

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, November 2, 2020 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

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

4. Public Comments

Mr. Ira Tenpenny, 109 Rosa Street, Waxahachie, thanked city staff for repairs of park benches at Lions Park. He expressed concern with the placement of fencing on properties throughout the city.

Mr. Alan Fox, 327 University, Waxahachie, referenced the upcoming election noting the community has a lot of good people and city council is here to come together and not have a personal agenda. He noted we need good people on the City Council serving and the community needs to be participants.

Mr. Chris Wright, 808 West Marvin, Waxahachie, thanked city council for their time and effort they have spent looking out for the best interest of the city and its residents.

5. Consent Agenda

- a. Minutes of the City Council meeting of October 19, 2020
- b. Minutes of the City Council briefing of October 19, 2020
- c. Revised 2020 Holiday Schedule
- d. Accept the Impact Fee Capital Improvement Advisory Committee's Capital Improvement Plan Recommendation Letter
- e. Budget Amendment increasing Miscellaneous Revenue and Human Resources – Employee Wellness Account
- f. Proposal for Architectural Design Services by la terra studio for Master Planning of City's Lake Parks and Authorizing Funding from Park Dedication Fees
- g. Proposed Resolution No. 1295 for Senior Housing for the Gala at Waxahachie, LP

RESOLUTION NO. 1295

A RESOLUTION OF THE CITY COUNCIL OF WAXAHACHIE, TEXAS, INDICATING CENSUS TRACT 48139060400 AS HAVING MORE THAN 20% HOUSING TAX CREDIT UNITS PER TOTAL HOUSEHOLDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Action:

Councilmember Kevin Strength moved to approve items a. through g. on the Consent Agenda. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

6. Present Proclamation proclaiming November 2-6, 2020 as “Municipal Court Week”

Mayor Hill read a proclamation proclaiming November 2-6, 2020 as “Municipal Court Week” and presented it to Municipal Court Administrator Tammie Atchison.

7. Consider a resolution to call a public hearing associated with the 5-Year Update for the City of Waxahachie’s Land Use Assumptions, Capital Improvement Plan and associated Impact Fees

Director of Public Works and Engineering James Gaertner explained the proposed Resolution would allow for a public hearing to be scheduled within 60 days, as required by State Law, with a tentative date of December 7, 2020 for the proposed public hearing to be held at City Council.

RESOLUTION NO. 1296

A RESOLUTION OF THE CITY COUNCIL OF WAXAHACHIE, TEXAS ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER APPROVAL OF CAPITAL IMPROVEMENT PLANS AND IMPACT FEES FOR ROADWAYS, WATER, AND WASTEWATER FACILITIES; AND PROVIDING AN EFFECTIVE DATE

Action:

Councilmember Kevin Strength moved to accept Resolution No. 1296 as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

8. Public Hearing on a request by Irma Espinoza, Reach for the Sky, for a Specific Use Permit (SUP) for Family Home use within a Single-Family Residential-2 zoning district located at 409 W 6th Street (Property ID 176922) - Owner: MEDINA LIVING TRUST & IRMA MEDINA (ZDC-128-2020)

Mayor Hill opened the Public Hearing.

Director of Planning Shon Brooks reported during a city health inspection, staff noticed the applicant did not have the required Specific Use Permit approval to operate the existing Family Home. He noted the owner was not aware of the required SUP. The Family Home has been licensed and regulated by the Texas Department of Health and Human Services for years. Staff recommended approval.

There being no others to speak for or against ZDC-128-2020, Mayor Hill closed the Public Hearing.

9. Consider proposed Ordinance approving ZDC-128-2020

ORDINANCE NO. 3225

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A FAMILY HOME USE WITHIN A SINGLE FAMILY-2 (SF2) ZONING DISTRICT, LOCATED AT 409 W. 6TH STREET, PROPERTY ID 176922, BEING LOT 2, BLOCK 35 OF WILLIAMS-REV, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3225. Councilmember Melissa Olson seconded, All Ayes.

10. Public Hearing on a request by Yolanda Martinez, Martinez Day Care, for a Specific Use Permit (SUP) for Family Home use within a Single-Family Residential-2 zoning district located at 317 W University Avenue (Property ID 176190) - Owner: JOE & YOLANDA MARTINEZ (ZDC-129-2020)

Mayor Hill opened the Public Hearing.

