

City Council  
January 18, 2022

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on Tuesday, January 18, 2022 at 7:00 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2  
Billie Wallace, Mayor Pro Tem, Council Member Place 4  
David Hill, Council Member Place 1  
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  
Gumaro Martinez, Executive Director of Parks & 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 Lonnie Newman, Joshua Chapel A.M.E. Church, gave the invocation. Council Member Travis Smith led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Paul Bailey, 544 Washington Avenue, Waxahachie, Texas, requested the Confederate statue be removed in front of the Ellis County Courthouse.

Kevin Ivey, 1980 E. Highland Road, Waxahachie, Texas, spoke in support of keeping the Confederate statue at the Ellis County Courthouse as a way to honor history and as a reminder not to repeat it.

Alan Fox, 327 University, Waxahachie, Texas, requested City Council declare MLK week in Waxahachie.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of January 3, 2022
- b. Minutes of the City Council briefing of January 3, 2022
- c. Consider Engineering Professional Services Agreement for the Howard Road Water Treatment Plant High Service Pump Station Generator

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve items a. through c. on the Consent Agenda. Council Member Melissa Olson seconded, All Ayes.*

**6. Recognize Railyard Park as a 2021 Greater Dallas Planning Council Urban Design Honorable Mention Award**

Mayor Barnes recognized Railyard Park as a 2021 Greater Dallas Planning Council Urban Design Honorable Mention Award recipient. Kelly Skistimas, Cultural Arts and Programming Manager, explained the architecture firm, Halff and Associates, submitted the project for consideration and was awarded in December 2021.

Jim Phillips, thanked former Mayor Kevin Strength and former WCDC President John Sanders for their work on the project. He stated he was proud of the partnership between TIRZ, WCDC, the City, and the community for their contributions to Railyard Park.

Ann Montgomery, explained the amphitheater was the class project for Leadership Waxahachie and thanked City Council for their support.

**7. Present Proclamation proclaiming January 17-21, 2022 as Dr. Martin Luther King, Jr. Week**

Mayor Barnes presented a proclamation proclaiming January 17-21, 2022 as Dr. Martin Luther King, Jr. Week to Jim Brunson, Jesus Christ of Latter-Day Saints, and Betty Square Coleman, Waxahachie branch of the NAACP. Mr. Brunson thanked City Council for the proclamation.

Ms. Coleman thanked City Council for the proclamation and encouraged unity, respect, and cooperation in the community.

**8. Hear presentation on “Shop with a Cop”**

Bishop Aaron Blake presented an update on “Shop with a Cop” and thanked Police Chief Wade Goolsby and the Waxahachie Police Department for their participation. Bishop Blake explained over 50 children were served this year and showed a video documenting the event. Chief Goolsby explained the police department has enjoyed participating for the past six years and looks forward to it each year.

Mayor Barnes thanked Bishop Blake and Chief Goolsby for the successful event.

**9. Continue 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 continued the Public Hearing.

Jennifer Pruitt, Planning Director, explained ANX-DNX-200-2021 is associated with ZDC-188-2021. The voluntary annexation request is for approximately 150.11 acres and the area is identified as low density residential and highway commercial.

Those who spoke in opposition:

Karen Rozier, 4250 Black Champ Road, Waxahachie, Texas  
Sheila Hood, 3841 Black Champ Road, Waxahachie, Texas  
Charles Stierhoff, 4230 Black Champ Road, Waxahachie, Texas  
Linda Romanenko, 2951 Longbranch Road, Waxahachie, Texas

Those who spoke in favor:

Dakota Krueger, 1511 Shoreline Drive, Waxahachie, Texas

There being no others to speak for or against ANX-DNX-200-2021, Mayor Barnes closed the Public Hearing.

**10. Consider proposed Ordinance approving ANX-DNX-200-2021**

**ORDINANCE NO. 3314**

**AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF PROPERTY ID 185971, ABSTRACT 546 & 409 OF THE WM IRWIN AND D S GENTRY SURVEY, AND PROPERTY ID 185866, ABSTRACT 545 OF THE WM IRWIN SURVEY, APPROXIMATELY 150.11 ACRES, SITUATED EAST OF BLACK CHAMP ROAD AND NORTH OF U.S. HIGHWAY 287 BUSINESS, OF THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS.**

**Action:**

*Council Member Melissa Olson moved to approve Ordinance No. 3314 contingent upon approval of ZDC-188-2021. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**11. Continue 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 continued the Public Hearing.

Ms. Pruitt presented the case noting the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. Staff recommended approval per the following staff comment:

1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.

Ms. Pruitt explained the applicant revised the concept plan based on the Commission's comments. She noted the development will offer five architectural styles: Contemporary, Modern Farm, Tudor, Mediterranean, and Craftsman, with the remaining 40% of the lots to be determined by the market. The applicant also revised the exterior finish materials, floor plan variation, and garage door orientations. She noted staff received one letter of support and four letters of opposition.

Todd Wintters, 201 Windco Circle, Wylie, Texas, explained architectural styles were updated with 12% allowed for each style. He noted the developer will fully fund and coordinate with the City of Waxahachie and TxDOT for the design and installation of a traffic signal at the southern entrance to Montclair Heights. He noted water and sewer will also be extended to the site.

Ms. Pruitt asked the applicant to address Park Dedication fees in the Development Agreement. Council Member Olson asked if the open space parks will be maintained by the Homeowner's Association and Drew Sloan, confirmed and explained the applicant is willing to amend the Development Agreement regarding Park Dedication fees if requested by City Council.

Chris Wright, 808 W. Marvin, Waxahachie, Texas, expressed concern with the negative impact of traffic in this area. He requested the City be proactive instead of reactive to the traffic concerns and encouraged coordinating with TxDOT.

Those who spoke in opposition:

Dakota Krueger, 1511 Shoreline Drive, Waxahachie, Texas

There being no others to speak for or against ZDC-188-2021, Mayor Barnes closed the Public Hearing.

Council Member Travis Smith stated only 18% of the proposed lots are over the current minimum city requirements. He expressed his deep concern with traffic in the area and noted he does not support adding additional traffic to this area.

## **12. Consider proposed Ordinance approving ZDC-188-2021**

### **ORDINANCE NO. 3315**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM FUTURE DEVELOPMENT (FD) AND GENERAL RETAIL (GR) TO PLANNED DEVELOPMENT-MIXED USE RESIDENTIAL (PD-MUR), LOCATED WEST OF 2374 W HIGHWAY 287 BYPASS, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 188.46 ACRES KNOWN AS A PORTION OF PROPERTY ID 185971, 185972, 185886, 185978, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

#### **Action:**

*Council Member Travis Smith moved to table ZDC-188-2021 to allow time to address traffic concerns.*

*The motion died due to lack of second.*

**Action:**

*Mayor Doug Barnes moved to approve Ordinance No. 3315.*

*The motion died due to lack of second.*

James Gaertner, Director of Public Works and Engineering, explained traffic concerns have been identified and there is a plan for improvements in the area. He noted he is submitting a request to TxDOT for an additional traffic signal on the other side of the bridge on Highway 287 service road. He explained he will submit the Traffic Impact Analysis provided by the developer to aid in expediting his request.

Mayor Pro Tem Billie Wallace confirmed the City is requesting lights on both side of Highway 287 service and road and Mr. Gaertner agreed. Mayor Pro Tem Wallace inquired about the construction timeline and Mr. Terrence Jobe explained it will likely take about 6-9 months to finalize the engineering plans.

**Action:**

*Council Member David Hill moved to approve Ordinance No. 3315. Mayor Doug Barnes seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Melissa Olson. Noes: Travis Smith.*

***The motion carried.***

**13. Consider Development Agreement for ZDC-188-2021**

**Action:**

*Council Member Melissa Olson moved to approve a Development Agreement for ZDC-188-2021 adding Park Land Dedication Fees to be paid by the developer. Mayor Pro Tem Billie Wallace seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Melissa Olson. Noes: Travis Smith.*

***The motion carried.***

**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 zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)**

Mayor Barnes continued the Public Hearing.

Ms. Pruitt presented the case noting the applicant is requesting to rezone the property from Future Development to Planned Development-General Retail to allow for a Planned Development consisting of retail (front of property) and townhomes (rear of property). Staff recommended approval per the following staff comments:

1. A mutually agreed upon Development Agreement must be signed by staff and the applicant.
2. A detailed site plan for the development be reviewed by City Council as well.

Those who spoke in favor:

Kim Weins, 641 Highlander, Midlothian, Texas

There being no others to speak for or against ZDC-146-2021, Mayor Barnes closed the Public Hearing.

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

**ORDINANCE NO. 3316**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM FUTURE DEVELOPMENT (FD) TO PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) WITH CONCEPT PLAN, LOCATED ALONG BROADHEAD ROAD, EAST OF ROBBIE E. HOWARD JUNIOR HIGH SCHOOL IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 4.649 ACRES KNOWN AS PROPERTY ID 178923, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE**

**Action:**

*Council Member Melissa Olson moved to approve Ordinance No. 3316 subject to staff comments. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**16. Consider Development Agreement for ZDC-146-2021**

**Action:**

*Council Member Melissa Olson moved to approve a Development Agreement for ZDC-146-2021. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**17. Consider Roadway and Water Line Oversized Participation Agreement with GRBK EDGEWOOD LLC related to the Dove Hollow Phase 1 Development**

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve a Roadway and Water Line Oversized Participation Agreement with GRBK EDGEWOOD LLC related to the Dove Hollow Phase 1 Development in the amount of \$462,075.18. Council Member Melissa Olson seconded, All Ayes.*

**18. Convene into Executive Session for deliberation regarding real property as permitted under Section 551.072, Texas Government Code and to discuss personnel matters for Municipal Court Judge/Associate Judge as permitted under Section 551.074, Texas Government Code**

Mayor Barnes announced at 8:45 p.m. the City Council would convene into Executive Session for deliberation regarding real property as permitted under Section 551.072, Texas Government Code and to discuss personnel matters for Municipal Court Judge/Associate Judge as permitted under Section 551.074, Texas Government Code.

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

The meeting reconvened at 9:50 p.m.

**Action:**

*Council Member Melissa Olson moved to authorize the City Manager to complete negotiations and execute any related documents to finalize the acquisition of easements and rights of ways necessary for roadways and utilities to serve projects planned within the northwest quadrant of the City. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

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

City Secretary Amber Villarreal announced January 19, 2022 is the first day of filing for the May 7, 2022 General Election.

Mayor Pro Tem Billie Wallace thanked City Manager Michael Scott and City staff for their attentiveness and responsiveness including the weekends.

City Manager Michael Scott thanked the Utilities Department for their work on addressing Mayor Pro Tem Wallace's concern from a citizen.

Mayor Doug Barnes commended the 2021 Annual Fire Department Report.

**21. Adjourn**

There being no further business, the meeting adjourned at 9:53 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary