CALLS:

<u>FIRE</u>	<u>COUNT</u>	<u>%</u>	<u>EMS</u>	<u>COUNT</u>	<u>%</u>
Commercial:	2	0.54%	Medical Trauma Not Auto:	38	10.29%
Residential:	3	0.81%	Medical Other than Trauma:	175	47.42%
Institutional:	0	0.00%			
Other Structure:	0	0.00%			
Motor Vehicle:	1	0.27%			
Grass & Refuse:	6	1.62%			
Control Burn:	0	0.00%			
			<u>MISC</u>		
			Assist the Public:	50	13.55%
			Assist Other Agencies	17	4.60%
			False Call:	29	7.85%
			Power Lines, Nat Gas Leaks,	16	4.33%
			Gas/Oil Cleanup		
<u>RESCUE</u>			Other:	4	1.08%
Auto Acc w/Inj:	17	4.60%			
Auto Acc w/o Inj:	11	2.98%			
No Auto w/ Inj:	0	0.00%			
No Auto w/o Inj:	0	0.00%			

Incendiary/ Suspicious Fires (from totals above): 0

MONTHLY FIRE PREVENTION INSPECTION REPORT

Total Inspections: 69

Fire Drills (Schools, Nursing Homes, Hospitals): 0

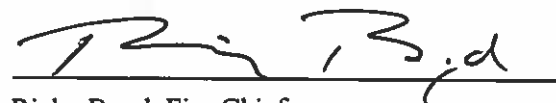
Lectures-Presentations Made/Films Shown: 0

Total Audience: 0

YEARLY TOTALS

TOTAL FIRE/RESCUE CALLS TO DATE: 817

TOTAL INSPECTIONS TO DATE: 185



Ricky Boyd, Fire Chief

Waxahachie Fire Department

(6j)

Type of Alarm Report (Summary)

Alarm Date Between {02/01/2018} And {02/28/2018}

Type of Alarm			Count	Percent
01	Fire,	Commerical Structure	2	0.54%
02	Fire,	Residential Structure	3	0.81%
05	Fire,	Motor Vehicles	1	0.27%
06	Fire,	Grass and Refuse	6	1.62%
08	Rescue,	Automoblle Accident with Injuries	17	4.60%
09	Rescue,	Automobile Accident without Injuries	11	2.98%
12	EMS,	Medical Trauma other that Auto Accident	38	10.29%
13	EMS,	Medical other than Trauma	175	47.42%
14	Misc,	Assist the Public	50	13.55%
15	Misc,	Assist other Agencies	17	4.60%
16	Misc,	False Call	29	7.85%
17	Misc,	Power Lines, Nat Gas Leaks,Gas/Oil cleanup	16	4.33%
18	Misc,	Other	4	1.08%

Total Incident Count: 369

(6j)

Waxahachie Fire Department

Type of Alarm Report (Summary)

Alarm Date Between {01/01/2018} And {02/28/2018}

Type of Alarm			Count	Percent
01	Fire,	Commerical Structure	4	0.48%
02	Fire,	Residential Structure	8	0.97%
04	Fire,	Other Structure	2	0.24%
05	Fire,	Motor Vehicles	1	0.12%
06	Fire,	Grass and Refuse	13	1.59%
07	Fire,	Control Burn	2	0.24%
08	Rescue,	Automoblie Accident with Injuries	33	4.03%
09	Rescue,	Automobile Accident without Injuries	23	2.81%
11	Rescue,	Rescue without Injuries other than Auto	1	0.12%
12	EMS,	Medical Trauma other that Auto Accident	81	9.91%
13	EMS,	Medical other than Trauma	379	46.38%
14	Misc,	Assist the Public	108	13.21%
15	Misc,	Assist other Agencies	27	3.30%
16	Misc,	False Call	90	11.01%
17	Misc,	Power Lines, Nat Gas Leaks,Gas/Oil cleanup	31	3.79%
18	Misc,	Other	14	1.71%

Total Incident Count: 817

Waxahachie Fire Department

(6j)

Monthly Incident Counts By Station

Alarm Date Between {01/01/2018} And {02/28/2018}

Station #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Percent
1	147	114	0	0	0	0	0	0	0	0	0	0	261	31.94%
2	118	75	0	0	0	0	0	0	0	0	0	0	193	23.62%
3	182	180	0	0	0	0	0	0	0	0	0	0	362	44.30%
ALM	1	0	0	0	0	0	0	0	0	0	0	0	1	0.12%

Total Runs by Month											
Jan	448	Feb	369	Mar	0	Apr	0	May	0	Jun	0
Jul	0	Aug	0	Sep	0	Oct	0	Nov	0	Dec	0

Grand Total Runs: 817

Waxahachie Fire Department

(6j)

Incident Response Time Analysis

Alarm Date Between {02/01/2018} And {02/28/2018}

Response		Count	Percentage
Hrs	Mins		
	00	8	2.2%
	01	11	3.1%
	02	29	8.2%
	03	51	14.5%
	04	70	19.9%
	05	51	14.5%
	06	52	14.8%
	07	34	9.6%
	08	12	3.4%
	09	8	2.2%
	10	4	1.1%
	11	2	0.5%
	12	6	1.7%
	13	1	0.2%
	14	3	0.8%
	15	4	1.1%
	16	1	0.2%
	17	1	0.2%
	18	2	0.5%
	31	1	0.2%
		351	

Overall Average Response Time: 00:05:41

Waxahachie Fire Department

(6j)

Incident Response Time Analysis

Alarm Date Between {01/01/2018} And {02/28/2018}

Response		Count	Percentage
Hrs	Mins		
	00	23	2.9%
	01	23	2.9%
	02	67	8.5%
	03	121	15.3%
	04	148	18.8%
	05	124	15.7%
	06	111	14.1%
	07	73	9.2%
	08	31	3.9%
	09	16	2.0%
	10	8	1.0%
	11	8	1.0%
	12	7	0.8%
	13	3	0.3%
	14	5	0.6%
	15	7	0.8%
	16	1	0.1%
	17	2	0.2%
	18	3	0.3%
	19	2	0.2%
	25	1	0.1%
	31	1	0.1%
	46	1	0.1%
		786	

Overall Average Response Time: 00:05:35

WFD Fire Marshal's Office Monthly Report

(6j)

MONTH: February

YEAR: 2018

Inspections			
Plan Reviews	17	Underground Visuals	1
General Inspections	45	Underground Hydros/Flushes	1
Certificate of Occupancies	5	Fire Alarm Acceptance Tests	1
Foster Home Inspections	3	Reinspections	9
Site Inspections	0	Ventahood Acceptance Tests	1
Restaurant/Bars	0	Tornado Drills Etc...	0
Fire Drills	0	Others	1
Aboveground Visuals	1		
Aboveground Hydros	1	Total Monthly Inspections	69

Fire Safety Education	
Total Number of Presentations	0
Total Number of Participants	0

Fire and Arson Investigations	
Accidental Fires	MFR
Suspicious/Incendiary Fires	0

Fire Marshal's Monthly Stats	
Inspections Conducted	13
Presentations Made	0
Fire Drills Conducted	0
Incident Response (on-duty)	0
Incident Response (off-duty)	0
Investigations Performed (on-duty)	0
Investigations Performed (off-duty)	0
Training/Classes Attended	

Fire Inspector's Monthly Stats	
Inspections Conducted	56
Presentations Made	0
Fire Drills Conducted	0
Incident Response (on-duty)	n/a
Incident Response (off-duty)	n/a
Investigations Performed (on-duty)	n/a
Investigations Performed (off-duty)	n/a
Training/Classes Attended	

Fire Marshal's Other Monthly Activities

Fire Inspector's Other Monthly Activities

Dennis Crecelius

2/18

Fire Marshal

Date

Gary Myers

Fire Inspector

Date

(6K)



Memorandum

To: Honorable Mayor and City Council
From: Wade Goolsby, Chief of Police
Thru: Michael Scott, City Manager
Date: February 6, 2018
Re: Monthly Report – January 2018

Personnel Issues

Dylan Snyder, Ray Skidmore, and Nicholas Page are all doing well in the police academy. Ty Hall started the Field Training Program but resigned after struggling in the program. Aaron Brasher was hired and he is currently going through the police academy in Corsicana. Andrew Winchester started working with us on February 5th and he comes from Dallas PD with several years of experience. With Hall's resignation, we still have three job openings. We are working on background investigations to fill those positions but are at the bottom of our eligibility list. We have four individuals on the eligibility list for the three openings.

In Dispatch, Denise Mooney, Brittany Hutto and Evan Cuellar have all started their training in dispatch. Denise and Evan are currently attending the Telecommunicator academy at the NCTCOG and Brittany is training in the dispatch center and will attend the Telecommunicator academy at a later date. We still have two openings in Dispatch but are doing background investigations on some applicants at this time.

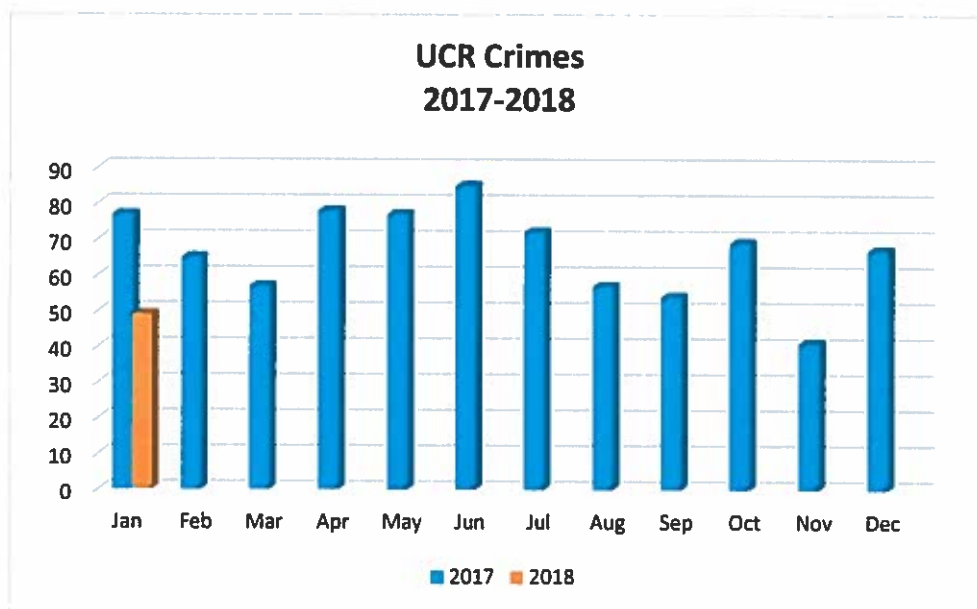
(6K)

Statistical Data for the Month of January 2018

Reported Uniform Crime Report (UCR) Offenses – 49

The UCR crimes are those crimes that are collected for crime statistics throughout the United States. They include Homicide, Aggravated Assault, Theft, Burglary, Rape, and Auto Theft. The chart below illustrates the number of reportable UCR crimes for the year.

We had a significant decrease in offenses for the month of January as compared to December with a decrease from 67 to 49. This number also represents a significant decrease when compared with the same month last year when we had 77 offenses in January, 2017 as compared to 49 this year.



At some point in the next twelve months, we will be changing to a different crime reporting system. The current UCR system has been in place for more than 50 years and the FBI has been trying to get agencies to convert over to a National Incident Based Reporting System (NIBRS) for the last 20 years or so. The State of Texas has finally mandated that all agencies in the state convert to NIBRS by September of 2019. The change of data reporting is significant because our crime numbers will look drastically different.

The method of collecting crime data changes under NIBRS as compared to UCR. Under UCR, if a suspect went into a bank and robbed six customers and

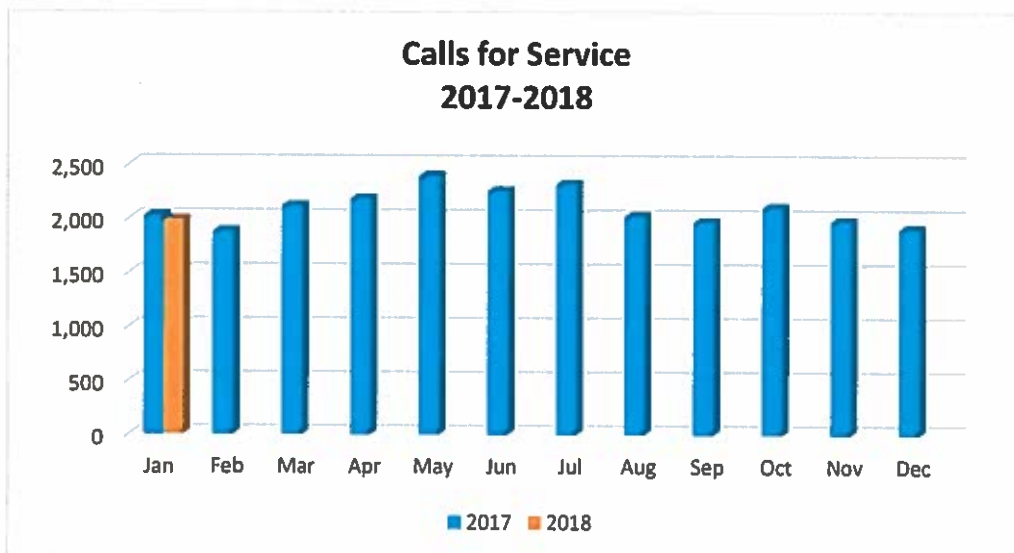
(6k)

then robbed the cashiers, the crime would be counted as one offense (one robbery). Under NIBRS with the same scenario, the incident would be counted as seven robberies. Each robbery of each individual would be counted separately along with the bank being robbed. Under NIBRS, there is also a significant amount of data collected regarding the relationship of the suspect to the victim. In the end, we can do better analysis with NIBRS data, but it will appear as though crime has doubled or tripled even though it has remained the same.

Calls for Service – 1,992

Calls for service are defined as requests received by the police department that require a response by an officer to the complainant or event. The calls for service do not include officer initiated activity such as building checks, traffic stops, suspicious person contacts or similar events that are initiated by the officer. It is also important to understand that the call for service numbers do not reflect the number of officers needed per call. A major accident that requires multiple officers is counted as one call for service.

The chart below shows the relationship between the calls for service in 2018 as compared to the calls for service in 2017. We had a slight increase in the number of calls for service this month as compared to last month with 1,992 calls this month compared to 1,911 in December. But, when compared to the same month last year, we had a slight decrease in calls with 1,992 this January and 2,027 last January.



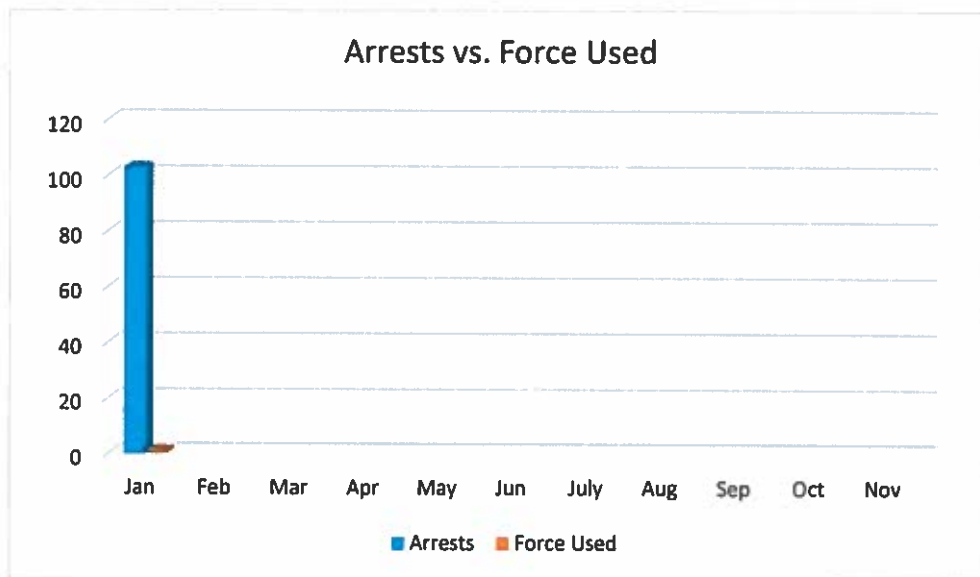
(6K)

Use of Force Incidents

In the month of January, we responded to 1,992 calls for service. We made 132 arrests and had one incident where we had to use force in making an arrest.

Summary:	Calls for Service:	1,992
	Arrests:	103
	Use of Force Incidents:	1

We had one arrest where the officer had to take a suspect to the ground to effect an arrest. It should be noted that many of the calls for service involve disturbance calls or family violence calls where the situation is volatile when the officers arrived but no arrest is made. The low number of incidents where the use of force is required is indicative of de-escalation techniques being successfully used.



Notable Incidents

Detectives responded to an infant death at a home in the 500 block of Virginia St. There are no initial signs of foul play but the official autopsy results are still pending.

WPD Detectives responded to Baylor Hospital after a 6-week-old infant was brought there, already deceased. Their initial investigation revealed that the child probably died at a motel in Dallas. Dallas Police Department is now handling that investigation. A cause of death has not yet been determined.

(6K)

Detectives have requested an arrest warrant for the suspect in a shooting on Dunlap St. A 47-year-old man reported being shot at when he tried to intervene in a domestic disturbance outside his neighbor's house. Upon returning at a daylight, Detectives were able to locate and recover several fired shell casings.

WPD patrol officers intercepted a vehicle fleeing the armed robbery of a Waffle House in Ennis. Although the suspects were able to bail out and run away, our officers located two handguns and a wallet belonging to one of the suspects, all left in their abandoned getaway car. Mesquite P.D. detectives have since arrested both men and charged them with several armed robberies in their city. The men may be responsible for as many as 14 recent armed restaurant robberies in the DFW area. Officers report that the navigation system in the abandoned car had the Waxahachie Waffle House pulled up, so another robbery may have been averted.

Detectives continue to follow leads in the Clifton Jackson murder case from December.

Waxahachie Police Department

Activity Report

1/1/18 Through 1/31/18

Total Primary Calls-For-Service: 1992		Avg. Unit Response Time:	
Calls-For-Service By Type		6min / 40sec	
		Primary	Backups
911 HANG UP	-	12	9
ABANDONED VEHICLE	-	30	2
ANIMAL BITE	-	2	1
ANIMAL COMPLAINT	-	28	2
ARREST	-	1	0
ASSAULT	-	12	11
ASSAULT-SEXUAL	-	3	1
ASSIST ANIMAL CONTROL	-	1	0
ASSIST OFFICER	-	16	17
ATS	-	20	29
ATTEMPTED SUICIDE	-	2	3
BMV	-	10	0
BURG IN PROGRESS	-	1	2
BURG REPORT	-	3	0
BUSINESS ALARM	-	124	129
BY PHONE-MEET COMPLAINT	-	141	4
CHECK THE AREA	-	144	117
CITY ORDINANCE VIOLATION	-	19	2
CIVIL MATTER	-	4	4
CIVIL STANDBY	-	11	9

(6K)

COMMUNITY POLICING	-	22	4
COURTESY TRANSPORT	-	1	0
CRIMINAL MISCHIEF	-	17	1
CRIMINAL TRESPASS	-	2	2
DEBRIS IN ROADWAY	-	16	4
DECEASED PERSON	-	2	5
DELIVER MESSAGE	-	3	1
DEMENTED PERSON	-	8	7
DISTURBANCE	-	76	101
DOM DISTURBANCE	-	13	18
DRUG ACTIVITY	-	7	9
DWI	-	6	8
ESCORT	-	1	1
EXTRA PATROL	-	179	7
FIGHT IN PROGRESS	-	4	11
FIRE ALARM-HIGH PRIORITY	-		
OCCUPANCY	-	1	1
FIRE ALARM-NON HIGH LIFE THREAT	-	2	1
FLAG DOWN	-	15	3
FOLLOW UP INVEST	-	75	15
FOOT PATROL	-	1	0
FOUND/LOST PROPERTY	-	13	2
FRAUD	-	11	2
GRASS FIRE-RESIDENTIAL/RURAL	-	1	1
HARASSMENT	-	7	2
HIT AND RUN ACCIDENT	-	30	8
HOLD-UP ALARM	-	2	3
HOUSE/BUSINESS CHECK	-	12	11
INDECENT EXPOSURE	-	1	1
LIFT ASSIST	-	1	0
LOOSE LIVESTOCK	-	1	0
LOUD MUSIC DISTURBANCE	-	22	21
LOUD NOISE DISTURBANCE	-	9	8
MAJOR ACCIDENT	-	30	64
MEDICAL ASSIST	-	23	22
MEET COMPLAINANT	-	153	50
MINOR ACCIDENT	-	83	32
MISSING PERSON	-	7	1
MOTORIST ASSIST	-	73	23
OPEN DOOR	-	7	7
PARKING VIOLATION	-	21	1
PEDESTRIAN STOP	-	34	5
PHYS DISTURBANCE	-	5	7
PROWLER	-	5	6
PUB INTOX	-	2	2
PUBLIC SERVICE	-	2	0
RECKLESS DRIVER	-	37	20
RESIDENCE ALARM	-	65	63

(6K)

ROADWAY BLOCKED	-	1	0
RUNAWAY LOCATED	-	2	5
RUNAWAY REPORT	-	3	0
SHOTS FIRED	-	10	18
SOLICITOR	-	4	0
SPECIAL ASSIGNMENT	-	3	2
STRUCTURE FIRE	-	1	1
SUSP PERSON	-	47	45
SUSP VEHICLE	-	60	35
TEST CALL/TRAINING	-	1	0
THEFT	-	35	9
THEFT IN PROGRESS	-	6	8
TRAFFIC CONTROL	-	3	2
TRAINING	-	5	0
TRANSPORT	-	3	1
UNATTENDED DEATH	-	4	14
UUV JUST OCCURRED	-	5	8
UUV REPORT	-	7	0
VEHICLE MAINTENANCE	-	6	0
VEHICLE RECOVERY	-	3	4
VERBAL DISTURBANCE	-	11	11
WALK THROUGH	-	4	0
WARRANT SERVICE	-	9	0
WEAPONS DISTURBANCE	-	2	3
WELFARE CHECK	-	65	68

(6K)



Memorandum

To: Honorable Mayor and City Council
From: Wade Goolsby, Chief of Police
Thru: Michael Scott, City Manager
Date: March 6, 2018
Re: Monthly Report – February 2018

Personnel Issues

Dylan Snyder, Ray Skidmore, and Nicholas Page are all doing well in the police academy. Aaron Brasher was hired and he is currently going through the police academy in Corsicana. Andrew Winchester started working with us on February 5th and is currently in the Field Training Program. Even though Winchester had several years of experience with Dallas Police Department, we still place experienced officers in the Field Training Program to learn Waxahachie procedures. We still have three job openings for police officers. We are working on background investigations to fill those positions but are at the bottom of our eligibility list. We will be having another test date in the near future.

In Dispatch, Denise Mooney and Evan Cuellar completed the Telecommunicator Academy and have returned to work. Evan is taking a month of unpaid leave for FMLA leave. Brittany Hutto resigned during her training, so with Brittany's resignation, we now have three openings in Dispatch but are

(bK)

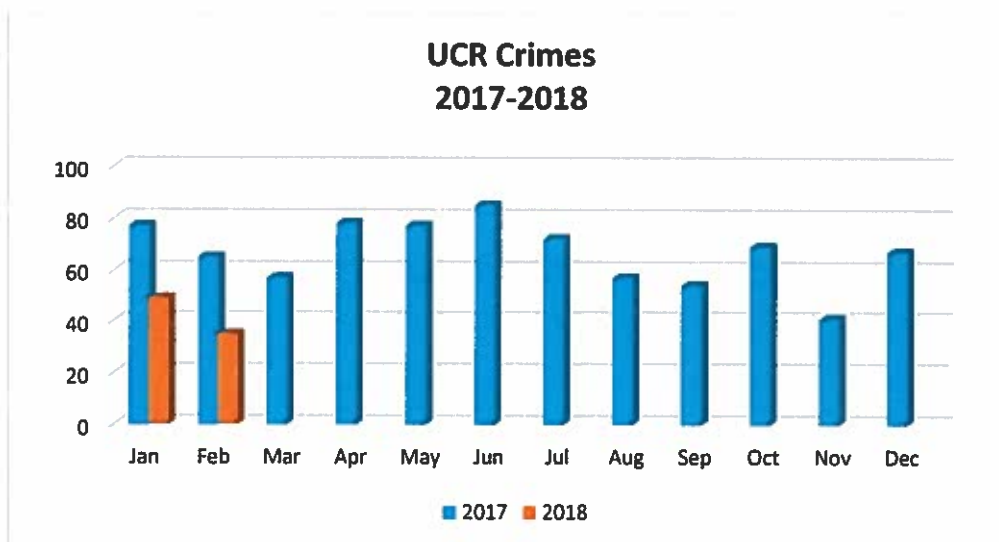
doing background investigations on some applicants at this time and just had another testing session for applicants with the Critical software.

Statistical Data for the Month of February 2018

Reported Uniform Crime Report (UCR) Offenses – 35

The UCR crimes are those crimes that are collected for crime statistics throughout the United States. They include Homicide, Aggravated Assault, Theft, Burglary, Rape, and Auto Theft. The chart below illustrates the number of reportable UCR crimes for the year.

We had a significant decrease in offenses for the month of February as compared to January with a decrease from 49 to 35. This number also represents a significant decrease when compared with the same month last year when we had 65 offenses in February, 2017 as compared to 35 this year.



At some point in the next twelve months, we will be changing to a different crime reporting system. The current UCR system has been in place for more than 50 years and the FBI has been trying to get agencies to convert over to a National Incident Based Reporting System (NIBRS) for the last 20 years or so. The State of Texas has finally mandated that all agencies in the state convert to NIBRS by September of 2019. The change of data reporting is significant because our crime numbers will look drastically different.

The method of collecting crime data changes under NIBRS as compared to UCR. Under UCR, if a suspect went into a bank and robbed six customers and

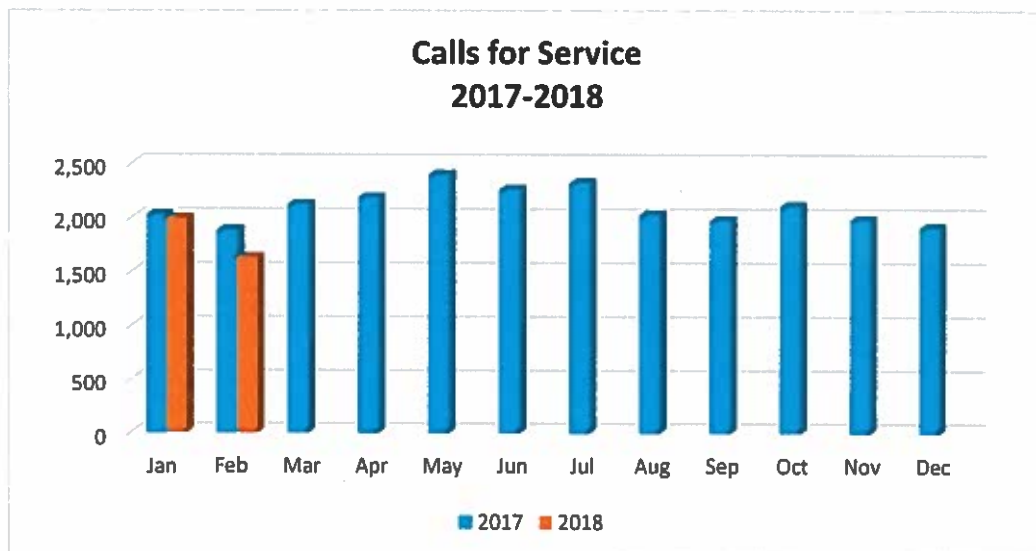
(6K)

then robbed the cashiers, the crime would be counted as one offense (one robbery). Under NIBRS with the same scenario, the incident would be counted as seven robberies. Each robbery of each individual would be counted separately along with the bank being robbed. Under NIBRS, there is also a significant amount of data collected regarding the relationship of the suspect to the victim. In the end, we can do better analysis with NIBRS data, but it will appear as though crime has doubled or tripled even though it has remained the same.

Calls for Service – 1,630

Calls for service are defined as requests received by the police department that require a response by an officer to the complainant or event. The calls for service do not include officer initiated activity such as building checks, traffic stops, suspicious person contacts or similar events that are initiated by the officer. It is also important to understand that the call for service numbers do not reflect the number of officers needed per call. A major accident that requires multiple officers is counted as one call for service.

The chart below shows the relationship between the calls for service in 2018 as compared to the calls for service in 2017. We had a decrease in the number of calls for service this month as compared to last month with 1,992 calls last month compared to 1,630 this month. When compared to the same month last year, we had a decrease in calls with 1,630 this February and 1,885 last February.