Mr. Brooks reported during a city health inspection, staff noticed the applicant did not have the required Specific Use Permit approval to operate the existing Family Home. He noted the owner was not aware of the required SUP. The Family Home has been legally licensed and regulated by the Texas Department of Health and Human Services for years. Staff recommended approval.

There being no others to speak for or against ZDC-129-2020, Mayor Hill closed the Public Hearing.

11. Consider proposed Ordinance approving ZDC-129-2020

ORDINANCE NO. 3226

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A FAMILY HOME USE WITHIN A SINGLE FAMILY-2 (SF2) ZONING DISTRICT, LOCATED AT 317 W. UNIVERSITY AVENUE, PROPERTY ID 176190, BEING LOT 8 OF THE UNIVERSITY ADDITION, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Kevin Strength moved to approve Ordinance No. 3226. Councilmember Chuck Beatty seconded, All Ayes.

12. Public Hearing on a request by Carrie Finley for a Specific Use Permit (SUP) for Family Home use within a Single-Family Residential-2 zoning district located at 201 Olive Street (Property ID 176437) - Owner: RICKIE L & CARRIE R FINLEY (ZDC-134-2020)

Mayor Hill opened the Public Hearing.

Mr. Brooks reported during a city health inspection, staff noticed the applicant did not have the required Specific Use Permit approval to operate the existing Family Home. He noted the owner was not aware of the required SUP. The Family Home has been legally licensed and regulated by the Texas Department of Health and Human Services for years. Staff recommended approval.

There being no others to speak for or against ZDC-134-2020, Mayor Hill closed the Public Hearing.

13. Consider proposed Ordinance approving ZDC-134-2020

ORDINANCE NO. 3227

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A FAMILY HOME USE WITHIN A SINGLE FAMILY-2 (SF2) ZONING DISTRICT, LOCATED AT 201 OLIVE STREET, PROPERTY ID 176437, BEING LOT 1B, 2C, AND 6A OF UNIVERSITY ANNEX, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3227. Councilmember Melissa Olson seconded, All Ayes.

14. Public Hearing on a request by Erik Barnard for a Zoning Change from a Single-Family Residential-1 zoning district to Commercial, located at 601 Ovilla Road (Property ID 191635) - Owner: ERIK BARNARD AND ELMWOOD HOMES LLC (ZDC-127-2020)

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant is requesting a zoning change to construct an office building. The applicant intends to remove the existing single-family structure from the subject property. Staff recommended approval.

There being no others to speak for or against ZDC-127-2020, Mayor Hill closed the Public Hearing.

15. Consider proposed Ordinance approving ZDC-127-2020

ORDINANCE NO. 3228

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-1 (SF1) TO COMMERCIAL (C), TO ALLOW AN OFFICE DEVELOPMENT, LOCATED AT 601 OVILLA ROAD, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.005 ACRES, KNOWN AS A PORTION OF PROPERTY ID 191635, OF ABSTRACT 1080 OF THE WM C TUNNELL SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Kevin Strength moved to approve Ordinance No. 3228. Councilmember Chuck Beatty seconded, All Ayes.

16. Public Hearing on a request by Paula Justice, Secure More Storage, for a Zoning Change from a Light Industrial-2 and Single-Family Residential-2 zoning district to Planned Development-Light Industrial-2, located at 602 Cantrell Street (Property ID 189795) - Owner: SECURE MORE STORAGE CORP (ZDC-130-2020)

Mayor Hill opened the Public Hearing and announced the applicant requested to continue the Public Hearing to the City Council meeting of November 16, 2020.

17. Consider proposed Ordinance approving ZDC-130-2020

Action:

Councilmember Chuck Beatty moved to continue the Public Hearing on a request by Paula Justice, Secure More Storage, for a Zoning Change from a Light Industrial-2 and Single-Family Residential-2 zoning district to Planned Development-Light Industrial-2, located at 602 Cantrell Street (Property ID 189795) - Owner: SECURE MORE STORAGE CORP (ZDC-130-2020) to the City Council meeting of November 16, 2020. Councilmember Kevin Strength seconded, All Ayes.

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

Councilmember Kevin Strength thanked Mr. Alan Fox for his comments.

City Manager Michael Scott noted Election Day is November 3, 2020 and thanked city council for their dedication to the city.

Mayor David Hill thanked all who spoke under Public Comments. He stated the city is a very special place to serve.

19. Adjourn

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

Respectfully submitted,

Lori Cartwright
City Secretary