

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, December 20, 2021 at 7:00 p.m.

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

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Director of Planning  
Gumaro Martinez, Executive Director Park & Leisure Services  
Richard Abernethy, Director of Administrative Services  
Robert Brown, City Attorney  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Doug Barnes called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

Pastor Chip Sebring, Southlake Baptist Church, gave the invocation. City Manager Michael Scott led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Joe Tedesco, 194 Colter Drive, Waxahachie, Texas, spoke in opposition to ZDC-155-2021 due to traffic and safety concerns impacting Settler's Glen.

Alan Fox, 327 University, Waxahachie, Texas, commended staff for their work during the holiday festivities, including the Christmas parade. He thanked City Council for their holiday spirit.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of December 6, 2021
- b. Minutes of the City Council briefing of December 6, 2021
- c. Minutes of the City Council and Planning & Zoning Commission Joint Work Session of December 7, 2021
- d. Mobile Home License Renewals for 2022
- e. Taxi Cab License Renewal for 2022
- f. Event application for Wheels of Fire Bike Ride to be held June 25, 2022
- g. Receive Fiscal Year 2021 4<sup>th</sup> Quarter Financial Report

- h. Authorize Supplemental Appropriation funding for additional meters and associated cost increases
- i. Award bid for Howard Road Water Treatment Plant High Service Pump No. 5
- j. Award bid for Oak Creek Drive culvert replacement project
- k. Agreement for Street Department Shed Expansion project
- l. Set City Council meeting of Tuesday, January 18, 2022

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve items a. through l. on the Consent Agenda. Council Member Travis Smith seconded, All Ayes.*

- 6. Continue Public Hearing on a request by Susan M. Calvert, Owner, for a Voluntary Annexation of approximately 19.25 acres located in the William Irwin Survey, Abstract No 545, at 823 Ovilla Road (Property ID 185891 & 185980) - Owner: SUSAN M CALVERT (ANX-DNX-178-2021)**

Mayor Barnes continued the Public Hearing and announced the applicant requested to continue ANX-DNX-178-2021 to the January 3, 2022 City Council meeting.

- 7. Consider proposed Ordinance adopting ANX-DNX-178-2021**

**Action:**

*Mayor Pro Tem Billie Wallace moved to continue the Public Hearing on a request by Susan M. Calvert, Owner, for a Voluntary Annexation of approximately 19.25 acres located in the William Irwin Survey, Abstract No 545, at 823 Ovilla Road (Property ID 185891 & 185980) - Owner: SUSAN M CALVERT (ANX-DNX-178-2021) to the January 3, 2022 City Council meeting. Council Member Melissa Olson seconded, All Ayes.*

- 8. Continue Public Hearing on a request by Chip Boyd, JHDMC, LLC, for a Zoning Change from a Single Family-1 zoning district to Planned Development - Single Family-3 (PD-SF-3) zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-162-2021)**

Mayor Barnes continued the Public Hearing and announced the Planning & Zoning Commission moved to continue ZDC-162-2021 to the next meeting.

- 9. Consider proposed Ordinance approving ZDC-162-2021**

**Action:**

*Mayor Pro Tem Billie Wallace moved to continue the Public Hearing on a request by Chip Boyd, JHDMC, LLC, for a Zoning Change from a Single Family-1 zoning district to Planned Development - Single Family-3 (PD-SF-3) zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-162-2021) to the January 3, 2022 City Council meeting. Council Member Melissa Olson seconded, All Ayes.*

- 10. Public Hearing on a request by Carolyn J Haman for Voluntary Annexation on approximately 157.139 +/- acres located NW of 2374 W Highway 287 Bypass (Property ID 185971 and 185886) - Owner: CAROLYN J HAMAN (ANX-DNX-200-2021)**

Mayor Barnes opened the Public Hearing and announced the applicant requested to continue ANX-DNX-200-2021 to the January 3, 2022 City Council meeting.

- 11. Consider proposed Ordinance adopting ANX-DNX-200-2021**

**Action:**

*Mayor Pro Tem Billie Wallace moved to continue the Public Hearing on a request by Carolyn J Haman for Voluntary Annexation on approximately 157.139 +/- acres located NW of 2374 W Highway 287 Bypass (Property ID 185971 and 185886) - Owner: CAROLYN J HAMAN (ANX-DNX-200-2021) to the January 3, 2022 City Council meeting. Council Member Melissa Olson seconded, All Ayes.*

- 12. Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)**

Mayor Barnes opened the Public Hearing and announced the Planning & Zoning Commission moved to continue ZDC-188-2021 to the next meeting.

- 13. Consider proposed Ordinance approving ZDC-188-2021**

**Action:**

*Mayor Pro Tem Billie Wallace moved to continue the Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021) to the January 3, 2022 City Council meeting. Council Member Melissa Olson seconded, All Ayes.*

- 14. Continue Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail (PD-GR) zoning district, located along Broadhead Road, East of Robbie E. Howard Junior High School (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)**

Mayor Barnes continued the Public Hearing and announced the applicant requested to continue ZDC-146-2021 to the January 3, 2022 City Council meeting.

**15. Consider proposed Ordinance approving ZDC-146-2021**

**Action:**

*Mayor Pro Tem Billie Wallace moved to continue the Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail (PD-GR) zoning district, located along Broadhead Road, East of Robbie E. Howard Junior High School (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021) to the January 3, 2022 City Council meeting. Council Member Melissa Olson seconded, All Ayes.*

**16. Consider request by Jason P. Volk, J. Volk Consulting, for a Final Plat of The Place Townhomes, Lots 3-10, 11X, Block 1, being 1.766 acres situated in the John B. Adams & Ann Survey, Abstract 5, Robert Russell Survey, Abstract 911, and Henry Sange Survey, Abstract 1009, an addition in the City of Waxahachie (Property ID 283993) – Owner: NORTH GROVE 12.5 LLC SERIES 1 (SUB-177-2021)**

Director of Planning Jennifer Pruitt presented the case noting the applicant is requesting to plat the property into eight (8) lots for townhome use. The applicant is also requesting a variance from the 15' utility easement requirement to a 10' utility easement along Washington Avenue and staff is acceptable to the request as long as it does not cause issues for any franchise utilities in this area. Staff recommended approval per the following staff comment:

1. Confirmation of the acceptance of the 10' Utility Easement is required from all utility providers in the area, including AT&T, Atmos, and Oncor.

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve a request by Jason P. Volk, J. Volk Consulting, for a Final Plat of The Place Townhomes, Lots 3-10, 11X, Block 1, being 1.766 acres situated in the John B. Adams & Ann Survey, Abstract 5, Robert Russell Survey, Abstract 911, and Henry Sange Survey, Abstract 1009, an addition in the City of Waxahachie (Property ID 283993) – Owner: NORTH GROVE 12.5 LLC SERIES 1 (SUB-177-2021). Council Member Melissa Olson seconded per staff comments, All Ayes.*

**17. Public Hearing on a request by Amanda McDaniel, AMG Technology dba Nextlink Broadband, for a Specific Use Permit (SUP) for a Communications Antennas and Support Structures/Towers (Cell Tower) use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 185 Saratoga Drive (Property ID 240969) - Owner: WAXAHACHIE SADDLEBROOK ESTATES HOMEOWNERS ASSOCIATION INC (ZDC-182-2021)**

Ms. Pruitt presented the case noting the applicant is requesting approval to allow an existing 50 ft. tall internet tower on 2.78 acres within the Saddlebrook Estates Homeowner's Association common area. Staff recommended approval per the following staff comment:

1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections Department prior to construction of the proposed structure.

Mayor Barnes opened the Public Hearing.

There being no others to speak for or against ZDC-182-2021, Mayor Barnes closed the Public Hearing.

**18. Consider proposed Ordinance approving ZDC-182-2021**

**ORDINANCE NO. 3309**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A COMMUNICATIONS ANTENNAS AND SUPPORT STRUCTURES/TOWERS (CELL TOWER) USE WITHIN A PLANNED DEVELOPMENT-SINGLE FAMILY – 1 (PD-SF-1) ZONING DISTRICT, LOCATED AT 185 SARATOGA DR., BEING PROPERTY ID 240969, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 12, BLOCK G (COMMON AREA) OF SADDLEBROOK ESTATES PHASE 1A, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Travis Smith moved to approve Ordinance No. 3309. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**19. Public Hearing on a request by Mark Gundert, for a Specific Use Permit (SUP) to allow an Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 124 Kaufman Street (Property ID 170849) - Owner: RICHARD T STOCK (ZDC-191-2021)**

Ms. Pruitt presented the case noting the applicant is requesting to construct a +700 sq. ft. (2,100 sq. ft.) accessory structure (garage/storage) in the rear of a single-family property. Staff recommended approval per the following staff comments:

1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections Department prior to construction of the proposed structure.
2. Any new pavement added to the site shall be concrete.
3. The structure shall not be used as a dwelling.

Mayor Barnes opened the Public Hearing.

There being no others to speak for or against ZDC-191-2021, Mayor Barnes closed the Public Hearing.

**20. Consider proposed Ordinance approving ZDC-191-2021**

**ORDINANCE NO. 3310**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT ACCESSORY BUILDING USE WITHIN A SINGLE FAMILY – 2**

**(SF-2) ZONING DISTRICT, LOCATED AT 124 KAUFMAN ST., BEING PROPERTY ID 170849, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1A1 & 1A2, BLOCK 44 OF TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Melissa Olson moved to approve Ordinance No. 3310. Council Member Travis Smith seconded, All Ayes.*

- 21. Continue Public Hearing on a request by Akhila Reddy Gondi, Triangle Engineering, LLC, for a Specific Use Permit (SUP) for a Drive-Through Establishment (Starbucks) use within a General Retail zoning district located 1,500 feet South of Butcher Road and East of Hwy 77 (Property ID 189379) - Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (ZDC-174-2021)**

Ms. Pruitt presented the case noting the applicant is requesting approval to allow a drive-through establishment (Starbucks) on 0.912 acres. She explained the applicant provided three options for the elevation/façade and staff recommended approval of option 3 per the following staff comments:

1. A mutually agreed upon Development Agreement will be required for the development.
2. Staff suggest that the applicant remove the proposed access point from US Highway 77 and use the mutual access connection between O'Reilly Auto Parts and the subject property to be consistent with the overall driveway plan for the site.

Ms. Pruitt reviewed staff's concern with access to Highway 77 noting that will be addressed in detail during the platting phase.

Mayor Barnes continued the Public Hearing.

There being no others to speak for or against ZDC-174-2021, Mayor Barnes closed the Public Hearing.

- 22. Consider proposed Ordinance approving ZDC-174-2021**

**ORDINANCE NO. 3311**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE-THROUGH ESTABLISHMENT (STARBUCKS) USE WITHIN A PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) ZONING DISTRICT, LOCATED 1,500 FEET SOUTH OF BUTCHER ROAD AND EAST OF HWY 77, BEING PROPERTY ID 189379, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING ABSTRACT 848 OF THE AS PRUITT SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve Ordinance No. 3311. Council Member Melissa Olson seconded, All Ayes.*

**23. Consider Development Agreement for ZDC-174-2021**

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve a Development Agreement for ZDC-174-2021. Council Member Melissa Olson seconded, All Ayes.*

**24. Public Hearing on a request by Ray Porter, The Summit at Breezy Acres, LLC, for a Zoning Change from a Light Industrial-1 (LI-1) and Future Development (FD) zoning district to Planned Development Commercial (C) zoning district located at the Northwest quadrant of Butcher Road and West of I-35S (Property ID 191034)- Owner: PRZYBYLSKI FAMILY REVOCABLE (ZDC-199-2021)**

Ms. Pruitt presented the case noting the applicant is requesting approval of a Planned Development to construct an indoor firearms training and shooting facility and allow a retail/office on 3.3 acres. Staff recommended approval per the following staff comments:

1. The proposed development shall meet the minimum requirements of the EPA (Environmental Protection Agency) regarding air flow and noise level.
2. The property shall be platted prior to any development on the site.
3. If approved, a detailed Site Plan shall be reviewed administratively by staff.