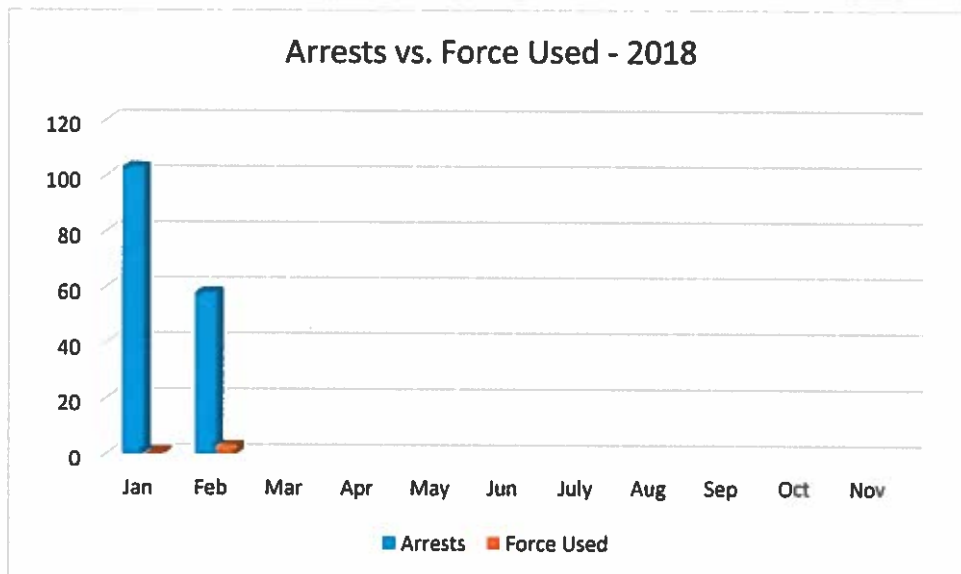
(6K)

Use of Force Incidents

In the month of February, we responded to 1,630 calls for service. We made 58 arrests and had three incidents where we had to use force in making an arrest.

Summary:	Calls for Service:	1,992
	Arrests:	58
	Use of Force Incidents:	3

We had three incidents involving the use of force this month. In two of the incidents, the suspect was taken to the ground in order to gain control. The remaining incident involved the use of the Taser when an agitated subject would not let officers enter his apartment to check on the welfare of another occupant. It should be noted that many of the calls for service involve disturbance calls or family violence calls where the situation is volatile when the officers arrived but no arrest is made. The low number of incidents where the use of force is required is indicative of de-escalation techniques being successfully used.



Notable Incidents

We had a welfare check call at the Oxford at Crossroads Apartments that turned into a barricaded person situation. Upon arrival the subject fired shots at the

(6K)

officers. The SWAT team and Negotiator team were called to the scene and at one point in the conversations with the subject, he indicated that he might have a hostage. After several hours of negotiation with no success and periodic firing at the officers, assistance was requested from the Arlington Police Department. After a couple more hours, the apartment door was breached and a robot was sent in to the apartment. The subject inside was found to have committed suicide.

Officers responded to an Aggravated Robbery at the Dairy Queen drive thru. Two armed males wearing ski masks approached a couple ordering food in the drive-thru and demanded money. They are believed to have fled on foot toward a nearby apartment complex. No arrests have been made at this time.

Detectives are investigating an armed robbery at the Dollar General store in the 600 blk. N. Highway 77. We have arrested and interviewed a man who was in a possession of a stolen car that is believed to have been driven during the robbery. It was stolen several days prior from a local apartment complex. The robbery investigation is ongoing.

Officers responded to Baylor Hospital in response to a stabbing victim there. A 23-year-old man reported being stabbed at a late night gathering at a home in the 200 blk. of Saddlebrook. Detectives are seeking a 22-year-old Ferris man in that case. The victim was treated and released.

Officer Cory Kaelin found about 10 grams of hallucinogenic mushrooms during a traffic stop. Clements, Christopher Michael, 40, of Waxahachie was charged with Possessing a Controlled Substance.

A concerned neighbor called police after suspecting a cockfighting operation next door. Our officers arrived and found a large number of individuals at the location. They were able to detain several persons upon arrival but others escaped through a wooded area. Detectives requested a search warrant and seized 72 roosters behind the mobile home in the 1900 blk. of E. Highland. The tenant said he has been charging ten dollars per person to watch the fights—this being the third time he had done so. Charges are forthcoming.

The owner of the gas station at 100 S. Elm found electronic credit card number "skimmers" attached to all four of the store's gas pumps. The devices were sophisticated in that they were installed inside the pumps and are able to transmit credit card information via a wireless signal. The business is researching surveillance video in hopes of identifying a suspect. The owner reports that a key is needed to open the gas pump's service door.

(6K)

Waxahachie Police Department

Activity Report

2/1/18 Through 2/28/18

Total Primary Calls-For-Service: 1630

Avg. Unit Response Time:

6min / 57sec

Calls-For-Service By Type		Primary	Backups
911 HANG UP	-	9	9
ABANDONED VEHICLE	-	12	3
ANIMAL BITE	-	4	0
ANIMAL COMPLAINT	-	27	5
ASSAULT	-	12	8
ASSAULT-DEADLY WEAPON	-	1	3
ASSAULT-SEXUAL	-	1	0
ASSIST OFFICER	-	17	8
ATS	-	28	19
ATTEMPTED SUICIDE	-	4	8
BMV	-	2	0
BURG IN PROGRESS	-	1	1
BURG REPORT	-	4	0
BUSINESS ALARM	-	86	90
BY PHONE-MEET COMPLAINT	-	127	4
CAR FIRE-MAJOR ST/HIGHWAY	-	2	1
CHECK THE AREA	-	97	101
CITY ORDINANCE VIOLATION	-	18	3
CIVIL MATTER	-	8	7
CIVIL STANDBY	-	9	10
COMMUNITY POLICING	-	22	5
COURTESY TRANSPORT	-	3	0
CRIMINAL MISCHIEF	-	20	1
CRIMINAL TRESPASS	-	4	5
CUTTING/STABBING	-	1	0
DEBRIS IN ROADWAY	-	10	4
DECEASED PERSON	-	2	9
DELIVER MESSAGE	-	2	0
DEMENTED PERSON	-	1	1
DISTURBANCE	-	63	74
DOM DISTURBANCE	-	4	6
DRUG ACTIVITY	-	4	4
DRUG OVERDOSE	-	1	1
DWI	-	3	4
EXTRA PATROL	-	153	5
FIGHT IN PROGRESS	-	1	1
FLAG DOWN	-	20	1
FOLLOW UP INVEST	-	64	12
FOOT PATROL	-	2	0

(6K)

FOUND/LOST PROPERTY	-	5	0
FRAUD	-	10	0
GRASS FIRE-MAJOR ST/HIGHWAY	-	1	0
HARASSMENT	-	4	1
HIT AND RUN ACCIDENT	-	22	6
HOLD-UP ALARM	-	2	2
HOUSE/BUSINESS CHECK	-	10	9
INDECENT EXPOSURE	-	1	2
LOUD MUSIC DISTURBANCE	-	14	11
LOUD NOISE DISTURBANCE	-	7	8
MAJOR ACCIDENT	-	32	47
MEDICAL ASSIST	-	12	15
MEET COMPLAINANT	-	116	21
MINOR ACCIDENT	-	74	31
MISSING PERSON	-	2	1
MOTORIST ASSIST	-	77	21
ODOR/SMOKE INVEST	-	1	0
OPEN DOOR	-	5	3
PARKING VIOLATION	-	10	1
PEDESTRIAN STOP	-	21	6
PHYS DISTURBANCE	-	8	16
PUB INTOX	-	6	7
RECKLESS DRIVER	-	37	11
RESIDENCE ALARM	-	59	60
ROADWAY BLOCKED	-	3	2
ROBBERY AGG	-	2	8
RUNAWAY REPORT	-	1	0
SHOTS FIRED	-	4	2
SOLICITOR	-	1	0
SPECIAL ASSIGNMENT	-	2	0
STRUCTURE FIRE	-	4	6
SUSP PERSON	-	21	23
SUSP VEHICLE	-	51	38
TERRORISTIC THREAT	-	1	0
THEFT	-	27	5
THEFT IN PROGRESS	-	1	1
TRAFFIC CONTROL	-	11	6
TRAINING	-	3	0
TRANSPORT	-	3	0
UNAUTHORIZED BURN	-	1	0
UNLOCK	-	2	1
UUV JUST OCCURRED	-	2	3
UUV REPORT	-	5	0
VEHICLE MAINTENANCE	-	3	0
VERBAL DISTURBANCE	-	13	16
WALK THROUGH	-	8	0
WARRANT SERVICE	-	2	1
WEAPONS DISTURBANCE	-	4	14

(6K)

WELFARE CHECK

-

70

104

PARKING AND LOADING ZONES

(6L)

BILLING DATE

4-1-18 TO 3-31-19

DATE PAID

1.	Happy's Home Furnishings - 2 LZ 114 W. Main Waxahachie, Texas 75165	\$250.00	<u>3-2-18</u>
2.	Luxe Salon & Spa - 1 CPZ 109 N. Rogers Waxahachie, Texas 75168	\$125.00	<u>3-6-18</u>
3.	Waxahachie Auto Supply - 2 LZ 209 W. Main Waxahachie, Texas 75165	\$250.00	<u>2-19-18</u>
4.	All Sports Trophies - 1 CPZ 109 North College Street Waxahachie, Texas 75165	\$125.00	<u>3-2-18</u>
5.	Citizens National Bank - 2 LZ P.O. Box 717 (200 N. Elm) Waxahachie, Texas 75168	\$250.00	<u>2-23-18</u>
6.	(Paid for by Citizens National Bank) Wray & Willett, PLLC/Town Square Title Company, LLC-2 CPZ 200 N. Rogers Waxahachie, Texas 75165	\$250.00	<u>2-23-18</u>
7.	Attorney Joseph R. Gallo- 1 CPZ 114 E. Main St. Waxahachie, TX 75165	\$125.00	<u>2-23-18</u>
8.	Panza Bros. 107 N. Rogers Waxahachie, TX 75165	\$125.00	<u>3-12-18</u>
9.	College Street Printing 111 N. College Waxahachie, TX 75165	\$125.00	<u>2-23-18</u>

(6m)

RECEIVED IN
CITY SECRETARY'S OFFICE
3/8/18
CITY OF WAXAHACHIE, TEXAS

Application for a Festival or Event Permit

Event Name and Description: WHS Graduation 2018 -
fireworks show to celebrate graduation

Applicant Information

Name: WISD
Address: 411 N. Gibson
City, State, Zip: Waxahachie, TX 75165 Phone: 972-423-4631
E-mail Address: hmelick@wisd.org

Organization Information

Organization Name: Pyro Shows of Texas
Address: 6601 Nine Mile Azle Rd., Ft. Worth, TX 76135
Authorized Head of Organization: Steve Frantz
Phone: 817-803-6896 E-mail Address: Sfrantz@pyroshows.com

Event Chairperson/Contact

Name: WISD
Address: Same as above
City, State, Zip: _____ Phone: _____
E-mail Address: _____

Event Information

Event Location/Address: Brown St. @ Hwy. 287
Purpose: Fireworks for 2018 graduation
Event Start Date and Time: May 25, 2018

(6m)

Event End Date and Time: May 25, 2018
Approximate Number of Persons Attending Event Per Day: 3000 @ Lumpkins
Site Preparation and Set-Up Date and Time: May 25, 2018
Clean-Up Completion Date and Time: May 25, 2018

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc.

graduates and attendees will
view fireworks show at
completion of ceremony

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

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

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.

[Signature]

Signature of Applicant

3/8/18

Date

(km)

Google Earth

Page 1



Approximate location of Fireworks show



(bom)

18-TX-05-25-C-3200-000058
Waxahachie ISD
May 25, 2018, \$3,200
Page 2

CUSTOM PROPOSAL
18-TX-05-25-C-3200-000058
January 31, 2018

PRESENTED TO:

Clyde Melick
411 N Gibson St
Waxahachie, TX 75165

For

Waxahachie ISD
May 25, 2018
\$3,200

By

Pyro Shows of Texas
6601 Nine Mile Azle Road
Fort Worth, Texas 76135
800-488-7976



(bom)

18-TX-05-25-C-3200-000058
Waxahachie ISD
May 25, 2018, \$3,200
Page 4

SHOW OVERVIEW

Waxahachie, Texas

Program Cost: \$3,200

Program Date: May 25, 2018

Included Services

Insurance Liability Coverages:

General Liability	\$10,000,000.00
Automobile Liability	\$10,000,000.00

Workers Compensation:

Full coverage as required by State and Federal law, including United States Longshoreman and Harbormaster coverage.

Insurance Agency:

Britton-Gallagher and Associates
1375 E. 9th Street, 30th Floor
Cleveland, OH 44114

Compliance:

Pyro Shows adheres to the following regulatory requirements:

- BATFE – Bureau Alcohol, Tobacco, Firearms & Explosives
- FAA – Federal Aviation Administration
- NFPA 1123, 1124
- U.S. Coast Guard
- Department of Transportation
- OSHA
- State and Local Code Ordinance



(6m)

18-TX-05-25-C-3200-000058
Waxahachie ISD
May 25, 2018, \$3,200
Page 9

SHELL SUMMARY

**Waxahachie ISD
Waxahachie Graduation
Friday, May 25, 2018**

\$3,200.00

<u>SHELL SIZE</u>	<u>MAIN BODY</u>	<u>FINALE</u>	<u>TOTAL</u>
3"	180	120	300
4"	30	0	30
5"	20	0	20
TOTAL SHELL COUNT			350

Fireworks 1.3 G Display
Largest Shell: 5"
Safety Radius: 350'

(6m)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Thursday, March 08, 2018 2:54 PM
To: Villarreal, Amber; Smith, John; Crecelius, Dennis; Wade Goolsbey; Dale Sigler; Mosley, Laurie; Borders, Amy
Cc: Scott, Michael; Cartwright, Lori
Subject: RE: Event Application-WHS Graduation

We'll need the State certification and a site plan from the pyrotechnic company sent to Dennis and he'll need to ok their plan (which I assume will be fine since it's the same location that is usually used. Also, the lot where they will be shot from will need to be mowed prior to the event date (approximately 3 days prior). Other than that, I have no issues or concerns.

Ricky Boyd, Fire Chief
Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Thursday, March 8, 2018 11:55 AM
To: Smith, John <jsmith@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Crecelius, Dennis <DCrecelius@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Borders, Amy <aborders@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-WHS Graduation

For your review/comments.

Thank you!

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

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(6m)

Villarreal, Amber

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Friday, March 09, 2018 11:32 AM
To: Villarreal, Amber
Subject: RE: Event Application-WHS Graduation

No issues for us.

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Thursday, March 08, 2018 11:55 AM
To: John Smith <jsmith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Crecelius, Dennis <DCrecelius@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Borders, Amy <aborders@waxahachie.com>
Cc: Michael Scott <msscott@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-WHS Graduation

For your review/comments.

Thank you!

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(lcm)

Villarreal, Amber

From: Mosley, Laurie
Sent: Friday, March 09, 2018 9:48 AM
To: Villarreal, Amber
Subject: RE: Event Application-WHS Graduation

I defer to whatever the two Chiefs say about this one 😊.

From: Villarreal, Amber
Sent: Thursday, March 8, 2018 11:55 AM
To: Smith, John <jsmith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Crecelius, Dennis <DCrecelius@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Borders, Amy <aborders@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-WHS Graduation

For your review/comments.

Thank you!

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(lon)

RECEIVED IN
CITY SECRETARY'S OFFICE
3/8/18
CITY OF WAXAHACHIE, TEXAS

Application for a Festival or Event Permit

Event Name and Description: The Hachie 50 4 Running Races:
50 Mile Ultra Marathon 50K Ultra Marathon, 26.2 mile Full Marathon and
a 50 mile Ultra Relay. sponsored by the Waxahachie Lions Club and supported
by the Waxahachie Running Club.

Applicant Information

Name: Paul Box

Address: 133 Spring Grove Dr.

City, State, Zip: Waxahachie, TX 75165 Phone: 903 851 1271

E-mail Address: paul.box@edwardjones.com

Organization Information

Organization Name: The Waxahachie Lions Club

Address: P.O. Box 581

Authorized Head of Organization: Ken Box, Chair of Event

Phone: 469-337-8044 E-mail Address: Kenpaulbox@gmail.com

Event Chairperson/Contact

Name: Paul Box

Address: 133 Spring Grove Dr.

City, State, Zip: Waxahachie, TX 75165 Phone: 903 851 1271

E-mail Address: paul.box@edwardjones.com

Event Information

Event Location/Address: Getzendaner Park and Trail

Purpose: Raise money for the Waxahachie Lions Club

Event Start Date and Time: May 5, 2018 at 5:00 a.m.

(len)

Event End Date and Time: May 5, 2018 at 6:30 p.m.

Approximate Number of Persons Attending Event Per Day: 400 including racers + volunteers

Site Preparation and Set-Up Date and Time: May 4, 2018 at 1:00 p.m.

Clean-Up Completion Date and Time: May 5, 2018 at 8:00 p.m.

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc.

We will run 4 races on the Getzendener Park trail with a short portion on Jefferson. from West Main down Jefferson but turn around before the railroad track. We will also run on roads in Lions Park. No roads will need to be closed and we will have volunteers to assist runners with traffic. There will be 3 to 4 vendor booths set up by race sponsors. Post race pizza, snacks and drinks will be available.

Will food and/or beverages be available and/or sold? YES/NO Available but not for sell

Will alcohol be available and/or sold? YES/NO Available for free to runners after race completion. (2 per runner) None sold.

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

Will dumpsters be needed? 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.



3/6/18

Signature of Applicant

Date

Food, drinks
and beer

Vendors,
Lions Trailer

Administration,
Registration
+ Medical

Small
Stage + Music

Mile
Marker 0
Start and
Finish Line

Waxahachie Creek

TENT

Waxahachie Creek Hike & Bike Trail

Waxahachie Creek

Getzendaner Memorial Park

Getzendaner Memorial Park

Getzendaner Memorial Park

Getzer

Google

W Main

W Main

W Main

W Main

Pulaski St

W Jefferson St

S Grand Ave

Getzendaner Memorial Park

Getzendaner Memorial Park

Metropolitan Family Health Center - Waxahachie

H

Dortch

Baylor Imaging Center - Waxahachie

The Prescription

Renfro Hill

(len)

Villarreal, Amber

From: Smith, John
Sent: Thursday, March 08, 2018 1:04 PM
To: Villarreal, Amber
Subject: RE: Event Application-The Hachie 50

Approved, thanks!

From: Villarreal, Amber
Sent: Thursday, March 08, 2018 11:49 AM
To: Smith, John <jsmith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Borders, Amy <aborders@waxahachie.com>; Mary Del Buono <mdelbuono@waxahachie.com>; Marcus Brown <mbrown@waxahachiepd.org>
Cc: Scott, Michael <mscott@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-The Hachie 50

For your review/comments.

Thank you!

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

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(len)

Villarreal, Amber

From: Marcus Brown <mbrown@waxahachiepd.org>
Sent: Thursday, March 08, 2018 1:56 PM
To: Villarreal, Amber
Subject: RE: Event Application-The Hachie 50

Looks good to me.

Marcus

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Thursday, March 08, 2018 11:49 AM
To: John Smith <jsmith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Borders, Amy <aborders@waxahachie.com>; Mary Del Buono <mdelbuono@waxahachie.com>; Marcus Brown <mbrown@waxahachiepd.org>
Cc: Michael Scott <msscott@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-The Hachie 50

For your review/comments.

Thank you!

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(len)

Villarreal, Amber

From: Cole, Leila
Sent: Thursday, March 08, 2018 4:20 PM
To: Mary Del Buono
Cc: Villarreal, Amber
Subject: RE: Event Application-The Hachie 50

They are all good! ☺ I confirmed they will be using a permitted establishment for the Pizza.

Thanks for the heads up.

Leila Cole

City of Waxahachie
Health Inspector – Building & Community Services
Texas Standardized - Retail Food Inspection Officer
Office: 469-309-4138 / City Cell: 972-351-3219
Fax: 469-309-4139



From: Mary Del Buono
Sent: Thursday, March 08, 2018 3:31 PM
To: Cole, Leila
Cc: Villarreal, Amber
Subject: FW: Event Application-The Hachie 50

Leila,
Your thoughts.
Thank you,



Mary DelBuono
*Building & Community Services
Community Services Coordinator*

City of Waxahachie
401 S. Rogers
P.O. Box 173
Waxahachie, Texas 75168

Office 469-309-4132
Fax 469-309-4139
mdelbuono@waxahachie.com

(bn)

Villarreal, Amber

From: Mosley, Laurie
Sent: Friday, March 09, 2018 10:07 AM
To: Villarreal, Amber
Subject: RE: Event Application-The Hachie 50

From my understanding, this will not impact Cinco de Mayo or anything else that I know of. Thank you!!

From: Villarreal, Amber
Sent: Thursday, March 8, 2018 11:49 AM
To: Smith, John <jsmith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Borders, Amy <aborders@waxahachie.com>; Mary Del Buono <mdelbuono@waxahachie.com>; Marcus Brown <mbrown@waxahachiepd.org>
Cc: Scott, Michael <msscott@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-The Hachie 50

For your review/comments.

Thank you!

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(bn)

Villarreal, Amber

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Friday, March 09, 2018 11:32 AM
To: Villarreal, Amber
Subject: RE: Event Application-The Hachie 50

We're good with it.

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Thursday, March 08, 2018 11:49 AM
To: John Smith <jsmith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Borders, Amy <aborders@waxahachie.com>; Mary Del Buono <mdelbuono@waxahachie.com>; Marcus Brown <mbrown@waxahachiepd.org>
Cc: Michael Scott <mscott@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-The Hachie 50

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(Len)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Thursday, March 08, 2018 2:49 PM
To: Villarreal, Amber
Subject: RE: Event Application-The Hachie 50

The only question I have is whether or not to staff our Off Road unit for EMS and/or have AMR on stand-by. Once this is decided, I'll need to know so we can make the necessary arrangements. Other than that, I have no concerns or issues with this request.

Ricky Boyd, Fire Chief
Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Thursday, March 8, 2018 11:49 AM
To: Smith, John <jsmith@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Borders, Amy <aborders@waxahachie.com>; Mary Del Buono <mdelbuono@waxahachie.com>; Marcus Brown <mbrown@waxahachiepd.org>
Cc: Scott, Michael <msscott@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-The Hachie 50

For your review/comments.

Thank you!

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(len)

Villarreal, Amber

From: Box, Paul M <Paul.Box@edwardjones.com>
Sent: Monday, March 12, 2018 9:13 AM
To: Villarreal, Amber
Subject: RE: Event Application-The Hachie 50

Amber,

Last year the fire department had an EMS vehicle stationed close by. In fact, most of the afternoon, they stationed it in Getzendaner Park and we fed them. It worked perfect.

Let me know if you need anything else.

Thank you,

Paul Box

Paul Box, AAMS®
Financial Advisor
Edward Jones
109 W. Marvin
Waxahachie, TX 75165
(972) 923-2766
www.edwardjones.com

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From:
Sent: Thursday, March 08, 2018 2:51 PM
To:
Subject: FW: Event Application-The Hachie 50

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Box,

Please the Fire Chief's question below and send me your response.

Thank you!

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie

(60)



Memorandum

To: Honorable Mayor and City Council

From: John Smith

Thru: Michael Scott, City Manager

Date: 3-12-18

Re: Lake Waxahachie Vendor Permit

Mayor and City Council,

At our Park Board meeting of March 8th, David Bond made request for permit to allow water skiing instruction at Lake Waxahachie. The board approved his use of the lake and ramps for this enterprise pending council approval and his fulfilment of the following stipulations.

1. Proper insurance as required
2. Person on hand certified in CPR and First Aid
3. Provide education for youth and adults

David assured the board this will be a quality educational experience. We respectfully request your approval of this request.

Thank you for your consideration.

(60)



APPLICATION FOR SPECIAL SEASONAL VENDORS PERMIT
AT LAKE WAXAHACHIE

Applicant Name Dave Bond Male ☒ Female ☐
Home Address 194 Old Howard Rd. Waxahachie, TX
Street or Box No. City State
Home Phone No. 972-992-8919 Business Phone No. _____
Name to be used at business location Waxahachie Watersports

Proposed temporary location for selling: (describe in detail) _____

Proposed services provided: (describe in detail) watersports lessons

It is understood and agreed that the premises will be kept clean and neat, that no radio or other noise-making equipment will be used, that the business will only be operated between sun-up and 10:00 p.m., that sale or rental shall be allowed only for water sport related equipment such as canoes, kayaks, life preservers, fishing equipment, and water sports related equipment. No food or beverages may be sold.

The City may revoke the permit if all city, state, or other governmental rules and regulations are not followed. The permit is from 5/16, 2018, to 9/30, 2018.

Date 3/13/18

Applicant Signature

A large, stylized handwritten signature in blue ink, likely belonging to Dave Bond, is written over the "Applicant Signature" line.

For Office Use Only

Date Received: 3-13-18

- ☐ Completed Application
☐ \$1,000,000 Liability Insurance
☐ \$25 fee

Staff approval: _____

Park Board Approval: 3-8-18

City Council Approval: _____

Permit issued: _____

(60)

Seasonal Vendor Permit at Lake Waxahachie

Only allowed May 16-September 30

Ordinance No. 2866, adopted by council on June 6, 2016

Procedure:

Applicant turns in the following to the City Secretary's office:

- ☒ Application (City Secretary will need to stamp with date received)
- ☐ \$1,000,000 liability insurance - will submit upon approval
- ☐ \$25 permit fee - will submit upon approval

Forward to staff for approval:

- ☒ Parks & Recreation Director
- ☐ Assistant City Manager
- ☐ Human Resources Director
- ☐ City Attorney

Once approved by staff, the application and documents are sent to:

- ☒ Park Board for approval 3-8-18
- ☐ City Council for approval

(8)

PROCLAMATION

WHEREAS, the young people of Waxahachie are tomorrow's leaders; and

WHEREAS, many such young people need professional youth services to help them reach their full potential; and

WHEREAS, there is one Boys & Girls Club organization in Waxahachie providing services to more than 150 young people annually; and

WHEREAS, Boys & Girls Clubs are places where great futures start. They are at the forefront of efforts in academic success, healthy lifestyles, and good character and citizenship; and

WHEREAS, Boys & Girls Club organizations in our state help ensure that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs;

NOW, THEREFORE, I, Kevin Strength, Mayor of the City of Waxahachie, along with the entire City Council, do hereby proclaim the week of April 9 – April 13, 2018 as

“BOYS & GIRLS CLUB WEEK”

in Waxahachie and call on all citizens to join with me in recognizing and commending the Boys & Girls Club organizations in our state for providing comprehensive, effective services to the young people in our communities.

DATED this 19th day of March, 2018.

MAYOR


ATTEST:

CITY SECRETARY

(10+11)



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Executive Director of Development Services
Thru: Michael Scott, City Manager 
Date: March 16, 2018
Re: FM 664 Water Line – Capital Improvement Project

On Monday March 19, 2018 a professional services contract with Kimley-Horn for water distribution improvements associated with the City's Capital Improvement Plan will appear before the City Council for consideration, in the amount of \$114,500. This contract will provide engineering design, bid specification preparation and construction support services to install a new 6,000 linear foot 24 inch water line from the elevated storage tank on FM 664 south of the 287 bypass, to the intersection of business 287 and FM 664. The proposed line will provide water service for Ridge Crossing, Shepard's Place, future developments along Ovilla Road, and provide a connection point for the planned Emory Lakes development.

The Ridge Crossing subdivision will be responsible for approximately 700 linear feet of the proposed water line, as there is insufficient water for the development. Ridge Crossing will require a 12 inch water line to serve their subdivision, so they will be responsible for paying only for the first 12 inches of the 24 inch line. The Shepard's Place subdivision will not participate in the installation of the new water line, as they have agreed to pay for installing a new approximately 3000 linear foot 8 inch sewer line from the 287 business to the north end of their property on FM 664. This line will provide sewer service to the properties south of Shepard's Place as well as to the immediately (2) adjacent properties north. The developer of Shepard's Place will enter into a 10 year pro-rata agreement, and be reimbursed from for construction costs from future developments serviced by the new sewer line.

(10 + 11)

The installation of the new water line will be funded through certificate of obligation bonds, which are anticipated to be sold prior to the end of this fiscal year. The Utilities Department will fund any expenses associated with this project from its' operating budget, until bonds are issued. There is a companion resolution to this agenda item authorizing a reimbursement to the Utilities Department operating fund from future bond sales.

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

Tommy Ludwig

(10)

Kimley»Horn

March 14, 2018

Mr. David Bailey
City of Waxahachie
P.O. Box 757
Waxahachie, TX 75165

Re: FM 664 24" Water Line Scope of Work

Dear Mr. Bailey:

Kimley-Horn and Associates, Inc. appreciates the opportunity to present our Scope of Services to the City of Waxahachie, Texas, for providing professional engineering services for the design to construct the FM 664 24" Water Line project.

This project consists of preparing engineered construction plans for the construction of approximately 6,000 linear feet of 24" water line along FM 664 from Bus. Hwy 287 to approximately 1,200 linear feet south of Hwy 287 Frontage Road. Kimley-Horn will also perform bidding and construction phase services for this project. It is anticipated thirteen (13) easements will need to be acquired.

Kimley-Horn will perform these Services for a fee of \$114,500.

We appreciate the opportunity to provide these services to you. Please contact me if you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Misty Christian, P.E.
Project Manager

(11)

RESOLUTION NO.

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING ENGINEERING DESIGN SERVICES ASSOCIATED WITH THE DESIGN OF A NEW WATER LINE FROM THE ELEVATED STORAGE TANK ON FM 664 TO HWY 287 BUSINESS

WHEREAS, the City of Waxahachie (the "City") intends to issue debt to finance cost to be incurred for the engineering design services for construction of the FM 664 24" water line project from the city's elevated water storage tank on FM 664 to Hwy 287 Business and related expenses prior to the issuance of such debt with the expectation that such expenditures are to be reimbursed with proceeds of such debt; and

WHEREAS, Treas. Reg. § 1.150-2 (the "Regulation") provides that to fund such reimbursement with proceeds of tax-exempt obligations the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the expenditures with proceeds of tax-exempt obligations.

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

SECTION 1

That the City reasonable expects to reimburse Operating Fund with proceeds of debt hereafter to be issued by the City, and this resolution shall constitute a declaration of official intend under the Regulation.

SECTION 2

That the City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution including a loan from the Operating Fund in an amount not to exceed \$114,000.

SECTION 3

That this resolution shall take effect immediately from and after the date of passage.

ADOPTED THIS 19th day of March, 2018.

MAYOR

ATTEST:

City Secretary

(12+13)



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Executive Director of Development Services
Thru: Michael Scott, City Manager *MS*
Date: March 16, 2018
Re: 791/769 Service Area Realignment – Capital Improvement Project

On Monday March 19, 2018 a professional services contract with Kimley-Horn for water distribution improvements associated with the City's Capital Improvement Plan will appear before the City Council for consideration, in the amount of \$49,600. Specifically, this contract will provide engineering design, bid specification preparation and construction support services for the:

- Installation of two new Pressure Reducing Valves (PRV) at (1) the intersection of Brown Street and Dean Box Drive, (2) the intersection of Garden Valley Parkway and Brown Street, which will reduce high water pressures entering the 769 Service Area from the 791 Service Area
 - Provides two additional distribution points into the 769 Service Area from existing water valves, which are currently closed to prevent excess pressure from entering the 791 Service Area
 - Provides additional water flow for future developments in the 769 Service Area
- Installation of a new 2,300 linear foot 12 inch water line along the North side of Brown Street, from Dean Box Drive to Sandstone Ranch
 - Addresses low water pressure issues for Eddie Finley Jr. High School and the Church of Christ by connecting to the new line in the 791 Service Area

(12 + 13)

- o Provides new connectivity in the 791 Service Area, which will address water quality issues by eliminating an existing dead end lines servicing the Sandstone Ranch and Estates of North Grove developments

This project will be funded through certificate of obligation bonds, which are anticipated to be sold prior to the end of this fiscal year. The Utilities Department will fund any expenses associated with this project from its' operating budget, until bonds are issued. There is a companion resolution to this agenda item authorizing a reimbursement to the Utilities Department operating fund from future bond sales.

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

Tommy Ludwig

(12)

Kimley»Horn

March 14, 2018

Mr. David Bailey
City of Waxahachie
P.O. Box 757
Waxahachie, TX 75165

Re: FM 813 12" Water Line Scope of Work

Dear Mr. Bailey:

Kimley-Horn and Associates, Inc. appreciates the opportunity to present our Scope of Services to the City of Waxahachie, Texas, for providing professional engineering services for the design to construct the FM 813 12" Water Line project.

This project consists of preparing engineered construction plans for the construction of approximately 2,300 linear feet of 12" water line from Dean Box Drive to Sandstone Ranch Subdivision. This project also includes the design of one pressure reducing valve and coordination efforts associated with a second pressure reducing valve. Kimley-Horn will also perform bidding and construction phase services for this project. It is anticipated three (3) easements will need to be acquired.

Kimley-Horn will perform these Services for a fee of \$49,600.

We appreciate the opportunity to provide these services to you. Please contact me if you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Misty Christian, P.E.
Project Manager

(13)

RESOLUTION NO.

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING ENGINEERING DESIGN SERVICES ASSOCIATED WITH THE DESIGN OF A NEW 12" WATER LINE AND (2) PRESSURE REDUCING VALVES FOR THE REALIGNMENT OF THE 791/769 WATER DISTRIBUTION SYSTEM SERVICE AREA ALONG FM 813 EAST OF HWY 287 BYPASS FROM DEAN BOX DRIVE TO SANDSTONE RANCH SUBDIVISION

WHEREAS, the City of Waxahachie (the "City") intends to issue debt to finance cost to be incurred for the engineering design services for design of a new 12" water line and pressure reducing valve for the realignment of the 791/769 water distribution system service area along FM 813 east of Hwy 287 Bypass from Dean Box Drive to Sandstone Ranch Subdivision, and related expenses prior to the issuance of such debt with the expectation that such expenditures are to be reimbursed with proceeds of such debt; and

WHEREAS, Treas. Reg. § 1.150-2 (the "Regulation") provides that to fund such reimbursement with proceeds of tax-exempt obligations the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the expenditures with proceeds of tax-exempt obligations.

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

SECTION 1

That the City reasonable expects to reimburse Operating Fund with proceeds of debt hereafter to be issued by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 2

That the City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution including a loan from the Operating Fund in an amount not to exceed \$49,600

SECTION 3

That this resolution shall take effect immediately from and after the date of passage.

ADOPTED THIS 19th day of March, 2018.

MAYOR

ATTEST:

Assistant City Secretary

(14)



Memorandum

To: Honorable Mayor and City Council

From: Ryan Studdard, Director of Building and Community Services

Thru: Michael Scott, City Manager

Date: March 5th 2018

Re: Repeal and Replace Ordinance #2520 Food and Food Handlers

Purpose of changes listed below:

- Update TFER chapter from §229 dated 2006 to the new §228 dated 2015
- Update terms and definitions where applicable per the new TFER.
- Replace all environmental health language with Building and Community Services.
- Update language in Article III to include the new Notice of Improvement Plan and to reference sec 1-12 of this code.

To simplify the ordinance, all sections removed were identified as duplicate and/or the same standards are reflected in the 2015 TFER §228 rules listed below:

- TFER §228.69 Preventing Contamination from Premises
- TFER §228.33 Certified Food Protection Manager and Food Handler Requirements
- TFER §228.223 Bed and Breakfast
- TFER §228.221 Mobile Food Units
- TFER §228.222 Temporary Food Establishments
- TFER §228.62 Approved Sources (a) Compliance with Food Law (c) Milk (4) Fish (6) Meat & Poultry (G) Exotic animals and Game animals
- TFER §228.150 Sewage Retention, Drainage, & Delivery (e) Conveying Sewage
- TFER §228.106 Functionality of Equipment (d) Vending Machines

Revised Ordinance Section Order

Food and Food Handlers

Article I. – In General

Sec. 1 – Adoption of regulations

Sec. 2 – Definition of terms

Sec. 3 – Conflicts

Article II. – Food Service Establishments

Sec. 4 – Food Establishment permits – General requirements

Sec. 5 – Food Manager Certification and Food Handler Safety Certification

Sec. 6 – Classification of permits

Sec. 7 – Waxahachie Farmers Market

Sec. 8 – Submission and review of plans

Sec. 9 – Fees

Sec. 10 – Permit denial, suspension, and revocation

Sec. 11 – Emergency closure of a food establishment

Sec. 12 – Disposal of contaminated foods

Sec. 13 – Seizure, destruction of uninspected products

Sec. 14 – Appeal from condemnation

Article III. – Penalties for violation

Sec. 15 – Penalties for violation

Chapter 13 - FOOD AND FOOD HANDLERS

ARTICLE I. - IN GENERAL

~~Sec. 13-1.~~ Sec. 1 - Adoption of regulations.

- (a) The following statutes, in their current form and as they may hereafter be amended, are adopted and incorporated into this article as if they were set forth at length herein:
- (1) The "Texas Food, Drug and Cosmetic Act," Texas Health and Safety Code, Chapter 431.
 - (2) The "Minimum Standards of Sanitation and Health Protection Measures," Texas Health and Safety Code, Chapter 341.
- (b) The following regulations adopted by the Texas Board of Health, in their current form and as they may hereafter be amended, are adopted and incorporated into this article as if they were set forth at length herein. If there is a conflict between a rule and any section of this article, the more restrictive provision shall apply.
- (1) The "Sanitary Rules for Food and Drug Establishments," 25 Texas Administrative Code, § 229.41, et seq.
 - (2) The rules for "Texas Food Establishments Rules," 25 Texas Administrative Code, § 229.161 228, et seq.
- ~~(c) The director will assure that a current copy of each rule manual will be kept on file in the office of the City Secretary.~~
- ~~(d)~~ (c) A food establishment's owner, manager, or operator commits an offense if an employee, owner, manager, or operator of the food establishment violates a rule adopted pursuant to subsection (b).

~~Sec. 13-2.~~ Sec. 2 - Definitions of terms.

~~*Bed and breakfast inn or facility.* A dwelling occupied as a permanent residence by the owner or renter which serves breakfast and provides or offers sleeping and lodging accommodations in no more than five (5) rooms for transient guests for compensation.~~

~~*Beverage.* A liquid for drinking, including water.~~

~~*Change of ownership.* A change of owner or operator of a food establishment business, and does not refer to a change of owner of the building where the business is located.~~

~~*Commissary.* A fixed food service establishment permitted and regularly inspected by the director of environmental health.~~

~~*Employee.* Any person manufacturing, packaging, producing, processing, storing, selling, offering for sale, vending, preparing, serving, or handling any food in a food establishment.~~

~~*Farmer's market.* An outdoor, open air operation running from late May until the beginning of November, consisting of unprocessed fresh fruits, vegetables, or other produce.~~

~~*Food.* Any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption, or chewing gum.~~

~~*Food establishment.* Any place where food is manufactured, packaged, produced, processed, transported, stored, sold, commercially prepared, vended, or otherwise handled. The term includes any such place regardless of the duration of the permit or whether there is a charge for the food. The term does not include private homes where food is prepared or served for guests and individual family consumption.~~

~~Food handler. Any person, who prepares, serves, packages, or handles open food or drink, or who handles clean utensils, pots, or single service.~~

~~Mobile food unit. A vehicle-mounted food service operation designed to be readily movable.~~

~~Pushcart. A mobile food unit, powered by human beings only, that is limited to serving non-potentially hazardous food(s). A push cart is classified as a mobile food establishment.~~

~~Temporary food service establishment. A food establishment that operates for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration.~~

The word "director" means the Director of Building and Community Services.

The words "authorized agent" means an employee of the Department of Building and Community Services.

Whenever the word "municipality" or the word "city" is used in the code adopted by this article, it shall be construed to mean the City of Waxahachie, Texas.

Whenever the words "corporate counsel" or "city attorney" is used in the code adopted by this article, it shall be construed to mean the city attorney of this city.

The words "food establishment" means a food service establishment, a retail food store, a temporary food establishment, a mobile food unit, and/or a roadside food vendor.

Time/Temperature Controlled for Safety (TCS) food (TCS)--(formerly Potentially Hazardous Food (PHF)) A food that requires time/temperature controlled for safety to limit pathogenic microorganism growth or toxin formation. An animal food that is raw or heat-treated. A plant food that is heat-treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixture of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation, or garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation.

~~Sec. 13-3.~~ Sec. 3 - Conflicts.

In the event of any conflict between the provisions of the code adopted by this article, the provisions of this Code of Ordinances, state law or city ordinances, rules or regulations, the stricter provisions shall prevail and be controlling.

~~Sec. 13-4.~~ Definitions.

~~Whenever the word "municipality" or the word "city" is used in the code adopted by this article, it shall be construed to mean the City of Waxahachie, Texas.~~

~~Whenever the words "corporate counsel" or "city attorney" is used in the code adopted by this article, it shall be construed to mean the city attorney of this city.~~

~~Sec. 13-5.~~ Sec. 12 - Disposal of contaminated foods.

At any time that the health officer authorized agent shall find any food, food products, drinks or beverages which are contaminated, spoiled or unfit for human consumption, it shall be the duty of the health officer agent to immediately condemn such food or beverage. The owner of such contaminated food shall be required to dispose of the same in a manner approved by the health officer authorized agent at the owner's expense.

~~Secs. 13-6 - 13-10.~~ Reserved.

ARTICLE II. - FOOD SERVICE ESTABLISHMENTS^[3]

~~Sec. 13-11.~~ Sec. 4 - Food establishment permits—General requirements.

- (a) No person shall operate a food establishment without a current, valid food establishment permit issued by the ~~City of Waxahachie Environmental Health Department~~ Department of Building and Community Services.
- (b) A separate permit shall be required for every food establishment with separate and distinct facilities and operations, whether situated in the same building or at separate locations.
- (c) Permits issued under the provisions of this article are not transferable. A permit shall be valid for the period of time shown on the face of the permit, unless earlier suspended or revoked by the director or his designees. All permits expire on December 31 of the permitting year and should be posted in the establishment consciously for customer view.
- (d) A letter of renewal will be sent to all current food establishments at the end of the calendar year to renew their permit. Any permit that lapses for nonpayment of the annual permit fee required in this section will be reinstated upon payment of an additional fee of twenty-five dollars (\$25.00) for each thirty-day period in which the permit has been allowed to lapse.
- (e) The application for a new permit shall be made on an application form prescribed by the director for each classification of permit.
 - ~~(1) At a minimum the application shall require the applicant's name, type of business organization, the name and address of the owner or principal officer of the business, the nature of the business, the location of the business, copy of a valid driver's license, and such other information as the director of environmental health deems necessary.~~
 - ~~(2) Applications for permits for mobile food units or temporary event establishments which operate from a fixed food facility located outside of the city shall include a copy of the facility's current, valid, permit (state or local) and the most recent facility inspection report (state or local).~~
- ~~(f) The environmental health department may not renew an expired or expiring permit until the owner or operator of the food establishment provides proof of compliance with current minimum health department requirements.~~
- ~~(g) The owner or operator of a food establishment shall post and maintain the current permit in a conspicuous public place in the establishment for which the permit was issued.~~
- ~~(h) Upon change of ownership of a business, the new owner shall be required to apply for a new permit and meet current food establishment standards as defined in this Code and state law before a permit will be issued by the environmental health department.~~
- ~~(i) The following types of establishments are exempt from the requirements of this article:~~
 - ~~(1) Group homes;~~
 - ~~(2) Vending machines;~~
 - ~~(3) Facilities operated by nonprofit organizations for their members, families, and invited guests. Facilities are not exempt when food service is provided in conjunction with a child care facility, retirement center, hospital, school, indigent feeding program, or public fundraising events; and~~
 - ~~(4) Private schools that do not have a kitchen.~~
- ~~(j) Criminal offenses:~~
 - ~~(1) A person commits an offense if the person knowingly owns, operates, or is in control of a food establishment that is operating without a valid food permit.~~
 - ~~(2) A person commits an offense if the person owns or operates a food establishment and knowingly fails to post and maintain a permit in accordance with subsection (g).~~

- ~~(3) A person commits an offense if the person owns or operates a food establishment and knowingly operates with violations after an inspection by the health department deemed the establishment in violation of minimum requirements.~~

~~Sec. 13-12.~~ Sec. 6 - Classification of permits.

Food establishment permits shall be classified ~~according to~~ as one of the following the duration of operation and location of such operation.

- ~~(a) The duration of a permit shall fall within one of these categories, annual, temporary, seasonal, or semi-annual as follows:~~

- ~~(1) *Annual.* An establishment that operates throughout the year.~~
- ~~(2) *Temporary.* An establishment that operates fourteen (14) consecutive days or fewer, in conjunction with a special event.~~
- ~~(3) *Seasonal.* An establishment that operates more than fourteen (14) consecutive days but less than one hundred eighty (180) days each year, and not associated with a special event.~~
- ~~(4) *Semi-annual food establishments.* An establishment that is operating temporarily at an event that is reoccurring throughout the year.~~

- ~~(b) The location classification of a permit shall fall within one (1) of three (3) categories, permanent, mobile, or non-permanent as follows:~~

~~(1) *Permanent food establishments.*~~

- a. Food service establishment: Restaurants, cafeterias, snack bars, bakeries, snow cone stands, caterer's commissaries, private school cafeterias, halfway house food services, hospital kitchens/cafeterias, institutional food services, etc., where food is prepared and served;
- b. Retail food stores handling prepackaged, potentially hazardous foods;
- c. Retail food stores handling, processing or selling open foods;
- d. Food warehouses/wholesalers;
- e. Bars/lounges; and
- f. Bed and breakfast establishments.

~~(2) *Mobile food establishments.*~~

- a. Retail food unit handling prepackaged food.
- b. Retail food unit (including trailers, mobile barbecues, snow cone units, etc.) handling, processing, or selling open food. A separate permit is required for each different type of mobile unit owned or operated by an individual or company.
- c. Mobile produce unit.

All mobile food units handling open TCS foods shall operate from a central preparation facility or other fixed food service establishment that is regularly inspected by the local or state health department. All mobile food units handling TCS foods shall report at least once a day to their central preparation facility to clean and service the mobile unit. The following are exempt from these requirements: catering operations with their own central preparation facility, snow cone trailers, corn roasters, and pre-packaged ice cream units.

(f) Mobile food units are required to be continuously moving. A mobile food unit shall not sit for longer than one (1) hour at one location.

- d. Mobile units delivering or selling meat, poultry, fish, seafood or shellfish (except retail grocery delivery trucks and units that are otherwise prohibited by this article). Except for wholesale fish truckers, any person who operates, sells, or engages in the distribution of any meat, poultry, fish, sea foods, or shellfish in the city shall operate from a fixed and permitted place of businesses. Roadside vending of meat, poultry, fish, seafood, or shellfish shall not be permitted in the city.
- e. Pushcarts; and
- f. Catering units.

(3) ~~Nonpermanent~~ Temporary food establishments - Can operate at a designated fixed location for a temporary period of time not to exceed fourteen (14) days, and only in conjunction with a special event recognized by the city. Temporary food vendors who prepare TCS food items must have a certified food manager on-site at all times during operation.

- a. Concession trailers, tents, and booths set up in association with an event;
- b. Vendors set up in association with the Waxahachie Farmer's Market;
- c. Catering services contracted to provide food service in association with an event; and
- d. Food manufacturers serving samples of product in association with an event.

~~Sec. 13-13~~ Sec. 10 - Permit denial, suspension, and revocation.

- (a) The director ~~of environmental health~~ may deny a permit, or after notice of violation, suspend or revoke a permit for failure to comply with the requirements of this article or any state law adopted by this article.
- (b) Notice of a permit denial shall be served upon the owner or operator of the food establishment either in person or by certified mail, return receipt requested, at the mailing address specified in the permit application.

~~Sec. 13-14~~ Sec. 8 - Submission and review of plans.

- (a) When a food establishment is newly constructed or extensively remodeled, when a food establishment has a change of ownership, or when an existing structure is converted to use as a food establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the Department of Building and Community Services ~~director of the environmental health department~~ for review and approval before construction, remodeling or conversion is begun.
- (b) ~~The director~~ An authorized agent shall inspect the food establishment prior to the start of operations to determine compliance with the approved plans and specifications, the requirements of this article and the regulations of the Texas Department of State Health Services.

~~Sec. 13-15~~ Sec. 9 - Fees.

The city council shall adopt a schedule of fees for:

- (a) All food establishment permits; change of ownership; re-issuance of a permit after expiration; and additional printed permits. The ~~environmental health department~~ Department of Building and Community Services will not issue a permit until all fees have been paid.
- (b) The following fee schedule applies to all permits issued under this chapter:
 - (1) *Permanent food establishment permits (annual fees):*

(14)

One hundred twenty-five dollars (\$125.00) facilities with one thousand (1,000) or less square feet.

One hundred seventy-five dollars (\$175.00) facilities with one thousand one (1,001) to five thousand (5,000) square feet.

Two hundred twenty-five dollars (\$225.00) facilities with five thousand one (5,001) to ten thousand (10,000) square feet.

Three hundred dollars (\$300.00) facilities with ten thousand one (10,001) or more square feet.

- (2) *Mobile food establishments.* Mobile food vendors that meet the specifications of a mobile food establishment will be charged a fee of one hundred fifty dollars (\$150.00) to operate from January 1 to December 31.
- (3) *Nonpermanent food establishments.* Caterers or vendors that operate from a state approved facility not within the city limits may operate throughout the year in conjunction with an event. The fee of one hundred twenty dollars (\$120.00) will apply to operate from January 1 to December 31.
- (4) *Temporary food establishments.* Food vendors who participate in temporary events within the city limits will be charged a fee for a temporary food establishment permit per each event. The fees for the permit will be as follows:
 - a. Vendors selling and preparing foods that require temperature control and extensive food preparation will be charged sixty dollars (\$60.00) per each event.
 - b. Vendors selling and preparing foods that do not require temperature control such as snow cone stands, prepackaged foods, and juices/beverages only will be charged twenty-five dollars (\$25.00) per each event.
- (5) *Seasonal food establishments.* Food vendors who operate as a seasonal food establishment will be charged a fee of sixty dollars (\$60.00) to operate their establishment more than fourteen (14) days but less than one hundred eighty (180) days.
- (6) *Farmers market permits.* Persons who participate in the Waxahachie Farmers Market will be charged a fee of thirty dollars (\$30.00) to operate only at the location of the market during the set days of the market. This fee will be charged in addition to the fees for space rental and space reservation.
- (7) *Change of ownership.* A fee of twenty-five dollars (\$25.00) will be applied to all food establishments that have a change of ownership in addition to the fee for renewal of permit. A new application will need to be completed. The fees are due upon submittal of the change of information.
- (8) *Reissuance of permit after expiration.* If a permitted food establishment allows their permit to expire past January 1 of the following year a fee of twenty-five dollars (\$25.00) per each thirty-day period will be assessed to reissue the permit in addition to the fee for renewal of permit.
- (9) *Additional printed permits.* Additional copies of a food establishment permit will cost five dollars (\$5.00) per copy. The initial permit will be sent to the permitted food establishment free of charge.
- (10) *Nonprofit organizations.* Nonprofit organizations, as designated by the Internal Revenue Service as a 501(c) organization or by approval of the city manager, may operate throughout the year in conjunction with an event. The fee of sixty dollars (\$60.00) will apply to operate from January 1 to December 31.

~~Sec. 13-16. Food protection requirements.~~

(14)

- ~~(a) No person shall sell or offer for sale any food item that has exceeded its expiration date, unless the food has been separated from other in-date food and marked as expired.~~
- ~~(b) No person shall process wild game in a food operations area where meat, fish or poultry is processed, unless approved by the Texas Department of State Health Services.~~
- ~~(c) The director of environmental health is authorized to detain suspected contaminated, adulterated, or otherwise unwholesome food.~~
- ~~(d) No person shall offer for sale, or give away or dispose of any food for human consumption pronounced by the director to be unfit for human consumption.~~
- ~~(e) Accumulation of garbage or other wastes within, under, or around any building or room used as a food establishment shall be prohibited. All garbage shall be removed from the premises as often as necessary to prevent overflow or odor. All food establishments shall have a minimum of three (3) times per week garbage collection through the city's authorized collection company. It will be the discretion of the director of environmental health to require additional garbage collection for any food establishment.~~
- ~~(f) A person commits an offense if the person owns or operated a food establishment that is in violation of any provision of this section.~~

(Ord. No. 2520, 5-4-09)

~~Sec. 13-17.~~ Sec. 5 - Food manager certification and food handler safety certification.

- ~~(a) The owner or operator of an establishment which handles open food and has food handlers on duty at any time shall make certain that at least one (1) certified food manager is on duty during all hours of operation.~~
- ~~(b) The owner or operator of a new food establishment shall provide proof to the environmental health department, prior to opening the establishment, that the establishment meets the certified food manager requirements of this article.~~
- ~~(c) When an existing food establishment has a change of ownership, the new owner or operator of the establishment must show the environmental health department that it is in compliance with the certified food manager requirements of this article by providing proof of completion of the certified food manager course prior to the effective date of ownership.~~
- ~~(d) The following establishments are exempt from the requirements of this section:~~
 - ~~(1) Temporary food establishments serving items that are prepackaged, precooked, and/or do not require temperature control;~~
 - ~~(2) Establishments selling only uncut produce (farmer's markets and produce stands);~~
 - ~~(3) Food warehouses/wholesalers; and~~
 - ~~(4) Bed and breakfast homes.~~
- ~~(e) All person(s) operating a food establishment of any type or working in a facility preparing or handling food items for consumption and handling clean utensils, pots, or service items are required to obtain a food handler safety certification. These requirements extend to busboys, hosts and hostesses, cleaning personnel, or any other person employed by the establishment or facility. All certificates must be available on site for authorized agent's review during inspections. Persons possessing a food manager certification are exempt from this requirement.~~
- ~~(f) The owner or operator of a food establishment shall ensure that all the food handlers obtain a food handler safety certification before starting to work at the food establishment. Proof of completion must be presented to the field inspector at the time of inspection.~~
- ~~(g) Criminal offenses.~~

(14)

- ~~(1) A person commits an offense if the person is the owner or operator of a food establishment and violates a provision of this section.~~
- ~~(2) A person commits an offense if the person is the food manager of a food establishment and fails to obtain a food manager certificate from the Texas Department of State Health Services.~~
- ~~(3) A person commits an offense if the person operating or working in a food establishment does not obtain a food handlers safety certification.~~

~~Sec. 13-18.~~ Sec. 11 - Emergency closure of a food establishment.

When an authorized agent the director finds any food establishment in a condition which poses an imminent risk to the health or safety of the public or the employees of the establishment, the director shall be authorized to close such food establishment and prevent its use as a food establishment until such unsanitary conditions have been removed or abated, and until it no longer endangers public health, and suspend summarily its food establishment permit.

~~Sec. 13-19.~~ Sec. 7 - Waxahachie Farmer's Market.

- (a) No person shall vend fresh fruits, vegetables, or other produce or operate a ~~farmer's~~ farmer's market without a valid food establishment permit issued by the Department of Building and Community Services ~~environmental health department~~.
- (b) Fresh fruits, vegetables, or other produce displays shall be confined to the area assigned by the director of the farmers market and be elevated at least twelve (12) inches above the ground.
- (c) Fresh produce shall not be cut or sliced.
- (d) Individual vendors selling produce at the farmer's market must obtain a food establishment permit from the ~~environmental health department~~ Department of Building and Community Services. The permit will be valid for the farmer's market only, and cannot be used in conjunction with any other event.
- ~~(e) An individual vendor commits an offense if the vendor violates any provision of this section.~~

~~(Ord. No. 2520, 5-4-09)~~

~~Sec. 13-20. Bed and breakfast inn or facility.~~

~~Establishments identified as a bed and breakfast inn or facility as defined in section 13-2, shall meet the following requirements in order to operate their establishment:~~

- ~~(a) Obtain a permit from the City of Waxahachie Environmental Health Department to operate a bed and breakfast (approval of the specific use permit is required for application of permit);~~
- ~~(b) Establishment must be in compliance with the minimum requirements for a bed and breakfast establishment set forth by state rule located in 26TAC 220.174;~~
- ~~(c) Pass each semi-annual routine health inspections; and~~
- ~~(d) The establishment shall not sell or prepare food for the purpose of resale. The preparation of food will be limited to breakfast only and intended solely for the transient guest(s) staying in the house.~~

~~(Ord. No. 2520, 5-4-09)~~

~~Secs. 13-21 - 13-25. Reserved.~~

ARTICLE III. ~~MOBILE AND TEMPORARY FOOD PERMITS~~¹⁴¹

~~Sec. 13-26. Roadside vending.~~

~~Roadside vending of unprocessed potentially hazardous food is prohibited. Roadside vending of any food item must be approved by the director of environmental health and permitted through the environmental health department before sale can occur.~~

~~Sec. 13-27. Mobile food units.~~~~(a) A mobile food unit includes:~~

- ~~(1) Vehicles manufactured for commissary use;~~
- ~~(2) Vehicles that sell pre-packaged food and drink items; and~~
- ~~(3) Pushcarts.~~

~~(b) All mobile food units handling open potentially hazardous foods shall operate from a commissary or other fixed food service establishment that is regularly inspected by the local or state health department. All mobile food units handling potentially hazardous foods shall report at least once a day to their commissary to clean and service the mobile unit. The following are exempt from these requirements: catering operations with their own commissary, snow cone trailers, corn roasters, and pre-packaged ice cream units.~~~~(c) All mobile food units are required to meet the following conditions unless the director approves otherwise:~~

- ~~(1) Mobile food units must provide valid proof of completion of food handler safety course for all food handlers;~~
- ~~(2) Valid state driver's license;~~
- ~~(3) Proof of liability insurance on mobile food unit vehicle;~~
- ~~(4) Proof of business liability insurance that encompasses the whole scope of the mobile food unit.~~

~~(d) Mobile food units shall provide only single service articles for use by the consumer.~~~~(e) The mobile food unit permit sticker for a mobile food unit shall be displayed in a conspicuous location.~~~~(f) Mobile food units are required to be continuously moving. A mobile food unit shall not sit for longer than one (1) hour at one location.~~~~Sec. 13-28. Temporary food permits.~~~~(a) A temporary food establishment can operate at a designated fixed location for a temporary period of time not to exceed fourteen (14) days, and only in conjunction with a special event recognized by the city.~~~~(b) Home preparation or storage of food that will be distributed to the public is not allowed.~~~~(c) All temporary food establishments that handle or prepare unpackaged foods are required to meet the following conditions, unless the director approves otherwise:~~

- ~~(1) Hand washing facilities;~~
- ~~(2) Multi-compartment sink;~~
- ~~(3) Hot and cold water from an approved source shall be made available;~~
- ~~(4) Available sanitary sewerage facilities or a system that complies with liquid waste disposal code requirements;~~
- ~~(5) Suitable flooring (i.e. asphalt, concrete, removable platforms, duckboards, or other suitable materials approved by the director that effectively control dust and mud);~~

(14)

- ~~(6) An overhead covering and a minimum of three (3) side walls;~~
- ~~(7) Hot and cold holding equipment with thermometers readily available. All meat, dairy, and perishable food products must be stored at 40° Fahrenheit or colder or at 135° Fahrenheit or hotter.~~
- ~~(d) Temporary food vendors cannot prepare potentially dangerous food items (potentially dangerous food items are food that requires temperature control; this includes food of animal origin that is raw) unless the following provisions are met:~~
 - ~~(1) Must have a person on site at all times during operation of the establishment that possesses a certified food manager license.~~
 - ~~(2) Facilities used for operation of the temporary establishment must meet the provisions listed under subsection (c) in addition to the following:~~
 - ~~a. Cooking, refrigeration, and all other required equipment must be located inside a concession trailer unit designed specifically for food preparation;~~
 - ~~b. Refrigeration equipment must be manufactured for its specific use (coolers with ice or containers using dry ice are not acceptable);~~
 - ~~c. Food preparation must take place inside the concession trailer unit.~~
 - ~~(3) Temporary food vendors serving pre-cooked, pre-packaged, and/or items that do not require temperature control are exempt from this requirement.~~
- ~~(e) A temporary food establishment that does not have conveniently available hot and cold running water and a sanitary sewerage facility must furnish the following, when all food items are not prepackaged:~~
 - ~~(1) At least five (5) gallons of portable water in a sturdy plastic dispensing container to be used for hand washing, utensil cleaning, and sanitizing; if portable water replenishment is not readily available, additional containers of portable water may be required.~~
 - ~~(2) One (1) sturdy pail or tub with soap, water, and a small amount of chlorine liquid bleach (approximately fourteen ounce) for hand washing.~~
 - ~~(3) Disposable paper towels, hand cleaning soap, or detergent.~~
 - ~~(4) Two (2) sturdy plastic pails or tubs of at least two (2) gallons capacity; one for washing and one with chlorine liquid bleach/water solution of fifty (50) parts per million.~~
 - ~~(5) An adequate size container of household liquid chlorine bleach and chlorine test strips for verifying a chlorine concentration of at least fifty (50) parts per million.~~
 - ~~(6) A sturdy five (5) gallon plastic container with a small opening and a funnel to receive and store liquid wastes until proper disposal can be made to a sanitary sewer system.~~
 - ~~(7) Convenient solid waste containers, with plastic liners.~~
- ~~(f) Ice used for human consumption must be stored separately from ice used to refrigerate drink bottles, cans, or cartons.~~
- ~~(g) All condiments, including onions, relish, sauces, peppers, catsup, mustard, etc., available for customer self service must be available in single self service packets or be dispensed from a sanitary dispenser.~~
- ~~(h) Preparing or displaying food in an unprotected area is not allowed. This includes preparing foods in/on open pit barbecues, charcoal grills, butane or propane cookers, or similar methods.~~
- ~~(i) A temporary food establishment shall provide only single service articles for use by the consumer.~~
- ~~(j) All foods, food containers, utensils, napkins, straws, and single service materials must be stored well above the floor and adequately protected from contamination.~~

~~(k) Animals and tobacco in all forms are prohibited in food preparation and service areas.~~

~~(l) A person commits an offense if the person violates any provision of this section.~~

~~Secs. 13-29—13-34. Reserved.~~

~~ARTICLE IV. MILK AND DAIRY PRODUCTS^(B)~~

~~Sec. 13-35. Adoption of regulations.~~

~~All milk and dairy products processed or sold within the city shall be regulated in accordance with the rules for "Dairy Products," Texas Health and Safety Code, Chapter 435, copies of which are on file in the office of the city secretary.~~

~~The city health officer shall inspect the equipment and sanitation of the dairies and milk plants and grade the milk according to the provisions of Subchapter A of the Texas Health and Safety Code, Chapter 435, and all amendments thereto, in accordance with the rules and regulations promulgated by the state health officer pursuant thereto. The grading and labeling of milk and dairy products sold and offered for sale within the city according to the definitions set forth by the board and represented in said code for grades "A," "B," "C" and "D" raw milk and milk products, and for grades "A," "B" and "C" pasteurized milk and milk products, is hereby made mandatory. These specifications are on file with the city secretary for public examination.~~

~~(Ord. No. 2520, 5-4-09)~~

~~Sec. 13-36. Delivery containers.~~

~~All pasteurized milk and milk products shall be placed in their final delivery containers in the plant in which they are pasteurized and all raw milk and milk products sold for consumption in the raw state shall be placed in their final delivery container at the farm at which they are produced.~~

~~Sec. 13-37. Adulterated, misbranded or ungraded milk or milk products.~~

~~No person shall, within the city, or its police jurisdiction, produce, sell, offer or expose for sale, or have in possession with intent to sell, any milk or milk product which is adulterated, misbranded, or ungraded within the meaning of and under the penalty of said code. Violations of this section shall be sufficient cause for the revocation of permits for the sale of milk or milk products.~~

~~Sec. 13-38. Future dairies and milk plants.~~

~~All future dairies and milk plants from which milk or milk products are supplied to the city, which are constructed, reconstructed, or extensively altered shall conform in their construction to the grade-A requirements of said code and the rules and regulations promulgated pursuant thereto.~~

~~Sec. 13-39. Enforcement of article provisions.~~

~~This article shall be enforced by the city health officer in accordance with the interpretations thereof contained in Subchapter A of the Texas Health and Safety Code, Chapter 435.~~

~~(Ord. No. 2520, 5-4-09)~~

~~Secs. 13-40—13-45. Reserved.~~

~~ARTICLE V. MEAT, POULTRY, AND FISH^(B)~~

(14)

~~Sec. 13-46. Adoption of regulations.~~

~~All meat and poultry products processed or sold within the city shall be regulated in accordance with the terms of the rules for "Meat and Poultry Inspection", 25 Texas Administrative Code, § 221.1 et. seq. and the Texas Health and Safety Code, Title 6, Chapter 443 Meat and Poultry Inspection Act. All fish and aquatic products processed or sold within the city shall be regulated in accordance with the terms of the Texas Health and Safety code, Title 6, Chapter 436 Texas Aquatic Life Act. Copies of all regulations are on file in the office of the city secretary.~~

~~Sec. 13-47. Slaughtering of animals, livestock, and fowl.~~

~~(a) No person shall slaughter or cause to be slaughtered any animal intended for consumption by the person or person's household, nonpaying guests, or employees,~~

~~(b) A person commits an offense if the person erects, maintains, or uses any structure, enclosure, or other place as a slaughter house for the purpose of slaughtering animals intended for human consumption.~~

~~(c) An exception to subsection (a) or (b) will be present if the slaughter was performed on nonresidential premises which had at the time of the slaughter a current, valid permit issued by the United States Department of Agriculture or the Texas Department of State Health Services to slaughter animals for human consumption.~~

~~Sec. 13-48. Sale of uninspected products prohibited.~~

~~It shall be unlawful for any person to sell for human consumption any meat, poultry, or fish products which have not been inspected and passed under the supervision of the Bureau of Animal Industry of the United States Department of Agriculture, the Texas Department of State Health Services, or the city, and so properly labeled as provided for by the provisions of this article.~~

~~Sec. 13-49.~~ Sec. 13 - Seizure, destruction of uninspected products.

If any meat, poultry, or fish products are found within the city which have not been properly labeled and inspected as provided by this article, they shall be seized and destroyed or excluded from the city by the director authorized agent.

~~Sec. 13-50.~~ Sec. 14 - Appeal from condemnation.

When the action of the director authorized agent in condemning any meat or poultry or product is questioned, appeal shall be made to the city manager whose decision shall be final.

~~Sec. 13-51. Permitting required.~~

~~It shall be unlawful for any person to slaughter, manufacture, or process any meat, poultry, or fish and seafood product within the city until such person has applied for and been granted a meat inspection permit by the director of environmental health.~~

~~Sec. 13-52. Fee.~~

~~Before any permit shall be issued to an applicant therefore under the provisions of this article, the applicant shall pay a fee of one hundred dollars (\$100.00) to the city. Such fee shall not be prorated.~~

~~Sec. 13-53. Connection to city sewers.~~

~~Any person operating a slaughterhouse or a meat or poultry processing and manufacturing business who desires to connect to the city sanitary sewer shall provide preliminary sewage treatment of all sewage except domestic sewage, before a permit shall be issued to connect to the city sanitary sewer, the nature and scope of such preliminary treatment to be approved by the director of environmental health before the permit is to be granted.~~

~~Sec. 13-54. Duration.~~

~~Every permit issued under the provisions of this article shall be valid for the calendar year.~~

~~Sec. 13-55. Revocation.~~

~~Any permit issued under the provisions of this article may be revoked by the director for the violation by the permittee of any applicable provision of this Code, state law or city ordinance, rule or regulation.~~

~~{Ord. No. 2520, 5-4-09}~~

~~Sec. 13-56. Minimum handling requirements.~~

~~The following minimum handling requirements must be met for any establishment wishing to operate as a meat, poultry, fish, and/or seafood handler, wholesaler, manufacturer, or any other type of associated operation.~~

- ~~(a) From the time it is shipped until the time it is sold, meat, poultry, fish, and seafood intended for human consumption shall be refrigerated to a temperature of 34° Fahrenheit or less.~~
- ~~(b) The processing and packaging of meat, poultry, fish and/or seafood shall be conducted in a refrigerated room:

 - ~~(1) Where the temperature is kept at 50° Fahrenheit or less; and~~
 - ~~(2) Undergoes a mid-shift cleanup after four (4) hours of operation, including all processing equipment.~~~~
- ~~(c) Meat, poultry, fish, and seafood shall not be refrigerated on undrained ice.~~

~~Secs. 13-57 - 13-65. Reserved.~~

ARTICLE ~~III~~VI. PENALTIES FOR VIOLATIONS⁽⁷⁾

~~Sec. 13-66.~~Sec. 15 - Penalties for violation.

Any person who shall violate any provision of this ordinance and code adopted by the provisions of these articles shall be deemed guilty of a misdemeanor punishable as provided in section 1-12 of this code, and shall may also be reprimanded as follows:

- (a) Verbal warning of violations;

- (b) Written notice to appear in court for each violation of Improvement plan;
- (c) Closure of establishment;
- (d) Revocation of permit; and/or
- (e) Civil penalties filed through city ~~attorneys~~ attorney's office.

Each day such violation(s) continues, shall be deemed a separate offense and will be reprimanded as a separate offense.

~~Sec. 13-67-13-70. Reserved.~~

~~ARTICLE VII. VENDING MACHINES~~

~~Sec. 13-71. Adoption of standards for food, beverage vending machines.~~

~~The definitions; the requiring of permits for the installation and operation of vending machines; the prohibiting of the sale of adulterated or misbranded food or drink; the enforcement of this article; and the fixing of penalties shall be regulated in accordance with the terms of the unabridged form of the Vending of Food and Beverages, A Sanitation Ordinance and Code, 1965 Recommendations of the Public Health Service, a certified copy of which shall be on file in the office of the city secretary.~~

~~Sec. 13-72. Conflicts.~~

~~In the event of any conflict between the provisions of the code adopted by this article and the provisions of this Code of Ordinances, state law or city ordinances, rules or regulations, the provisions of this Code of Ordinances, state law or city ordinances, rules or regulations shall prevail and be controlling.~~

~~Sec. 13-73. Definitions.~~

~~Whenever the word "municipality" or the word "city" is used in the code adopted by this article, it shall be construed to mean the City of Waxahachie, Texas.~~

~~Whenever the words "corporate counsel" or "city attorney" are used in the code adopted by this article, it shall be construed to mean the city attorney of this city.~~

~~Sec. 13-74. Penalty for violation.~~

~~Any person who shall violate any provision of the ordinance and code adopted by the provisions of this article shall be deemed guilty of a misdemeanor, and shall be punished as provided in section 1-12 of this Code. Each day such violation continues shall be deemed a separate offense.~~

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FOOD AND FOOD HANDLERS PROVISIONS, BY REPEALING AND REPLACING ORDINANCE NO. 2520 OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE

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

THAT ORDINANCE 2520 OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, IS HEREBY REPEALED AND REPLACED TO READ AS FOLLOWS:

ARTICLE I - IN GENERAL**Sec. 1 - Adoption of regulations.**

- (a) The following statutes, in their current form and as they may hereafter be amended, are adopted and incorporated into this article as if they were set forth at length herein:
 - (1) The "Texas Food, Drug and Cosmetic Act," Texas Health and Safety Code, Chapter 431.
 - (2) The "Minimum Standards of Sanitation and Health Protection Measures," Texas Health and Safety Code, Chapter 341.
- (b) The following regulations adopted by the Texas Board of Health, in their current form and as they may hereafter be amended, are adopted and incorporated into this article as if they were set forth at length herein. If there is a conflict between a rule and any section of this article, the more restrictive provision shall apply.
 - (1) The "Sanitary Rules for Food and Drug Establishments," 25 Texas Administrative Code, §229, et seq.
 - (2) The rules for "Texas Food Establishments Rules," 25 Texas Administrative Code, §228, et seq.
- (c) A food establishment's owner, manager, or operator commits an offense if an employee, owner, manager, or operator of the food establishment violates a rule adopted pursuant to subsection (b).

Sec. 2 - Definitions of terms.

The word "director" means the Director of Building and Community Services.

The words "authorized agent" means an employee of the Department of Building and Community Services.

Whenever the word "municipality" or the word "city" is used in the code adopted by this article, it shall be construed to mean the City of Waxahachie, Texas.

Whenever the words "corporate counsel" or "city attorney" is used in the code adopted by this article, it shall be construed to mean the city attorney of this city.

The words "food establishment" means a food service establishment, a retail food store, a temporary food establishment, a mobile food unit, and/or a roadside food vendor.

Time/Temperature Controlled for Safety (TCS) food (TCS)--(formerly Potentially Hazardous Food (PHF) A food that requires time/temperature controlled for safety to limit pathogenic microorganism growth or toxin formation. An animal food that is raw or heat-treated. A plant food that is heat-treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixture of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation, or garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation.

Sec. 3 - Conflicts.

In the event of any conflict between the provisions of the code adopted by this article, the provisions of this Code of Ordinances, state law or city ordinances, rules or regulations, the stricter provisions shall prevail and be controlling.

ARTICLE II - FOOD SERVICE ESTABLISHMENTS

Sec. 4 - Food establishment permits—General requirements.

- (a) No person shall operate a food establishment without a current, valid food establishment permit issued by the Department of Building and Community Services.
- (b) A separate permit shall be required for every food establishment with separate and distinct facilities and operations, whether situated in the same building or at separate locations.
- (c) Permits issued under the provisions of this article are not transferable. A permit shall be valid for the period of time shown on the face of the permit, unless earlier suspended or revoked by the director or his designees. All permits expire on December 31 of the permitting year and should be posted in the establishment conspicuously for customer view.
- (d) A letter of renewal will be sent to all current food establishments at the end of the calendar year to renew their permit. Any permit that lapses for nonpayment of the annual permit fee required in this section will be reinstated upon payment of an additional fee of twenty-five dollars (\$25.00) for each thirty-day period in which the permit has been allowed to lapse.
- (e) The application for a new permit shall be made on an application form prescribed by the director for each classification of permit.

Sec. 5 - Food manager certification and food handler safety certification.

- (a) The owner or operator of an establishment which handles open food and has food handlers on duty at any time shall make certain that at least one (1) certified food manager is on duty during all hours of operation.
- (e) All person(s) operating a food establishment of any type or working in a facility preparing or handling food items for consumption and handling clean utensils, pots, or service items are required to obtain a food handler safety certification. These requirements extend to busboys, hosts and hostesses, cleaning personnel, or any other person employed by the establishment or facility. All certificates must be available on site for authorized agent's review during inspections.

Sec. 6 - Classification of permits.

Food establishment permits shall be classified as one of the following:

(1) *Permanent food establishments.*

- a. Food service establishment: Restaurants, cafeterias, snack bars, bakeries, snow cone stands, caterer's commissaries, private school cafeterias, halfway house food services, hospital kitchens/cafeterias, institutional food services, etc., where food is prepared and served;
- b. Retail food stores handling prepackaged, potentially hazardous foods;
- c. Retail food stores handling, processing or selling open foods;
- d. Food warehouses/wholesalers;
- e. Bars/lounges; and
- f. Bed and breakfast establishments.

(2) *Mobile food establishments.*

- a. Retail food unit handling prepackaged food.
- b. Retail food unit (including trailers, mobile barbecues, snow cone units, etc.) handling, processing, or selling open food. A separate permit is required for each different type of mobile unit owned or operated by an individual or company.
- c. Mobile produce unit.
- d. All mobile food units handling open TCS foods shall operate from a central preparation facility or other fixed food service establishment that is regularly inspected by the local or state health department. All mobile food units handling TCS foods shall report at least once a day to their central preparation facility to clean and service the mobile unit. The following are exempt from these requirements: catering operations with their own central preparation facility, snow cone trailers, corn roasters, and prepackaged ice cream units.
- e. Mobile food units are required to be continuously moving. A mobile food unit shall not sit for longer than one (1) hour at one location.
- f. Mobile units delivering or selling meat, poultry, fish, seafood or shellfish (except retail grocery delivery trucks and units that are otherwise prohibited by this article). Except for wholesale fish truckers, any person who operates, sells, or engages in the distribution of any meat, poultry, fish, sea foods, or shellfish in the city shall operate from a fixed and permitted place of businesses. Roadside vending of meat, poultry, fish, seafood, or shellfish shall not be permitted in the city.
- g. Pushcarts; and
- h. Catering units.

(3) *Temporary food establishments* - Can operate at a designated fixed location for a temporary period of time not to exceed fourteen (14) days, and only in conjunction with a special event recognized by the city. Temporary food vendors who prepare TCS food items must have a certified food manager on-site at all times during operation.

- a. Concession trailers, tents, and booths set up in association with an event;
- b. Vendors set up in association with the Waxahachie Farmer's Market;

- c. Catering services contracted to provide food service in association with an event; and
- d. Food manufacturers serving samples of product in association with an event.

Sec. 7 – Waxahachie Farmer's Market.

- (a) No person shall vend fresh fruits, vegetables, or other produce or operate a farmer's market without a valid food establishment permit issued by the Building and Community Services Department.
- (b) Fresh fruits, vegetables, or other produce displays shall be confined to the area assigned by the director of the farmers market and be elevated at least twelve (12) inches above the ground.
- (c) Fresh produce shall not be cut or sliced.
- (d) Individual vendors selling produce at the farmer's market must obtain a food establishment permit from the Department of Building and Community Services. The permit will be valid for the farmer's market only, and cannot be used in conjunction with any other event.

Sec. 8 - Submission and review of plans.

- (a) When a food establishment is newly constructed or extensively remodeled, when a food establishment has a change of ownership, or when an existing structure is converted to use as a food establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the Department of Building and Community Services for review and approval before construction, remodeling or conversion is begun.
- (b) An authorized agent shall inspect the food establishment prior to the start of operations to determine compliance with the approved plans and specifications, the requirements of this article and the regulations of the Texas Department of State Health Services.

Sec. 9 - Fees.

The city council shall adopt a schedule of fees for:

- (a) All food establishment permits; change of ownership; re-issuance of a permit after expiration; and additional printed permits. The Department of Building and Community Services will not issue a permit until all fees have been paid.
- (b) The following fee schedule applies to all permits issued under this chapter:
 - (1) *Permanent food establishment permits (annual fees):*
 - One hundred twenty-five dollars (\$125.00) facilities with one thousand (1,000) or less square feet.
 - One hundred seventy-five dollars (\$175.00) facilities with one thousand one (1,001) to five thousand (5,000) square feet.
 - Two hundred twenty-five dollars (\$225.00) facilities with five thousand one (5,001) to ten thousand (10,000) square feet.

Three hundred dollars (\$300.00) facilities with ten thousand one (10,001) or more square feet.

- (2) *Mobile food establishments.* Mobile food vendors that meet the specifications of a mobile food establishment will be charged a fee of one hundred fifty dollars (\$150.00) to operate from January 1 to December 31.
- (3) *Nonpermanent food establishments.* Caterers or vendors that operate from a state approved facility not within the city limits may operate throughout the year in conjunction with an event. The fee of one hundred twenty dollars (\$120.00) will apply to operate from January 1 to December 31.
- (4) *Temporary food establishments.* Food vendors who participate in temporary events within the city limits will be charged a fee for a temporary food establishment permit per each event. The fees for the permit will be as follows:
 - a. Vendors selling and preparing foods that require temperature control and extensive food preparation will be charged sixty dollars (\$60.00) per each event.
 - b. Vendors selling and preparing foods that do not require temperature control such as snow cone stands, prepackaged foods, and juices/beverages only will be charged twenty-five dollars (\$25.00) per each event.
- (5) *Seasonal food establishments.* Food vendors who operate as a seasonal food establishment will be charged a fee of sixty dollars (\$60.00) to operate their establishment more than fourteen (14) days but less than one hundred eighty (180) days.
- (6) *Farmers market permits.* Persons who participate in the Waxahachie Farmers Market will be charged a fee of thirty dollars (\$30.00) to operate only at the location of the market during the set days of the market. This fee will be charged in addition to the fees for space rental and space reservation.
- (7) *Change of ownership.* A fee of twenty-five dollars (\$25.00) will be applied to all food establishments that have a change of ownership in addition to the fee for renewal of permit. A new application will need to be completed. The fees are due upon submittal of the change of information.
- (8) *Reissuance of permit after expiration.* If a permitted food establishment allows their permit to expire past January 1 of the following year a fee of twenty-five dollars (\$25.00) per each thirty-day period will be assessed to reissue the permit in addition to the fee for renewal of permit.
- (9) *Additional printed permits.* Additional copies of a food establishment permit will cost five dollars (\$5.00) per copy. The initial permit will be sent to the permitted food establishment free of charge.
- (10) *Nonprofit organizations.* Nonprofit organizations, as designated by the Internal Revenue Service as a 501(c) organization or by approval of the city manager, may operate throughout the year in conjunction with an event. The fee of sixty dollars (\$60.00) will apply to operate from January 1 to December 31.

Sec. 10 - Permit denial, suspension, and revocation.

- (a) The director may deny a permit, or after notice of violation, suspend or revoke a permit for failure to comply with the requirements of this article or any state law adopted by this article.
- (b) Notice of a permit denial shall be served upon the owner or operator of the food establishment either in person or by certified mail, return receipt requested, at the mailing address specified in the permit application.

Sec. 11 - Emergency closure of a food establishment.

When an authorized agent finds any food establishment in a condition which poses an imminent risk to the health or safety of the public or the employees of the establishment, the director shall be authorized to close such food establishment and prevent its use as a food establishment until such unsanitary conditions have been removed or abated, and until it no longer endangers public health, and suspend summarily its food establishment permit.

Sec. 12 - Disposal of contaminated foods.

At any time that the authorized agent shall find any food, food products, drinks or beverages which are contaminated, spoiled or unfit for human consumption, it shall be the duty of the agent to immediately condemn such food or beverage. The owner of such contaminated food shall be required to dispose of the same in a manner approved by the authorized agent at the owner's expense.

Sec. 13 - Seizure, destruction of uninspected products.

If any meat, poultry, or fish products are found within the city which have not been properly labeled and inspected as provided by this article, they shall be seized and destroyed or excluded from the city by the authorized agent.

Sec. 14 - Appeal from condemnation.

When the action of the authorized agent in condemning any meat or poultry or product is questioned, appeal shall be made to the city manager whose decision shall be final.

ARTICLE III - PENALTIES FOR VIOLATIONS

Sec. 15 - Penalties for violation.

Any person who shall violate any provision of this ordinance and the provisions of these articles shall be deemed guilty of a misdemeanor punishable as provided in section 1-12 of this code, and may also be reprimanded as follows:

- (a) Verbal warning of violations;
- (b) Written notice of Improvement plan;
- (c) Closure of establishment;
- (d) Revocation of permit; and/or

(14)

(e) Civil penalties filed through city attorney's office.

Each day such violation(s) continues, shall be deemed a separate offense and will be reprimanded as a separate offense.

PASS, APPROVED, AND ADOPTED ON THIS THE _____ day of _____, 2018.

MAYOR

ATTEST:

City Secretary

(15)



Memorandum

To: Honorable Mayor and City Council
From: Judy Demoney, Airport Manager
Thru: Michael Scott, City Manager
Date: March 12, 2018
Re: Mid-Way Airport Security Fencing

In November 2016, we submitted a letter of intent to TxDOT Aviation Division for a grant for security fencing as proposed in our 2012 Master Plan. This project has now been approved by TxDOT Aviation and is scheduled to be presented to the Texas Transportation Commission at their April meeting.

The estimated cost of the project is \$790,000 that will be funded through our Non-Primary Entitlement (NPE) annual \$150,000 funds and an additional amount from the FAA's Airport Improvement Plan. The estimated Sponsors' share is \$79,000. In order to maximize funds, the project will be spread over a four-year period:

- 2018 – Design and engineering - (\$8,000)
- 2019 – Installation of chain link fence and electric gates around the terminal/hangar grounds - (\$23,760)
- 2020 – No construction while we bank another year of NPE funds
- 2021 – Construction of wildlife game fencing and perimeter swing gates - (\$47,240)

We will soon be receiving a \$79,630 refund from the final audit of the hangar project that can be used for the unbudgeted 2018 share of \$8,000.

The Airport Board voted at their March meeting to approve the grant and is requesting Council's acceptance.

MID-WAY AIRPORT PROPOSED CIP PROGRAMMING - FEB 2018										
FISCAL YEAR	NPE AVAIL.**	NPE YEARS	ITEM	PROJECT DESCRIPTION	EST. TOTAL	NPE USED	STATE	LOCAL	AIP SUPLMNT	CIP STATUS
2018	\$ 235,200	'18, '17 (partial)	1	ENGINEERING PERIMETER FENCE	\$ 80,000	\$ -	\$ -	\$ -	\$ -	
	estimated	\$85,200 '17 remains			\$ -	\$ -	\$ -	\$ -	\$ -	
				'18 PROJECT ESTIMATE	\$ 80,000	\$ 72,000		\$ 8,000	\$ -	
2019	\$ 300,000	'19, '18	1	CONSTRUCT CHAINLINK FENCE ALONG ENTRANCE RD	\$ 155,000	\$ -	\$ -	\$ -	\$ -	
	estimated		2	INSTALL GATES (ELECTRIC AND PEDESTRIAN)	\$ 52,500	\$ -	\$ -	\$ -	\$ -	
			3	CONTINGENCY	\$ 30,100	\$ -	\$ -	\$ -	\$ -	
				'19 PROJECT ESTIMATE	\$ 237,600	\$ 213,840		\$ 23,760		
2020	\$ 236,200	'20, '19 (partial)	1	NO PROJECTS	\$ -	\$ -	\$ -	\$ -	\$ -	
	estimated	\$86,200 '19 remains								
2021	\$ 386,200	'21, '20, '19 (partial)	1	CONSTRUCT WILDLIFE GAME FENCE	\$ 400,000	\$ -	\$ -	\$ -	\$ -	
	estimated	\$86,200 '19 remains	2	INSTALL BARBWIRE FENCE	\$ 5,000	\$ -	\$ -	\$ -	\$ -	
			3	INSTALL GATES (PERIMETER SWING)	\$ 7,500	\$ -	\$ -	\$ -	\$ -	
			4	CONTINGENCY	\$ 59,900	\$ -	\$ -	\$ -	\$ -	
				'21 PROJECT ESTIMATE	\$ 472,400	\$ 386,200		\$ 47,240	\$ 38,960	
				4-year program estimate	\$ 790,000	\$ 672,040	\$ -	\$ 79,000	\$ 38,960	

(15)

