

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, November 4, 2019 at 7:00 p.m.**

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

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

5. **Consent Agenda**

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

- a. Minutes of the City Council meeting of October 7, 2019
 - b. Minutes of the City Council briefing of October 7, 2019
 - c. Minutes of the City Council meeting of October 21, 2019
 - d. Minutes of the City Council briefing of October 21, 2019
 - e. Award bid for Wrecker Services
 - f. Event application for SAGU 5k Turkey Trot to be held November 21, 2019
6. **Introduce** Honorary Councilmember
 7. **Present** Proclamation proclaiming November 4-8, 2019 as “Municipal Court Week”
 8. **Present** Proclamation proclaiming November 13, 2019 as “GIS Day”
 9. **Continue Public Hearing** on a request by Alan Lauhoff, P.E., Atlas Associates Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single-Family Residential-3, with Concept Plan, located South of Blue Bonnet Trails Phases 1 and 2 (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-19-0106)
 10. **Consider** proposed Ordinance approving PD-19-0106

11. ***Continue Public Hearing*** on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Single-Family Residential-3 and Planned Development-Two Family Residential, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (PD-19-0124)
12. ***Consider*** proposed Ordinance approving PD-19-0124
13. ***Consider*** proposed Ordinance approving disannexation of land by Todd Little at the approximate address of 831 Interstate 35 Red Oak, Texas 75154
14. Comments by Mayor, City Council, City Attorney and City Manager
15. Adjourn

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

This meeting location is wheelchair-accessible. Parking for mobility impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4005 or (TDD) 1-800-RELAY TX

City Council
October 7, 2019

(5A)

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, October 7, 2019 at 7:00 p.m.

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

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

1. Call to Order

Mayor David Hill called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

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

4. Public Comments

Mr. Alan Fox, 327 University, Waxahachie, expressed his support for the City to dedicate land for Hope Clinic stating they have helped and served many people in Waxahachie. He stated they are one of the beautiful things living here. Mr. Fox spoke regarding the incentives for Showbiz Cinemas noting he loves new businesses but his concern is for how long will the tax incentive be and if they are not paying full property taxes, then the people will have to pick up the slack.

5. Consent Agenda

- a. Minutes of the City Council meeting of September 16, 2019
- b. Minutes of the City Council briefing of September 16, 2019
- c. Interlocal Agreement with Frisco for Purchasing Goods and Services
- d. Approve route for Waxahachie ISD Homecoming Parade to be held on October 18, 2019
- e. Approve Lease Agreement with Motorola
- f. Tinkergarten Fall Lantern Walk to be held November 3, 2019
- g. Fall Carnival at The Avenue to be held on October 26, 2019
- h. Lighted Night Parade and Community Tree Lighting to be held December 3, 2019

Action:

Councilmember Melissa Olson moved to approve items a. through h. on the Consent Agenda. Councilmember Chuck Beatty seconded, All Ayes.

(50)

6. Introduce Honorary Councilmember

Mayor Hill introduced Ms. Madison Shappard as the Honorary Councilmember for the month of October. Ms. Shappard is taking a dual credit chemistry class through UT Tyler. She enjoys nature walks and reading in a cozy spot. She plans on attending the University of North Texas to study in the science or engineering field. She is an ongoing Girl Scout for 11 years and during that time has learned how to money manage and run her own business. Ms. Shappard attends Global High where she is the Vice President of the Interact Club and President of the Pride Club.

7. Continue Public Hearing on a request by Dorothea M. Russell for a Replat of Lot B, Block 206, Town Addition, to create Lots 1-2, Block A, Russell Replat, 0.4523 acres (Property ID 171519) – Owner: DOROTHEA M RUSSELL AND DELBERT EARL RUSSELL (RP-19-0110)

Mayor Hill continued the Public Hearing.

Planning Director Shon Brooks presented case RP-19-0110 noting this is a replat on Marvin and Dunlap Street to divide 1 lot into 2. Mr. Brooks stated the replat meets all subdivision regulations and Staff recommends approval.

There being no others to speak for or against RP-19-0110, Mayor Hill closed the Public Hearing.

8. Consider approval of RP-19-0110

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve a request by Dorothea M. Russell for a Replat of Lot B, Block 206, Town Addition, to create Lots 1-2, Block A, Russell Replat, 0.4523 acres (Property ID 171519) – Owner: DOROTHEA M RUSSELL AND DELBERT EARL RUSSELL (RP-19-0110). Councilmember Melissa Olson seconded, All Ayes.

9. Consider City commitment to dedicate land for Hope Clinic

Mr. Scott stated the request is a consideration of the City committing to a future donation of land that is approximately 5 acres and accommodate a 25,000 square feet building for Hope Clinic's growing needs. The land being proposed is located on Coleman Street, across from the new police station. Mr. Scott noted the formal documents for the donation will be drafted by legal and brought back to Council for adoption in the coming months once the survey is completed.

Action:

Mayor Pro Tem Mary Lou Shipley moved to make commitment to dedicate land to Hope Clinic and directing Staff to move forward with detailed documents. Councilmember Melissa Olson seconded. The vote was as follows: Ayes: David Hill, Mary Lou Shipley, and Melissa Olson. Noes: Chuck Beatty and Kevin Strength. The motion carried.

(50)

10. Consider Economic Development Commission recommendation of incentives for Showbiz Cinemas to construct an entertainment center

Economic Development Director Doug Barnes introduced Mr. Chris Cline, Vice President of Development at Showbiz Cinemas. Mr. Cline presented a slideshow and renderings of future improvements of Showbiz Cinemas noting their existing movie theater will include luxury electric recliner retrofits and technology upgrades in all auditoriums, an expanded lobby with a full bar and concessions, a 14-lane bowling expansion, and an arcade and redemption room. Mr. Cline asked if City Council had any questions.

Councilmember Melissa Olson expressed her concerns with a full alcohol bar and taking money from similar local businesses.

Mayor Hill asked Mr. Barnes to discuss the fiscal impact and Mr. Barnes reviewed the following:

- The Chapter 380 Agreement was developed based on an estimate of additional annual taxable sales of \$4,188,887. The City's 15% share of additional sales tax is estimated to be \$94,250 during the 10-year agreement.
- The Waxahachie Community Development Corporation (4B) will receive 100% of their half-cent portion of sales tax; which is an estimated \$209,444 during the 10-year agreement.
- Additionally, City's 15% share of new Ad Valorem revenues on the improvements are estimated to be \$82,487 during the 10-year agreement.
- Independent impact analysis anticipates 8.8 years payback at 11.3% return on investment.

RESOLUTION NO. 1276

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF WAXAHACHIE, CREPE MYRTLE ENTERPRISES, LLC, AND SHOWBIZ CINEMAS, LLC.

Action:

Councilmember Kevin Strength moved to approve Resolution No. 1276 as presented. Mayor Pro Tem Mary Lou Shipley seconded. The vote was as follows: Ayes: David Hill, Mary Lou Shipley, Chuck Beatty, and Kevin Strength. Noes: Melissa Olson. The motion carried.

11. Consider proposed Ordinance repealing and replacing Chapter 6 (Animal and Fowl) of the Code of Ordinances

Mayor Hill announced the item will be pulled from the agenda and brought back for discussion at the next City Council meeting.

Action:

Councilmember Chuck Beatty moved to table the proposed Ordinance repealing and replacing Chapter 6 (Animal and Fowl) of the Code of Ordinances to the City Council meeting of October 21, 2019. Councilmember Kevin Strength seconded, All Ayes.

(50)

12. Consider award of bid for Grove Creek Force Main and Gravity Outfall Sewer Line Project

Mr. David Bailey, Utilities Director, reported that this bid recommendation is a companion project to the Grove Creek Lift Station Expansion project noting the lowest bidder was Circle H Contractors, LP in the amount of \$1,259,128.75. He explained this project will install approximately 2,800 linear feet of new 18" diameter re-directed force main and approximately 4,500 linear feet of 24 inch diameter gravity sewer line.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve the bid for the Grove Creek Force Main and Gravity Outfall Sewer Line Project to Circle H Contractors in the amount of \$1,259,128.75. Councilmember Chuck Beatty seconded, All Ayes.

13. Consider Resolution approving application for 2019 Assistance to Firefighters Grant

Fire Chief Ricky Boyd explained this is a request for approval to apply for the 2019 AFG Operations and Safety Grant noting they have several old SCBA air-paks that have had quite a few repairs. He stated 32 are eligible for preplacement under this grant. Chief Boyd stated the grant is expected to open in December.

RESOLUTION NO. 1277

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING SUBMISSION OF GRANT APPLICATION TITLED "OPERATIONS AND SAFETY" TO THE ASSISTANCE TO FIREFIGHTERS (AFG) GRANT PROGRAM

Action:

Councilmember Kevin Strength moved to approve Resolution No. 1277. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

14. Convene into Executive Session for deliberation regarding Economic Development Negotiations as permitted by the Texas Government Code, Section 551.087 and to review Performance Evaluation for City Manager as permitted by the Texas Government Code, Section 551.074

Mayor Hill announced at 7:36 p.m. the City Council would convene into Executive Session for deliberation regarding Economic Development Negotiations as permitted by the Texas Government Code, Section 551.087 and to review Performance Evaluation for City Manager as permitted by the Texas Government Code, Section 551.074.

15. Reconvene and take any necessary action

The meeting reconvened at 9:11 p.m.

(5a)

Mayor Hill stated there will be no action taken on the Economic Development negotiations. Mayor Pro Tem Mary Lou Shipley noted City Council had a favorable performance evaluation for the city manager.

Action:

Mayor Pro Tem Mary Lou Shipley moved to continue the city manager contract, extending it for a 5 year period, and establishing an increased salary with all details to be set out in a formal contract to be signed by the parties. Councilmember Chuck Beatty seconded, All Ayes.

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

Councilmember Kevin Strength thanked City Manager Michael Scott for his work with staff.

Councilmember Chuck Beatty echoed Councilmember Kevin Strength's remarks about City Manager Michael Scott.

Mayor Pro Tem Mary Lou Shipley thanked City Manager Michael Scott for his efficiency and patience.

Councilmember Melissa Olson echoed Council's comments about City Manager Michael Scott and encouraged the public to visit the City of Waxahachie and Waxahachie Convention & Visitors Bureau's website for upcoming events.

City Attorney Robert Brown thanked City Manager Michael Scott for his work and management.

City Secretary Lori Cartwright thanked City Manager Michael Scott for his leadership.

Mayor David Hill thanked City Manager Michael Scott for his work and commented that he is proud of how Mr. Scott conducts himself and admires his faith noting City Council has confidence in him.

17. Adjourn

There being no further business, the meeting adjourned at 9:16 p.m.

Respectfully submitted,

Clarice Crocker
Acting Assistant City Secretary

City Council
October 7, 2019

(5b)

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, October 7, 2019 at 6:30 p.m.

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

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

1. Call to Order

Mayor David Hill called the meeting to order.

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

City Manager Michael Scott reviewed the following Consent Agenda items:

- Item 5a – Minutes of the City Council meeting of September 16, 2019 – He noted City Council meeting minutes of September 16, 2019 were revised.
- Item 5c – Interlocal Agreement with Frisco for Purchasing Goods and Services – He stated this agreement will allow the City to participate in any and all contracts for goods and services Frisco may have. Councilmember Melissa Olson asked about the price and Fire Chief Ricky Boyd confirmed that the Fire Department will still receive the 30% discount with this agreement; however, this agreement is to formalize the process.
- Item 5e – Approve Lease Agreement with Motorola – Mr. Scott informed City Council this item is approving a lease agreement with Motorola Solutions for the equipment and implementation of the new radio system.
- Item 5d, 5f, 5g, and 5h – Event Applications on the agenda for consideration of approval.

Mr. Scott reviewed Planning and Zoning case RP-19-0110 being a replat on East Marvin and Dunlap Street to create 2 lots out of 1 noting the Planning and Zoning Commission voted 7-0 to recommend approval.

He reviewed item 9 to consider City commitment to dedicate land for Hope Clinic noting that Hope Clinic is out of space on Jefferson Street and at a point where they would like to expand. He stated the land is located on Coleman Street, north of the Police Department. Mr. Scott informed City Council that Executive Director of Hope Clinic Barbara Clark will be attending the meeting to answer questions. City Attorney Robert Brown discussed the formal process needed for the donation.

(5b)

Mr. Doug Barnes, Economic Development Director, introduced Mr. Kevin Mitchell, CEO of Showbiz Cinemas. Mr. Mitchell provided a brief summary of the expansion and stated he was there for any questions City Council may have. Mr. Barnes stated there is a resolution and Chapter 380 Agreement on the agenda for consideration. He discussed the agreement term of 10 years, agreement cap of \$1 million, Showbiz Cinemas Obligations, City's Obligations, and the Fiscal Impact of incentives for Showbiz Cinemas to expand their existing movie theater.

Chief Wade Goolsby reviewed the proposed ordinance repealing and replacing Chapter 6 (Animal and Fowl) of the Code of Ordinances. He informed City Council of several significant changes in the proposed ordinance including changing the term animal control to animal services, changing the adoption process, and microchipping. After additional discussion, City Council requested additional time to review the proposed ordinance.

Utilities Director David Bailey reported a bid award associated with the construction of the Grove Creek Force Main and Gravity Outfall Sewer Line Project is on the agenda for consideration noting Circle H Contractors, LP was the lowest responsive bidder of seven proposers and requesting approval of bid.

Chief Ricky Boyd discussed the resolution to approve application for the 2019 Assistance to Firefighters Grant that is on the agenda for consideration. Chief Boyd noted this is only a request to submit an application for the grant which is expected to open in December.

3. Adjourn

There being no further business, the meeting adjourned at 6:58 p.m.

Respectfully submitted,

Clarice Crocker
Acting Assistant City Secretary

(60)

City Council
October 21, 2019

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, October 21, 2019 at 7:00 p.m.

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

Others Present: Michael Scott, City Manager
Tommy Ludwig, Assistant City Manager
Robert Brown, City Attorney
Amber Villarreal, Acting City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Mayor Hill gave the invocation. Girl Scout Troop led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Mr. Paul Christenson, 110 Williams Street, spoke in favor of 3-year rabies vaccinations and in opposition of required microchipping dogs. He also spoke in favor of allowing a skilled nursing facility at the proposed Senior Living Facility at the southwest corner of Garden Valley Parkway and Goodnight Lane.

Mr. Ira Tenpenny, 109 Rosa Street, spoke in support of microchipping dogs. He expressed concern with the lack of signage identifying "right turn only" near Marvin Elementary.

Mr. Tony Neves, 337 Howard Road, spoke in support of microchipping being an option for dog owners and not mandatory and he supported three-year rabies shots. He requested to replace the antiquated playground at the park near Lake Waxahachie. Mr. Neves also wanted confirmation that the Amphitheater is a permanent structure.

5. Consent Agenda

- a. Proposal from Austen Consultants, LLC to provide VOIP phone system and related services
- b. Budget Amendment request by Police Department to improve firing range

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve items a. and b. on the Consent Agenda. Councilmember Melissa Olson seconded, All Ayes.

(5C)

6. Recognize outgoing Board Members

Mayor Hill recognized the following outgoing board members and presented them with a plaque of appreciation for their service to Waxahachie:

Coy Sevier, served 13 years on Park Board

John Sanders, served 9 years on Waxahachie Community Development Corporation

Louis Brown, served 19 years on Heritage Preservation Commission

7. Introduce Honorary Councilmember

Mayor Hill introduced Ms. Madison Shappard as the Honorary Councilmember for the month of October and presented her with a certificate of appreciation. Ms. Shappard is taking a dual credit chemistry class through UT Tyler. She enjoys nature walks and reading in a cozy spot. She plans on attending the University of North Texas to study in the science or engineering field. She is an ongoing Girl Scout for 11 years and during that time has learned how to money manage and run her own business. Ms. Shappard attends Global High where she is the Vice President of the Interact Club and President of the Pride Club.

8. Public Hearing on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Single-Family Residential-3 and Planned Development-Two Family Residential, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (PD-19-0124)

Mayor Hill opened the Public Hearing and announced the applicant requested to continue the case to the November 4, 2019 City Council meeting.

9. Consider proposed Ordinance approving PD-19-0124

Action:

Mayor Pro Tem Mary Lou Shipley moved to continue the Public Hearing on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Single-Family Residential-3 and Planned Development-Two Family Residential, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (PD-19-0124) to the November 4, 2019 City Council meeting. Councilmember Melissa Olson seconded, All Ayes.

10. Public Hearing on a request by Brandon Brown, Circle L Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 212 Solon Road (Property ID 172942) – Owner: SEAN AUGER & LAUREN FRATINA (SU-19-0121)

Mayor Hill opened the Public Hearing.

(50)

Planning Director Shon Brooks reviewed SU-19-0121 noting staff recommended approval as presented.

There being no others to speak for or against SU-19-0121, Mayor Hill closed the Public Hearing.

11. Consider proposed Ordinance approving SU-19-0121

ORDINANCE NO. 3147

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 212 SOLON ROAD, BEING PROPERTY ID 172942, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, IN THE COLLEGE HILLS ABSTRACT, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3147. Councilmember Kevin Strength seconded, All Ayes.

12. Public Hearing on a request by Brandon Brown, Circle L Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 414 Sunset Court (Property ID 265783) – Owner: TODD A AND REBECCA K BUCK (SU-19-0122)

Mayor Hill opened the Public Hearing.

Mr. Brooks reviewed SU-19-0122 noting staff recommended approval as presented.

There being no others to speak for or against SU-19-0122, Mayor Hill closed the Public Hearing.

13. Consider proposed Ordinance approving SU-19-0122

ORDINANCE NO. 3148

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2) ZONING DISTRICT, LOCATED AT 414 SUNSET COURT, BEING PROPERTY ID 265783, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4 BLOCK 1 IN THE PARK PLACE PHASE 3 SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Kevin Strength moved to approve Ordinance No. 3148. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

(50)

14. **Public Hearing on a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-3 zoning district to Planned Development-Single-Family Residential-3, with Concept Plan, located at 1609 Cleaver Street (Property ID 182093) - Owner: AKAMAI DESIGNS INC (PD-19-0119)**

Mayor Hill opened the Public Hearing.

Mr. Brooks presented PD-19-0119 noting staff recommended approval per staff comments, including the Developer's Agreement and the cementitious fiberboard. He noted the applicant will move the buildings closer to the street by 10 feet. He reviewed the following staff comments:

1. Approval for the Planned Development is contingent upon a Developer's Agreement.
2. The development is allowed up to thirteen (13) townhomes for the site.
3. A sidewalk can be installed within the right-of-way (ROW).
4. If approved, any remaining Engineering comments shall be addressed on the Site Plan reviewed by staff.
5. The applicant will bring the building forward 10 ft. to allow for additional parking and landscaping in the rear of the property.

There being no others to speak for or against PD-19-0119, Mayor Hill closed the Public Hearing.

15. **Consider proposed Ordinance approving PD-19-0119**

ORDINANCE NO. 3149

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF3) TO PLANNED DEVELOPMENT- SINGLE FAMILY DISTRICT-3 (PD-SF3), WITH CONCEPT PLAN LOCATED AT 1609 CLEAVER STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 2.257 ACRES, KNOWN AS PROPERTY ID 182093 OF THE S M DURRETT ABSTRACT, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Kevin Strength moved to approve Ordinance No. 3149 subject to Staff Comments and Developer's Agreement, including cementitious fiberboard siding. Councilmember Chuck Beatty seconded, All Ayes.

16. **Public Hearing on a request by Maxwell Fisher, Masterplan, for a Zoning Change from a Multiple Family-2 zoning district to Planned Development-Multiple Family-2, with Concept Plan, located at the SW corner of Garden Valley Parkway at Goodnight Lane (Property ID 275562) - Owner: KALTERRA CAPITAL PARTNERS LLC (PD-19-0114)**

Mayor Hill opened the Public Hearing.

(50)

Mr. Brooks presented PD-19-0114 noting the current Zoning Ordinance does not have specific regulations for Multi-Family Senior Living and the applicant is requesting variances to some of the city's requirements. He reviewed the following Staff Comments:

1. Approval for the Planned Development is contingent upon a Developer's Agreement.
2. A 6 ft. wrought iron fence with masonry columns (positioned every 30 ft.) shall be provided facing the right-of-way. No masonry columns are required along the sides and rear of the property.
3. If approved, per this Planned Development, a Skilled Nursing Facility shall be defined as "Skilled nursing, physical therapy, and similar health care professionals are allowed as an accessory use not exceeding 5% of the total floor area. Treatments may take place within individual residences or designated facilities within the building. These services are limited to residents of the facility for the purpose of maintaining, restoring, and improvement movement, activity and body function, thereby providing well-being and an improved quality of life." The therapy and rehabilitation services can only be provided by a skilled or licensed nurse (or LVN), physical therapist, or trainer.

Mr. Dallas Cothrum, 900 Jackson Street, Dallas, explained the developer hosted three different community meetings with the surrounding property owners for feedback about the senior living facility. He noted the intention is not to operate a nursing home but wants to be able to offer physical therapy to the tenants if they request it.

There being no others to speak for or against PD-19-0114, Mayor Hill closed the Public Hearing.

17. Consider proposed Ordinance approving PD-19-0114

ORDINANCE NO. 3150

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM MULTI FAMILY-2 (MF2) TO PLANNED DEVELOPMENT-MULTI-FAMILY-2 (PD-MF2), WITH CONCEPT PLAN LOCATED AT THE SOUTHWEST CORNER OF GARDEN VALLEY AND GOODNIGHT LANE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 7.793 ACRES, KNOWN AS PROPERTY ID 275562, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3150 subject to Staff Comments and Developer's Agreement. Councilmember Melissa Olson seconded, All Ayes.

18. Public Hearing on a request by the City of Waxahachie to repeal the current Subdivision Ordinance, Ordinance No. 2084, as amended, and to replace it in its entirety with a new Subdivision Ordinance (TA-19-0118)

Mayor Hill opened the Public Hearing.

Mr. Brooks reviewed the following changes to the Subdivision Ordinance:

- Define the term "Filing Date"

(50)

- Reservation of Right to Limit Plat Application Times
- Changes to the Municipal Authority of Plat Approvals
- Elimination of Preliminary and Final Plat
- Allowing for broader use of early permit release
- Fire Flow Waiver
- Fee Waivers
- Elimination of Letter of Credit
- Better define sureties
- Lot to lot drainage
- Sidewalk maintenance and Right-of-Way maintenance

There being no others to speak for or against TA-19-0118, Mayor Hill closed the Public Hearing.

19. Consider proposed Ordinance approving TA-19-0118

ORDINANCE NO. 3151

AN ORDINANCE AUTHORIZING A TEXTUAL CHANGE TO THE CITY OF WAXAHACHIE SUBDIVISION ORDINANCE, LOCATED AT APPENDIX C OF THE WAXAHACHIE CITY CODE, REGARDING THE FILING OF PLATS AND SUBDIVISION OF LAND; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3151. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

20. Consider Professional Services Agreement and Budget Amendment for Architectural Services for City Hall Annex

City Manager Michael Scott presented the Professional Services Agreement and budget amendment for Architectural Services for City Hall Annex. He explained last year City Council authorized funds for phase 1 architectural and engineering services for the conversion of 408 S. Rogers into a City Hall Annex to house the Development Services departments. During the process, it was determined that this plan would not adequately serve the current and future needs for this facility and would not be a good use of city funds. After discussions with Architexas and the Heritage Preservation Commission, management proposes a new agreement with Architexas to consider a new approach that would include a larger, new construction building on the site to better serve the City's growth needs.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve a Professional Services Agreement and Budget Amendment for Architectural Services for City Hall Annex. Councilmember Kevin Strength seconded, All Ayes.

21. Consider proposed Ordinance repealing and replacing Chapter 6 (Animal and Fowl) of the Code of Ordinances

(5C)

Police Chief Wade Goolsby presented the proposed Animal and Fowl Ordinance repealing the current Chapter 6 of the City's Code of Ordinances. He reviewed the following significant changes:

- Changed the name from Animal Control to Animal Care Services.
- Adoption animals will be sterilized prior to adoption.
- Dogs will require microchipping in order to reunite them with their owners quicker and to hold owners responsible if there are any biting incidents.
- Staff is in agreement with State recommendation of annual rabies vaccination.

ORDINANCE NO. 3152

AN ORDINANCE REPEALING AND REPLACING CHAPTER 6 (ANIMAL AND FOWL) OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3152. Mary Lou Shipley seconded, the vote was as follows: Ayes: David Hill, Mary Lou Shipley, Chuck Beatty, and Kevin Strength. Noes: Melissa Olson. Abstain: None.

The motion carried.

Mr. Scott thanked Chief Goolsby and Terri Muniz, Animal Services Supervisor, for their work on updating the ordinance.

22. Consider the award of a bid to J & K Excavation LLC for the reconstruction of East Avenue C

James Gaertner, Director of Public Works & Engineering, requested approval to award the bid to J & K Excavation, LLC in the amount of \$135,060.30 for reconstruction of East Avenue C. The project will provide for a new concrete street pavement, curbs, sidewalk, water service line, and sewer service line on East Avenue C from Highway 77 to Ellis Street.

Action:

Councilmember Melissa Olson moved to award a bid to J & K Excavation LLC for the reconstruction of East Avenue C in the amount of \$135,060.30. Councilmember Kevin Strength seconded, All Ayes.

23. Consider the award of a bid to Bar Constructors, Inc. for the Phase I Rehabilitation of the Wastewater Treatment Plant

Assistant City Manager Tommy Ludwig requested approval to award the bid to Bar Constructors, Inc. in the amount of \$17,167,400 for the Phase I Rehabilitation of the Wastewater Treatment Plant. He explained the bid exceeded the budget based on the engineer's estimate of probable cost, therefore, City staff and the project engineer met with the low bidder to discuss a pursuing deductive change order that would bring the project cost within budget, while also preserving the overall integrity of the project. He noted the Change Order 1 will reduce the project by 25% and bring

(50)

the total contract amount to \$12,875,550. The deductive change order modified or eliminated the following components of the project:

- Canopy for Solids Handling Building (eliminated)
- Aesthetic and Architectural Components (modified)
- Wet Well Pump Conversions at Jefferson Street Lift Station (eliminated)
- Electrical Improvements to Jefferson Street Lift Station (modified)

Action:

Mayor Pro Tem Mary Lou Shipley moved to award a bid to Bar Constructors, Inc. for the Phase I Rehabilitation of the Wastewater Treatment Plant in the amount of \$17,167,400. Councilmember Melissa Olson seconded, All Ayes.

24. Consider a deductive change order for a scope reduction with Bar Constructors, Inc., for Phase I Rehabilitation of the Wastewater Treatment Plant

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve a deductive change order for a scope reduction with Bar Constructors, Inc., for Phase I Rehabilitation of the Wastewater Treatment Plant in the amount of \$4,291,850. Councilmember Chuck Beatty seconded, All Ayes.

25. Consider adopting the recommendation of Lee Engineering to increase the speed limit on North Grove Boulevard

Mr. Gaertner requested approval to increase the speed limit on North Grove Boulevard to 40 mph as recommended by Lee Engineering’s analysis of the street length, width, and traffic capacity.

Councilmember Olson asked if the Police Department was consulted due to safety and Mr. Gaertner noted the engineer considered design criteria and safety.

Action:

Councilmember Kevin Strength moved to adopt the recommendation of Lee Engineering to increase the speed limit on North Grove Boulevard to 40mph. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

26. Consider the award of a professional services contract to Birkhoff, Hendricks, and Carter, LLP for the Lofland Road Water Line project

Director of Utilities David Bailey requested approval of a professional services contract with Birkhoff, Hendricks & Carter, L.L.P. for the Lofland/Ovilla Road 24-Water Line, Phase 1 Project in the amount of \$370,110. He explained the contract will provide engineering design, bid specification preparation, construction support services and right-of-way acquisition services to construct a 24” water transmission line.

Action:

Councilmember Kevin Strength moved to award a professional services contract to Birkhoff, Hendricks, and Carter, LLP for the Lofland Road Water Line project in the amount of \$370,110. Councilmember Chuck Beatty seconded, All Ayes.

(5C)

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

Mr. Ludwig thanked Mr. Bailey and his team for their work on the Water Treatment Plant Project. He also thanked Mr. Brooks for his work on updating the Subdivision Ordinance.

Mr. Brooks thanked Mr. Ludwig, City Council, and the City Attorney for their work on updating the Subdivision Ordinance.

Councilmember Kevin Strength thanked John Sanders for his 9 years of service on the Waxahachie Community Development Corporation. He also requested prayers for City Secretary Lori Cartwright.

Councilmember Chuck Beatty echoed Councilmember Strength's sentiments on Ms. Cartwright. He announced early voting started today, October 21, 2019.

Mr. Scott announced the Texas Country Reporter Festival will be held on Saturday, October 26, 2019. He recognized Assistant City Secretary Amber Villarreal for filling in for City Secretary Lori Cartwright.

Mayor Pro Tem Mary Lou Shipley echoed the prayers for Ms. Cartwright and praised her for her good work and dedication as a public servant. She announced the Hawkins Street bridge is now open.

Councilmember Olson thanked Ms. Villarreal for her work and thanked the Honorary Councilmember Madison Shappard for her attendance.

City Attorney Robert Brown echoed the comments on the Subdivision Ordinance noting the ordinance was drafted to fit Waxahachie.

Mayor Hill thanked Ms. Shappard, her family, and her Girl Scout Troop for their attendance at the council meeting.

28. Adjourn

There being no further business, the meeting adjourned at 8:06 p.m.

Respectfully submitted,

Amber Villarreal
Acting City Secretary

City Council
October 21, 2019

(5d)

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, October 21, 2019 at 6:00 p.m.

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

Others Present: Michael Scott, City Manager
Tommy Ludwig, Assistant City Manager
Robert Brown, City Attorney
Amber Villarreal, Acting City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

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

City Manager Michael Scott reviewed the following agenda items:

- 5a. Proposal from Austen Consultants, LLC and approving the contract for a new 3CX cloud hosted enterprise business phone system
- 5b. Budget amendment for firing range improvements
- 6. Recognize outgoing Board Members

Planning Director Shon Brooks reviewed the following cases:

- PD-19-0124, applicant requested continuance to November 4, 2019 City Council meeting
- SU-19-0121 & SU-19-0122, solar panel cases and staff recommended approval
- PD-19-0119, applicant requested 13 townhomes and the Planning & Zoning Commission recommended the homes be moved closer to the road by 10 feet. Mayor Pro Tem Mary Lou Shipley noted she preferred the cementitious fiberboard siding. Staff recommended approval per Staff Comments and Developer's Agreement.
- PD-19-0114, applicant requested approval of senior living facility. Staff recommended approval per Staff Comments and Developer's Agreement.
- TA-19-0118 noting the following changes:
 - Define the term "Filing Date"
 - Reservation of Right to Limit Plat Application Times
 - Changes to the Municipal Authority of Plat Approvals
 - Elimination of Preliminary and Final Plat
 - Allowing for broader use of early permit release
 - Fire Flow Waiver
 - Fee Waivers
 - Elimination of Letter of Credit
 - Better define sureties
 - Lot to lot drainage
 - Sidewalk maintenance and Right-of-Way maintenance

(5A)

Mr. Scott reviewed the budget amendment and Professional Services Agreement for Architectural Services for the City Hall Annex.

Mr. Scott explained the Animal Ordinance is ready for consideration by City Council after its continuance from the October 7th meeting allowing for additional review. Councilmember Kevin Strength inquired about the rabies vaccination requirement and Animal Services Supervisor Terri Muniz explained the Texas Department of Health Services recommends annual vaccinations. She explained the three-year vaccination requires a second booster shot for it to be effective and most people do not fulfill that second requirement. Councilmember Melissa Olson noted some citizens requested additional time for review of the ordinance.

James Gaertner, Director of Public Works and Engineering, reported staff recommended approval of the bid award to J&K Excavation, LLC in the amount of \$102,589.70 for the reconstruction of the East Avenue C.

Assistant City Manager Tommy Ludwig reported staff recommended approval of the bid award to Bar Constructors, Inc. in the amount of \$12,875,550 for the Phase I Rehabilitation of the City's Wastewater Treatment Plant. Staff also recommended approval of the deductive change order for scope of services to bring the contracted amount within budget.

Mr. Scott reported staff recommend approval of the speed limit increase, from 30 to 40 mph, on North Grove Boulevard, as recommended by Lee Engineering's traffic analysis.

David Bailey, Director of Utilities, explained staff recommended approval of a professional services contract with Birkhoff, Hendricks & Carter, L.L.P. for the Lofland/Ovilla Road 24-Water Line, Phase 1 Project, associated with the City's Capital Improvement Plan, in the amount of \$370,110.

3. Adjourn

There being no further business, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Amber Villarreal
Acting City Secretary

(5e)



Memorandum

To: Honorable Mayor and City Council
From: Ricky Boyd, Fire Chief
Thru: Michael Scott, City Manager *[Signature]*
Date: 10/18/2019
Re: Bid Opening for Wrecker Service

Honorable Mayor and Council,

The following is a list of bids received Wednesday, October 16, 2019 for wrecker service for City vehicles of one ton or less.

1. Tow Pro Wrecker Service

It is my recommendation that we continue to use and accept the bid from Tow Pro Wrecker Service for \$25.00 per vehicle per towing incident effective through September 30, 2020.

[Signature]

Respectfully submitted,
Ricky Boyd



(5f)

RECEIVED IN
CITY SECRETARY'S OFFICE
10-15-19
CITY OF WAXAHACHIE, TEXAS

Application for a Festival or Event Permit

Event Name and Description: 3rd Annual Turkey Trot & Fall Festival
5K run

Applicant Information

Name: Isabel Urrutia
Address: 1200 Sycamore St.
City, State, Zip: Waxahachie, Tx, 75165 Phone: (806) 290-1114
E-mail Address: isabelmurrutia@lionmail.sagu.edu

Organization Information

Organization Name: Southwestern Missions Association
Address: 1200 Sycamore St.
Authorized Head of Organization: Nelson deFreitas
Phone: (972) 415-3844 E-mail Address: ndefreitas@sagu.edu

Event Chairperson/Contact

Name: Isabel Urrutia
Address: 1200 Sycamore St.
City, State, Zip: Waxahachie, Tx, 75165 Phone: (806) 290-1114
E-mail Address: isabelmurrutia@lionmail.sagu.edu

Event Information

Event Location/Address: 1200 Sycamore St. (Start/Finish line)
Purpose: Fundraiser for SAGU Giving Project
Event Start Date and Time: Nov. 21st, 2019 at 4:00 pm

(5f)

Event End Date and Time: Nov. 21st, 2019 at 6:00 pm

Approximate Number of Persons Attending Event Per Day: 300

Site Preparation and Set-Up Date and Time: Nov. 21st at 1:00 pm

Clean-Up Completion Date and Time: Nov. 21st at 6:00 pm

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

100 cones

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

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

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

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

Will dumpsters be needed? no

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

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

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

Isabel Umuitia 10/15/19
Signature of Applicant Date

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

(5f)

South on University Ave

Left on Martha

Left on Kirven St.

Left on Sycamore

Right on E University

Left after Regents apartments into the parking lot, left through the parking lot

Right out of the parking lot onto Brummett Dr.

Circle behind the FLC, go behind GWC & Bridges, left to go in front of Teeter

Left back on to Brummett Dr.

Circle the turnabout and turn on to Highland Dr.

Go south on Highland to Martha and turn left

Left on University Dr. to head north all the way back to 1200 Sycamore St.



(5f)

Villarreal, Amber

From: Massey, Matt
Sent: Wednesday, October 16, 2019 7:32 AM
To: Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Mosley, Laurie; Ojeda, Eneida; Griffith, Thomas
Cc: Cartwright, Lori; Scott, Michael; Lawrence, Albert; Ludwig, Tommy
Subject: RE: Event Application-SAGU 5k Turkey Trot

Not a problem.

Matt Massey
City of Waxahachie
Street Dept.
Office 469-309-4312
mmassey@waxahachie.com

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Tuesday, October 15, 2019 4:41 PM
To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoalsby@waxahachiepd.org>; Mosley, Laurie <imosley@waxahachiecvb.com>; Massey, Matt <mmassey@waxahachie.com>; Ojeda, Eneida <Eojeda@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>
Cc: Cartwright, Lori <lcartwright@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>
Subject: Event Application-SAGU 5k Turkey Trot

For your review/comments. Please see the attached event application. They are requesting the same assistance as last year.

Matt/Eneida, the Street Department provided cones last year. Let me know if they are still able to do that.

Thank you!

Amber Villarreal, TRMC, CMC
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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(5P)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Wednesday, October 16, 2019 7:15 AM
To: Villarreal, Amber
Subject: RE: Event Application-SAGU 5k Turkey Trot

I have no concerns with this request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Tuesday, October 15, 2019 4:41 PM
To: Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Massey, Matt <mmassey@waxahachie.com>; Ojeda, Eneida <Eojeda@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>
Cc: Cartwright, Lori <lcartwright@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>
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(5f)

Villarreal, Amber

From: Mosley, Laurie
Sent: Monday, October 21, 2019 7:16 AM
To: Villarreal, Amber
Subject: RE: Event Application-SAGU 5k Turkey Trot

I have no conflicts with the event from my department.

Thanks!

Laurie Mosley, CTE
Director
Waxahachie Convention & Visitors Bureau
2000 Civic Center Lane
Waxahachie, TX 75165
Office: 469-309-4046

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Tuesday, October 15, 2019 4:41 PM
To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Massey, Matt <mmassey@waxahachie.com>; Ojeda, Eneida <Eojeda@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>
Cc: Cartwright, Lori <lcartwright@waxahachie.com>; Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>
Subject: Event Application-SAGU 5k Turkey Trot

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Thank you!

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(7)

PROCLAMATION

WHEREAS, the Municipal Court of Waxahachie, a time honored and vital part of local government; and

WHEREAS, more citizens and non-citizens alike, come in personal contact with municipal courts than all other Texas courts combined; and

WHEREAS, public impression of the entire Texas judicial system is largely dependent upon the public's experience in municipal court; and

WHEREAS, Municipal Judges and court support personnel have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and conform to the standards set by the Canons of Judicial Conduct; and

WHEREAS, the Municipal Courts play a significant role in preserving the quality of life in Texas communities through the adjudication of traffic offenses, ensuring a high level of traffic safety for our citizens; and

WHEREAS, the Municipal Courts serve as the local justice center for the enforcement of local ordinances and fine-only state offenses that protect the peace and dignity of our community; and

WHEREAS, the Municipal Judges and Clerks continually strive to improve the administration of justice through participation in judicial education programs, seminars, workshops and the annual meetings of their state and local professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the 916 Texas Municipal Courts, and salute their critical role in preserving public safety, protecting the quality of life in Texas communities, and deterring future criminal behavior; and

NOW, THEREFORE, I, David Hill, Mayor of the City of Waxahachie, along with the entire City Council, do hereby proclaim November 4-8, 2019 as

“MUNICIPAL COURT WEEK”

and further extend appreciation to all Waxahachie Municipal Judges and court support personnel for the vital services they perform and their exemplary dedication to our community.

Proclaimed this 4th day of November, 2019.

MAYOR

ATTEST:

ACTING CITY SECRETARY

(8)

PROCLAMATION

WHEREAS, the City of Waxahachie recognizes that an understanding, use and application of geospatial technology is crucial to operating our infrastructure, sustaining our natural resources, and stimulating economic growth, thus, benefitting the welfare of the general public throughout Waxahachie; and

WHEREAS, geographic information systems (GIS) technology allows us to see and model complex relationships and patterns to more intelligently respond; and

WHEREAS, there is a need to promote GIS awareness, education and technical training to use this rapidly developing technology to its full potential; and

WHEREAS, the City of Waxahachie acknowledges those that have chosen GIS as their profession or as part of their discipline to improve the lives of our citizens; and

WHEREAS, to recognize and support the efforts of nonprofits who work on activities to improve conservation, human services, and various humanitarian efforts to better our world; and

WHEREAS, having a day of GIS activities open to students, citizens, and government leaders will help promote STEM education and inspire others to a higher calling to use technology for good; and

WHEREAS, the City of Waxahachie is committed to utilizing GIS to inform decision making and better serve its residents and make useful geographic information open and easily available to the public, as a platform for innovation;

NOW, THEREFORE, I, David Hill, Mayor of the City of Waxahachie, along with the entire City Council, do hereby proclaim November 13, 2019 as

“GIS DAY”

Proclaimed this 4th day of November, 2019.

MAYOR

ATTEST:

ACTING CITY SECRETARY

(9+10)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: October 23, 2019

Re: PD-19-0106 Blue Bonnet Trails Phase 3

On October 22, 2019, the applicant requested to withdraw case no. PD-19-0106 from the November 4, 2019 City Council meeting agenda.

(11 + 12)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: October 24, 2019
Re: PD-19-0124 Symphony Estates

On October 23, 2019, the applicant requested to continue case no. PD-19-0124 to the November 12, 2019 Planning and Zoning meeting and the November 18, 2019 City Council meeting agenda.

(13)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: November 4, 2019

Re: Disannexation of Property adjacent to the City of Red Oak

The City of Waxahachie has received a request for disannexation of land by Todd Little at the approximate address of 831 Interstate 35 Red Oak, TX 75154, with a portion of the property being within the City of Waxahachie City Limits. The requested area is a portion of the James Lawrence Survey, Abstract No. 633 and the James H. McKnight Survey, Abstract No. 733. This request requires City Council consideration and adoption of the ordinance on this agenda only, a subsequent public hearing is not required for this request.

This land is proposed as a senior living housing development. The total acreage of the requested disannexation is approximately 28.215 acres. This tract is proposed to be annexed into the City Limits of the City of Red Oak upon disannexation from the City of Waxahachie.

(13)

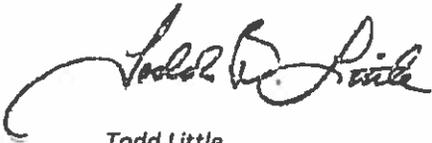
Oak Hill Crossing, Ltd.
309 E. Ovilla Rd.
Suite 2100
Red Oak, Tx. 75154

RE: The Oaks Village-28.215 Acres James Lawrence Survey A-633

Attn: Shon Brooks
Director of Planning
City of Waxahachie

*It is our intention to request de-annexation from the City of Waxahachie for purposes of serving our future residential retirement community.
Please accept our request and if there is any more information or requirement for us, please give me a call.
I appreciate your time in reading this request.*

Sincerely,



Todd Little,
Oak Hill Crossing, Ltd.
General Partner



DISCLAIMER: This product is for informational purposes only and has not been prepared by or for a public utility or legal professional or other expert. It does not represent an on-the-ground survey and therefore only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City regarding the specific accuracy or completeness of this product.



Disannexation - Todd Little

Exhibit

- Legend**
- ROADS
 - Disannexation_ToddLittle
 - Ownership
 - City Limit



(12)

ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE DISANNEXATION OF CERTAIN TRACTS OF LANDS SITUATED WEST OF INTERSTATE HIGHWAY 35 EAST, AND BEING PART OF THE JAMES LAWRENCE SURVEY, ABSTRACT NO. 633, AND THE JAMES H. MCKNIGHT SURVEY, ABSTRACT NO. 733, WAXAHACHIE, ELLIS COUNTY, TEXAS, WITHIN THE BOUNDARY LIMITS OF THE CITY OF WAXAHACHIE AND SETTING AN EFFECTIVE DATE.

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

WHEREAS, the landowners of the herein described property have requested and petitioned in writing that the City disannex and exclude the property herein described; and,

WHEREAS, the City Council finds that those tracts are not suitable or necessary for City purposes, and the City Council finds that the public interest will be served by disannexing the property;

NOW THEREFORE, the following described tracts of land and territory are disannexed by the City of Waxahachie and are no longer included within the corporate limits of the City of Waxahachie, and that city services shall no longer be available in those areas:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described on Exhibit "A", which is made a part hereof and attached hereto for all purposes.

This ordinance shall be effective thirty (30) days after passage.

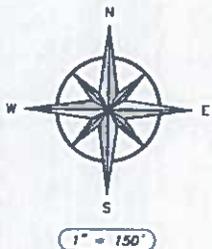
PASSED, APPROVED AND ADOPTED on this the 4th day of November, 2019.

David Hill
MAYOR

ATTEST:

Lori Cartwright
City Secretary

WLSC



712.5393 Acres
212 Red Oak, L.P.
Vol. 2266, Pg. 990
OPRECT

PROPERTY DESCRIPTION

BEING that certain parcel of land lying in the City of Waxahachie, Texas and being situated in the JAMES LAWRENCE SURVEY, ABSTRACT NO. 633 and in the JAMES H. MCKNIGHT SURVEY, ABSTRACT NO. 733, Ellis County, Texas, and being a portion of the 89.157 acre tract of land conveyed to Oak Hill Crossing, LTD by Warranty Deed recorded in Volume 2500, Page 238 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEING that of a May and found of the base of a fence post in the east line of Interstate Highway 35E for the southeast corner of said Oak Hill Tract and the northeast corner of the 0.48 acre tract of land conveyed to Red Holdings, L.P. by Warranty Deed recorded in Volume 2829, Page 358, OPRECT and described in Warranty Deed recorded in Volume 767, Page 773 of the Deed Records of Ellis County, Texas (OPRECT);

BEING S 89°31'19" W (Ded - N 82°37'23" E, 111.14 feet), along the south line of said Oak Hill Tract and the north line of said 0.48 acre tract, a distance of 143.70 feet to a 1/2" iron rod with cap marked "WLSC RPLS 5331" in the west line of the McIntosh Survey and in the westerly end line of the Lawrence Survey and in the east line of the 224.77 acre tract of land conveyed to B&W Investments by Warranty Deed recorded in Volume 1113, Page 54, OPRECT for the easterly southeast corner of said Oak Hill Tract and the northeast corner of said 0.48 acre tract;

BEING N 09°30'54" W (Ded - N 07°12'35" E, 271.00 feet), along the easterly west line of said Oak Hill Tract and the east line of said 224.77 acre tract, a distance of 273.73 feet to a point in a hole for corner;

BEING along the south line of said Oak Hill Tract and the north line of said 224.77 acre tract and along said hole and along the meanders of a creek as follows:

- S 64°19'08" W (Ded - S 08°35'40" W, Same Distance), a distance of 191.70 feet to a point for corner;
- S 40°18'04" W (Ded - S 42°35'40" W, Same Distance), a distance of 108.70 feet to a point for corner;
- N 56°55'54" W (Ded - N 57°47'20" W, Same Distance), a distance of 133.30 feet to a point for corner;
- N 02°40'34" W (Ded - N 79°39'20" W, Same Distance), a distance of 183.30 feet to a point for corner;
- N 57°59'54" W (Ded - N 39°44'20" W, Same Distance), a distance of 88.90 feet to a point for corner;
- S 07°34'04" W (Ded - S 09°45'40" W, Same Distance), a distance of 159.80 feet to a point for corner;
- S 07°49'08" W (Ded - S 09°50'20" W, Same Distance), a distance of 81.30 feet to a point for corner;
- S 41°19'08" W (Ded - S 43°30'40" W, Same Distance), a distance of 133.30 feet to a point for corner;
- S 53°19'08" W (Ded - S 54°30'40" W, Same Distance), a distance of 83.30 feet to a point for corner;
- S 53°40'54" W (Ded - S 51°29'20" W, 112.30 feet), a distance of 119.40 feet to a point for corner;
- S 31°54'08" W (Ded - S 33°25'40" W, Same Distance), a distance of 225.80 feet to a point for corner;
- N 04°05'54" W (Ded - N 03°50'20" W, Same Distance), a distance of 41.30 feet to a point for corner;
- S 70°44'08" W (Ded - S 02°15'40" W, Same Distance), a distance of 41.30 feet to a point for corner;
- N 07°40'54" W (Ded - N 39°29'20" W, Same Distance), a distance of 110.40 feet to a point for corner;
- S 02°23'54" W (Ded - S 78°14'20" W, 58.30 feet), a distance of 58.30 feet to a point for corner; and
- S 39°56'37" W (Ded - S 41°15'40" W, 208.70 feet), a distance of 282.82 feet to a point for the northeast corner of said 224.77 acre tract and the easterly southeast corner of the 78.856 acre tract of land conveyed to Redhold, LLC by Warranty Deed recorded in Instrument Number 153090A, OPRECT;

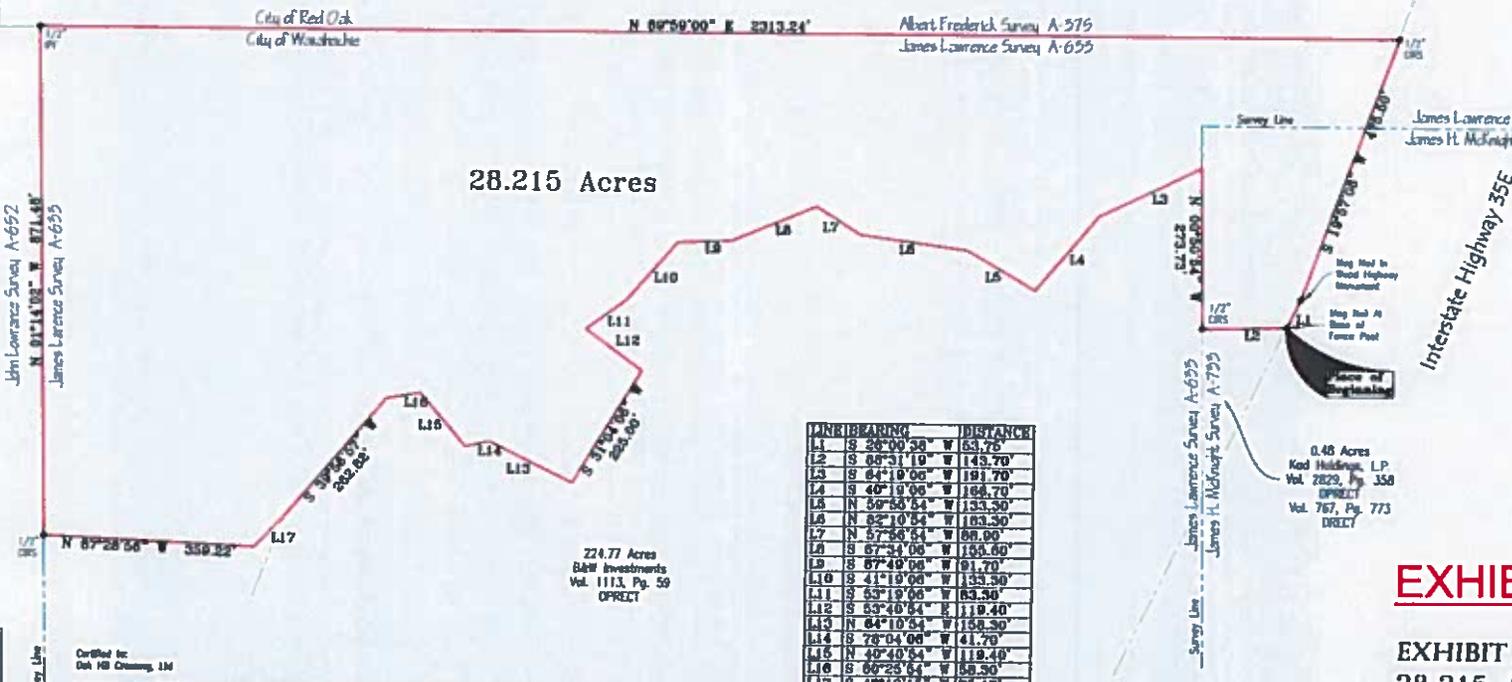
BEING continuing along the south line of said Oak Hill Tract and along the north line of said 78.856 acre tract as follows:
S 43°19'15" W (Ded - S 40°22'40" W, Same Distance), a distance of 23.17 feet to a point for corner; and
N 07°28'56" W (Ded - N 04°15'17" W, 378.98 feet), a distance of 358.22 feet to a 1/2" iron rod with cap marked "WLSC RPLS 5331" in the east line of the Lawrence Survey and in the east line of the John Lawrence Survey, Abstract No. 852 for the easterly southeast corner of said Oak Hill Tract and an interior corner of said 78.856 acre tract;

BEING N 07°14'02" W (Ded - N 07°30'31" E, Same Distance), along the westerly end line of said Oak Hill Tract and the westerly end line of said 78.856 acre tract and the common Lawrence-Lawrence Survey Line, a distance of 871.46 feet to a 1/2" iron pipe found in the south line of the Albert Frederick Survey, Abstract No. 575 and in the common City Limits Line between the City of Waxahachie and the City of Red Oak for an interior corner of said Oak Hill Tract and the northeast corner of the Lawrence Survey and the northeast corner of said 78.856 acre tract and of the Lawrence Survey;

BEING N 09°30'54" E, along the common City Limits Line and the common Lawrence-Frankish Survey Line, a distance of 231.24 feet to a 1/2" iron rod with cap marked "WLSC RPLS 5331" in the east line of said Oak Hill Tract and in the east line of I-35E for the northeast corner of the tract;

BEING along the east line of said Oak Hill Tract and the west line of I-35E as follows:
S 19°57'08" W (Ded - S 22°38'00" W), a distance of 478.50 feet to a May well in a road highway monument for corner; and
S 29°02'30" W (Ded - S 29°38'36" W, 53.47 feet), a distance of 53.75 feet to the PLACE OF BEGINNING and containing 28.215 acres of land as surveyed on the ground in the month of April, 2019 by Walker Land Surveying Company. Date of bearings is GPS observation, Texas Coordinate System, North Central Zone. Bearing coordinate - Northings=6564.52818, Eastings=24644.5828.

Residual of 89.157 Acres
Oak Hill Crossing, Ltd.
Vol. 2500, Pg. 238
OPRECT



LINE	BEARING	DISTANCE
L1	S 26°00'30" W	83.70
L2	S 09°31'19" W	149.70
L3	S 64°19'08" W	191.70
L4	S 40°18'04" W	108.70
L5	N 56°55'54" W	133.30
L6	N 02°40'34" W	183.30
L7	N 57°59'54" W	88.90
L8	S 07°34'04" W	159.80
L9	S 07°49'08" W	81.30
L10	S 41°19'08" W	133.30
L11	S 53°19'08" W	83.30
L12	S 53°40'54" W	119.40
L13	N 04°05'54" W	41.30
L14	N 07°40'08" W	41.30
L15	N 07°40'54" W	119.40
L16	S 02°23'54" W	58.30
L17	N 43°19'15" W	78.17

78.856 Acres
Redhold, LLC
Inst. No. 1520658
OPRECT

224.77 Acres
B&W Investments
Vol. 1113, Pg. 59
OPRECT

LEGEND

- ☉ - Property Corner
- - Iron Pipe
- - Iron Rod
- - Fenced
- - Place of Beginning
- - Bound of Water
- - Contour
- - Building Line
- - (Water Enclosure)
- - Easement & Utility Enclosure
- - Easement
- - Well Enclosure
- - Easement
- - 1/2" Iron Rod with cap marked "WLSC RPLS 5331"

Certified to:
Oak Hill Crossing, LM

This is to certify that I have, on this date, made a true and correct on the ground survey of the subject property. The plat herein is an accurate representation of the boundary and area as determined by survey. The site, location, and type of buildings and improvements are as shown. Any visible obstructions are located as shown. I do not warrant that there are no encumbrances on such claims in the area, whether in service or abandoned. This survey plat was prepared without benefit of title search and does not reflect items which may appear through a title search. The surveyor has not abstracted the property. This survey substantially complies with the Texas Society of Professional Surveyors Standards and Specifications for a Category 1B, Condition 4 Survey. This survey was completed exclusively for the herein named parties in the original transaction only. It was completed for single use only and no license is granted for any other use without the express written consent of Walker Land Surveying Company. This survey plat contains material protected by United States copyright law and International treaties. Copyright ©2019 Walker Land Surveying Company. All rights reserved.

All original copies are multi-colored and marked with the Surveyor's original seal. Only these copies may be considered true and correct copies. Any copies not multi-colored and marked with the mentioned seal are false copies and render this certification null and void.

Shawn Walker
Shawn Walker, R.P.L.S.
Texas Registration No. 5331
7/6/19

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P.O. Box 2011 Waxahachie, Texas 75168
Phone: (972) 838-8893 TXPLS Firm No. 1012400
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EXHIBIT A

EXHIBIT PLAT
28.215 Acres
James Lawrence Survey, Abstract No. 633
James H. McKnight Survey, Abstract No. 733
City of Waxahachie
Ellis County, Texas

Date: April, 2019
Scale: 1"=150'
Project Number: 1902/Shaw