Mayor Barnes opened the Public Hearing.

There being no others to speak for or against ZDC-199-2021, Mayor Barnes closed the Public Hearing.

**25. Consider proposed Ordinance approving ZDC-199-2021**

**ORDINANCE NO. 3312**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM LIGHT INDUSTRIAL-1 (LI1) AND FUTURE DEVELOPMENT (FD) TO PLANNED DEVELOPMENT-LIGHT INDUSTRIAL-1 (PD-LI1) TO ALLOW AN INDOOR FIREARMS TRAINING FACILITY (SUMMIT AT BREEZY ACRES), LOCATED AT THE NORTHWEST QUADRANT OF BUTCHER ROAD AND WEST OF IH-35S, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 3.3 ACRES, KNOWN AS PROPERTY ID 191034, BEING ABSTRACT 1000 OF THE J SHAVER SURVEY AND ABSTRACT 1003 OF THE PB STOUT SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Travis Smith moved to approve Ordinance No. 3312. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**26. Public Hearing on a request by Mark Stacy, MV-1005, LLC., for a Specific Use Permit (SUP) for a Drive Through Establishment (Car Wash) use within a Planned Development Single Family-1,2,3, Multi-Family-1, General Retail (PD-SF1,2,3 MF-1 GR) (North Grove Planned Development) zoning district located south of North Grove Blvd and east of Highway 77 (Property ID 283986) - Owner: SB CONNECTION (ZDC-189-2021)**

Ms. Pruitt presented the case noting the applicant is requesting approval to allow a car wash drive-through establishment on 1.156 acres. She reviewed staff concerns with the use of the property and neighborhood concerns. Staff recommended denial and the Planning & Zoning Commission voted 4-3 to deny ZDC-189-2021.

Mayor Barnes opened the Public Hearing.

Mark Stacy, 412 S. Jefferson Street, Pilot Point, Texas, explained he has been in the car wash industry for 41 years and has produced 47 car washes with the developer. He noted the proposed 140-foot car wash tunnel would be the biggest and best in the area and is needed in Waxahachie.

Those who spoke in favor:

Shane Lindsey, 4410 Black Champ Road, Waxahachie, Texas  
Erik Chapman, 6491 Hayes Road, Midlothian, Texas  
Jennifer Chelwick, 2222 Abela Drive, Waxahachie, Texas  
Jacob Daniels, 201 Overhill Drive, Waxahachie, Texas  
Chris Speigner, 104 Buckskin Drive, Waxahachie, Texas

Those who spoke in opposition:

Paul Fritz, 343 Country Meadows, Waxahachie, Texas

There being no others to speak for or against ZDC-189-2021, Mayor Barnes closed the Public Hearing.

**27. Consider proposed Ordinance approving ZDC-189-2021**

**Action:**

*Council Member Melissa Olson moved to approve ZDC-189-2021.*

*The motion died due to lack of a second.*

**Action:**

*Council Member David Hill moved to deny ZDC-189-2021. Mayor Pro Tem Billie Wallace seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Travis Smith. Noes: Melissa Olson*

**28. Consider Development Agreement for ZDC-189-2021**

*No action taken.*

**29. Continue Public Hearing on a request by Michael C. Jackson, Wynne Jackson, for Planned Development (PD) for an Industrial Complex (Manufacturing/Distribution) use within a Single Family - 1 Zoning District located West of Solon Road and East of Patrick Road (Property ID 189171 and 182299) - Owner: REED LAND MANAGEMENT (ZDC-155-2021)**

Ms. Pruitt presented the case noting the applicant is requesting approval of a Planned Development to allow an industrial complex (manufacturing/distribution) on 341 acres. Staff recommended approval per the following staff comment:

1. A mutually agreed upon Development Agreement shall be signed by staff and the applicant.

Michael Jackson, applicant, explained the plan was updated to incorporate comments by staff, City Council, Planning and Zoning Commission, and citizens. The plan is to construct a class AA industrial development. He noted approximately \$41 million will be invested in infrastructure before any building construction and there will be improvements to Marshall Road to provide traffic relief. The developer is committed to a 100' landscape buffer adjacent to Settler's Glen. Mr. Jackson reviewed the following:

**P&Z Work Session Recommendations:**

Light restrictions, sound restrictions, building area requirements, height restrictions, City to restrict truck traffic on Patrick Road, no curb cuts to Patrick Road, architectural articulation, additional architectural requirements, and parking ratios.

**City Council Work Session and Staff Recommendations:**

Removed 7 specifically allowed uses from PD, modified overnight truck parking restrictions, modified landscape buffer requirements, modified truck court landscaping, increased the minimum size of trees along Patrick Road from 3-inch to 6-inch caliper, increased tree frequency along Patrick Road from every 100 feet to every 50 feet, added additional landscape buffer along Patrick Road, north of Marshall Road, and loading dock doors not facing Settler's Glen residents.

**Summary of Development Agreement:**

City to obtain Marshall Road right-of-way to I-35, project to construct Marshall Road from I-35 to Patrick Road, limited to 33% for general warehouse distribution use during first 5 years, limited to 66% for general warehouse distribution use after 5 years, 8-foot concrete trail from southern property boundary to northern property boundary, architectural restrictions, and Property Owner's Association to be established for all common areas.

Council Member Olson thanked the developer for consideration of staff, Council, and citizen's concerns.

Mayor Barnes continued the Public Hearing.

Chris Wright, 808 W. Marvin, Waxahachie, Texas, asked if there will be a masonry screening wall or wrought iron fencing.

Council Member Olson noted she prefers the wrought iron fencing and asked for staff's recommendation. Ms. Pruitt explained there was discussion at the Planning & Zoning Commission meeting but there was no formal recommendation in the motion. She noted staff is comfortable with the ornamental iron fencing and landscaping.

Those who spoke in opposition:

Harvey Smith, 212 Old Settlers Trail, Waxahachie, Texas  
Michelle Smith, 212 Old Settlers Trail, Waxahachie, Texas  
Lacy Barnaby, 226 Dakota Drive, Waxahachie, Texas  
Chris Speigner, 104 Buckskin Drive, Waxahachie, Texas

Those who spoke in favor:

Alan Fox, 327 University, Waxahachie, Texas

There being no others to speak for or against ZDC-155-2021, Mayor Barnes closed the Public Hearing.

Council Member Olson confirmed the infrastructure will be built at the developer's expense and Mr. Jackson noted that was correct.

Council Member Travis Smith explained the right-of-way acquisition will be at the City's expense.

Todd Winters, 201 Windco Circle, Wylie, Texas, explained there will be improvements made to Patrick Road, Solon Road, and Marshall Road and the City is currently working on right-of-way acquisition to extend infrastructure.

Mayor Pro Tem Billie Wallace inquired about the build-out timing and Mr. Jackson explained the project would move forward immediately after closing; however, it will take approximately 12-18 months to complete the extension of Marshall Road.

Council Member Travis Smith expressed his concerns with traffic for the area. He noted he does not think this is the best use of this land and would support more manufacturing rather than distribution. He stated he is against this development.

**30. Consider proposed Ordinance approving Zoning Change No. ZDC-155-2021**

**ORDINANCE NO. 3313**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-1 (SF1) TO PLANNED DEVELOPMENT-LIGHT INDUSTRIAL-2 (PD-LI2), TO ALLOW A STORAGE WAREHOUSE INDUSTRIAL DEVELOPMENT USE, LOCATED WEST OF SOLON RD. AND EAST OF PATRICK RD., IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 341.02 ACRES KNOWN AS A PORTION OF PROPERTY ID 284811 (the "Property"), AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member David Hill moved to approve Ordinance No. 3313. Council Member Melissa Olson seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Melissa Olson. Noes: Travis Smith.*

***The motion carried.***

**31. Consider Development Agreement for ZDC-155-2021**

**Action:**

*Council Member David Hill moved to approve a Development Agreement for ZDC-155-2021. Council Member Melissa Olson seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Melissa Olson. Noes: Travis Smith.*

***The motion carried***

**32. Consider request by T.J. Wells, PE, Peloton Land Solutions, for a Final Plat of The Oak of North Grove, Phase I, 184 Residential Lots, 9 No-Residential Lots, being 81.121 acres situated in the J.B. Adams and A. Adams Survey, Abstract 5, the C.H. Bernard Survey, Abstract 106, the J. Billingsley Survey, Abstract 83, and the E. Rice Survey, Abstract 927, an addition to the City of Waxahachie (Property ID 284716) – Owner: BBCP NORTH GROVE 79, LLC & LUMPKINS STUART B JR ETAL (SUB-190-2021)**

Ms. Pruitt presented the case noting the applicant is requesting to plat the property into 147 single-family residential lots and 15 non-residential lots as part of The Oaks at North Grove Phase 1 subdivision. She explained the applicant is requesting a variance from the right-of-way dedication requirement along the northern portion of this property and the Public Works and Engineering Department is satisfied with the proposed roadway layout. Staff recommended approval as presented.

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve a request by T.J. Wells, PE, Peloton Land Solutions, for a Final Plat of The Oak of North Grove, Phase I, 184 Residential Lots, 9 No-Residential Lots, being 81.121 acres situated in the J.B. Adams and A. Adams Survey, Abstract 5, the C.H. Bernard Survey, Abstract 106, the J. Billingsley Survey, Abstract 83, and the E. Rice Survey, Abstract 927, an addition to the City of Waxahachie (Property ID 284716) – Owner: BBCP NORTH GROVE 79, LLC & LUMPKINS STUART B JR ETAL (SUB-190-2021). Council Member Melissa Olson seconded, All Ayes.*

**33. Convene into Executive Session for deliberation regarding real property as permitted under Section 551.072, Texas Government Code**

Mayor Barnes announced at 8:38 p.m. the City Council would convene into Executive Session for deliberation regarding real property as permitted under Section 551.072, Texas Government Code.

**34. Reconvene and take any necessary action**

The meeting reconvened at 8:48 p.m.

**Action:**

*Mayor Pro Tem Billie Wallace moved to authorize the purchase of approximately 0.821 acres at 411 E. Jefferson Street, Waxahachie, TX for a purchase price of \$285,000 plus any closing costs and authorizing the City Manager to execute all documents including a lease back agreement as necessary to facilitate the purchase. Council Member David Hill seconded, All Ayes.*

**35. Comments by Mayor, City Council, City Attorney and City Manager**

Planning Director Jennifer Pruitt wished everyone a safe and happy holiday.

Deputy City Manager Albert Lawrence recognized staff for their work on numerous city projects. He recognized the Employee Engagement Committee for coordinating the holiday drive-thru luncheon for employees.

Council Member Melissa Olson wished staff, residents, and City Council a Merry Christmas.

City Manager Michael Scott echoed Mr. Lawrence's comments and thanked City Council and staff for their participation in the holiday drive-thru luncheon. Mr. Scott introduced, Crystal Strickland, Executive Assistant to the City Manager's Office and wished everyone a Merry Christmas and Happy New Year.

Mayor Pro Tem Billie Wallace wished everyone a Merry Christmas and Happy New Year and noted she appreciated the drive-thru lunch.

Council Member David Hill thanked Finance Director Chad Tustison for his work and wished everyone a Merry Christmas and Happy New Year.

City Attorney Robert Brown wished everyone Happy Holidays.

Communications and Marketing Director Amy Borders announced the City's holiday schedule will be posted to social media to inform the public.

Mayor Doug Barnes wished everyone a Merry Christmas and prosperous New Year.

**36. Adjourn**

There being no further business, the meeting adjourned at 8:54 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary