

City Council
July 5, 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, July 5, 2022 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Chris Wright, Mayor Pro Tem, Council Member Place 3
Billie Wallace, Council Member Place 4
Travis Smith, Council Member Place 5
Patrick Souter, Council Member Place 2

Others Present: Albert Lawrence, Deputy City Manager
Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Gumaro Martinez, Executive Director Park & Leisure Services
Richard Abernethy, Director of Administrative Services
Robert Brown, City Attorney
Jami Bonner, Assistant 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

Pastor Kerry Campbell, First Christian Church of Waxahachie, gave the invocation and Mayor Pro Tem Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Alan Fox, 327 University, Waxahachie, Texas, complimented City staff for their organization and dedication to creating a family fun event, Crape Myrtle Festival.

Mayor Hill thanked Mr. Fox for his and his wife's patriotism and leading the Crape Myrtle Parade.

5. Consent Agenda

- a. Minutes of the City Council meeting of June 20, 2022
- b. Minutes of the City Council briefing of June 20, 2022
- c. Minutes of the City Council special meeting of June 28, 2022
- d. Minutes of the City Council work session of June 30, 2022
- e. Event application for Diving Deeper VBS Day Camp to be held July 27, 2022
- f. Event application for Lippert 5k to be held on August 20, 2022
- g. Interlocal Agreement with Frisco ISD
- h. City Council Appointments to Boards and Commissions

Action:

Council Member Billie Wallace moved to approve items a. through h. on the Consent Agenda. Mayor Pro Tem Chris Wright seconded, All Ayes.

6. Present Proclamation proclaiming July 2022 as Parks and Recreation Month

Mayor Hill presented a Proclamation proclaiming July 2022 as Parks and Recreation Month to the Parks & Recreation Department and members of the Park Board.

7. Continue Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Commercial (PD-C) zoning district located at 2374 W US Hwy 287 BYP (Property ID 219310) - Owner: COWBOY BAPTIST CHURCH OF MIDLOTHIAN (ZDC-45-2022)

Mayor Hill continued the Public Hearing.

There being no others to speak for or against ZDC-45-2022, Mayor Hill closed the Public Hearing.

8. Consider proposed Ordinance approving ZDC-45-2022

ORDINANCE NO. 3330

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC MESSAGE SIGN USE WITHIN A PLANNED DEVELOPMENT-COMMERCIAL (PD-C) ZONING DISTRICT, LOCATED 2374 W US HIGHWAY 287 BYPASS, BEING PROPERTY ID 219310, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2R, OF THE ELLIS COUNTY YOUTH EXPO SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Mayor Pro Tem Chris Wright moved to approve Ordinance No. 3330 per staff comments. Council Member Travis Smith seconded, All Ayes.

9. Continue Public Hearing on a request by Chad Adams, Oak Hull Investments, for a Replat of Lots 8, 9, & 10, Block 11, University Annex Addition, to create Lots 8A-10B, Block 11, University Annex Addition, 6 Residential Lots, being 1.129 acres, located at 107 Olive St and 510 Cynisca St., (Property ID 176473 & 176474) – Owner: STONEDALE DEVELOPMENT LLC (SUB-28-2022)

Mayor Hill continued the Public Hearing.

There being no others to speak for or against SUB-28-2022, Mayor Hill closed the Public Hearing.

10. Consider approval of SUB-28-2022

Action:

Mayor Pro Tem Chris Wright moved to approve a request by Chad Adams, Oak Hull Investments, for a Replat of Lots 8, 9, & 10, Block 11, University Annex Addition, to create Lots 8A-10B, Block 11, University Annex Addition, 6 Residential Lots, being 1.129 acres, located at 107 Olive St and 510 Cynisca St., (Property ID 176473 & 176474) – Owner: STONEDALE DEVELOPMENT LLC (SUB-28-2022). Council Member Billie Wallace seconded, All Ayes.

11. Public Hearing on a request by Brad Yates, Loren Gray Investments LLC, for a Replat of Lots 18 and 19, Block 180, of the Oak Lawn Addition, to create Lot 18R, Block 180, of the Oak Lawn Addition, 1 Residential Lot, being 0.1036 acres, located at 319 Henry Street, (Property ID 175110) – Owner: LOREN GRAY INVESTMENTS LLC (SUB-60-2022)

Mayor Hill opened the Public Hearing.

Brad Yates, 626 Kaufman, Waxahachie, Texas, presented the replat to create one residential lot and stated he was available for questions.

There being no others to speak for or against SUB-60-2022, Mayor Hill closed the Public Hearing.

12. Consider approval of SUB-60-2022

Action:

Council Member Billie Wallace moved to approve a request by Brad Yates, Loren Gray Investments LLC, for a Replat of Lots 18 and 19, Block 180, of the Oak Lawn Addition, to create Lot 18R, Block 180, of the Oak Lawn Addition, 1 Residential Lot, being 0.1036 acres, located at 319 Henry Street, (Property ID 175110) – Owner: LOREN GRAY INVESTMENTS LLC (SUB-60-2022). Council Member Travis Smith seconded, All Ayes.

13. Public Hearing on a request by Dustin Phillipp, J. Volk Consulting, Inc. for a Plat of The Place at North Grove, lots 10, 11, 12X Block 1, being 10.67 acres, located at northwest corner of North Grove Boulevard and Washington Avenue, situated in the John B. and Ann Adams Survey, Abstract No. 5, Robert Russell Survey, Abstract No. 911, and Henry Sange Survey, Abstract No. 1009, an addition to the City of Waxahachie (Property ID 283993) – Owner: North Grove 12.5 LLC Series 1 (SUB-15-2022)

Mayor Hill opened the Public Hearing.

There being no others to speak for or against SUB-15-2022, Mayor Hill closed the Public Hearing.

14. Consider approval of SUB-15-2022

Action:

Council Member Billie Wallace moved to approve a request by Dustin Phillipp, J. Volk Consulting, Inc. for a Plat of The Place at North Grove, lots 10, 11, 12X Block 1, being 10.67 acres, located at northwest corner of North Grove Boulevard and Washington Avenue, situated in the John B. and Ann Adams Survey, Abstract No. 5, Robert Russell Survey, Abstract No. 911, and Henry Sange Survey, Abstract No. 1009, an addition to the City of Waxahachie (Property ID 283993) – Owner: North Grove 12.5 LLC Series 1 (SUB-15-2022). Council Member Patrick Souter seconded, All Ayes.

15. Public Hearing on a request by Tom Wright, Heart-In-Hand, for a Zoning Change from a Central Area (CA) zoning district to a Planned Development – Central Area (PD-CA) zoning district, located at 212 S Rogers Street, (Property ID 170517) - Owner: Waxahachie 100F Lodge (ZDC-54-2022)

Mayor Hill opened the Public Hearing.

Tom Wright, 212 S. Rogers, Waxahachie, Texas, requested approval of ZDC-54-2022 and stated he was available for questions.

There being no others to speak for or against ZDC-54-2022, Mayor Hill closed the Public Hearing.

16. Consider proposed Ordinance approving ZDC-54-2022

ORDINANCE NO. 3331

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM CENTRAL AREA DISTRICT (CA) TO PLANNED DEVELOPMENT - CENTRAL AREA DISTRICT (PD-CA) LOCATED AT 212 S ROGERS STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING .22 ACRES KNOWN AS PROPERTY ID 170517, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Billie Wallace moved to approve Ordinance No. 3331. Mayor Pro Tem Chris Wright seconded, All Ayes.

17. Consider approving an agreement to contribute right-of-way funds (fixed price) for FM 664 ROW acquisition between the City of Waxahachie and Texas Department of Transportation (TxDOT) and approve associated supplemental appropriation in the amount of \$136,206.74

Director of Public Works and Engineering James Gaertner requested approval of an agreement with Texas Department of Transportation (TxDOT) for the City portion of the Right-of-Way (ROW) acquisition associated with the FM 664 widening project. He explained the total amount of the city participation for ROW acquisition is \$744,389.70, which amounts to \$136,206.74 for

FY 2021-2022 and \$152,045.74 for each of the following four years. Mr. Gaertner requested approval of a supplemental appropriation for \$136,206.74 for FY 2021-2022 and authorize the City Manager to sign the TxDOT agreement.

Mayor Hill noted the expansion of FM 664 will begin in approximately four years.

Action:

Council Member Billie Wallace moved to approve an agreement to contribute right-of-way funds (fixed price) for FM 664 ROW acquisition between the City of Waxahachie and Texas Department of Transportation (TxDOT) and approve associated supplemental appropriation in the amount of \$136,206.74. Council Member Travis Smith seconded, All Ayes.

18. Consider a supplemental appropriation in the amount of \$27,000 for a visual building envelope assessment

Director of Administrative Services Richard Abernethy requested approval of a supplemental appropriation in the amount of \$27,000 for a visual building envelope assessment which will include an assessment of existing roof systems, windows, cladding and associated exterior elements to identify areas needing repairs or mitigation.

Action:

Council Member Billie Wallace moved to approve a supplemental appropriation in the amount of \$27,000 for a visual building envelope assessment. Council Member Patrick Souter seconded, All Ayes.

19. Public Hearing and consider proposed Resolution adopting procedures to name public facilities

Mayor Hill opened the Public Hearing.

Those that spoke in support:

Alan Fox, 327 University, Waxahachie, Texas

Melissa Olson, 202 Stampede Street, Waxahachie, Texas, suggested revisions to the presented resolution.

Mayor Pro Tem Wright encouraged members of the public to participate in Public Hearings prior to Council vote on naming a public facility.

Council Member Smith expressed the importance of having procedures in place for naming public facilities and thanked Mayor Hill for getting the item on the agenda. He encouraged City Council members to perform due diligence when considering naming public facilities. He applauded City staff and City Attorney Robert Brown for working with City Council to prepare the resolution.

Council Member Souter noted the resolution is a framework for naming eligible facilities. He recognized the possibility of creating a citizen committee if the need arises. He stated current and future Council members have the responsibility to perform due diligence.

There being no others to speak for or against the proposed Resolution adopting procedures to name public facilities, Mayor Hill closed the Public Hearing.

RESOLUTION NO. 1328

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS,
ADOPTING PROCEDURES TO NAME PUBLIC FACILITIES UPON REQUEST.**

Action:

Council Member Travis Smith moved to approve Resolution No. 1328 adopting procedures to name public facilities. The vote was as follows: Ayes: David Hill, Chris Wright, Travis Smith, and Patrick Souter. Noes: Billie Wallace

The motion carried.

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

Deputy City Manager Albert Lawrence expressed appreciation to City staff for going above and beyond during the various community events over the weekend.

Council Member Travis Smith recognized City staff for their work at the Crape Myrtle Festival and Parade. He noted the event was well attended and is special for the community.

Council Member Billie Wallace stated the events of Crape Myrtle Festival make her proud to be a part of the Waxahachie community.

Mayor Pro Tem Chris Wright expressed appreciation to Finance Director Chad Tustison and the Finance Department for preparing for the budget workshop. He thanked the Cowboy Baptist Church for working together with City staff. Mayor Pro Tem Wright recognized the Texas Baptist Men for preparing breakfast for veterans and the Rotary Club for offering the flag program. He thanked Council Member Smith for his continued efforts to get the naming of public facilities procedures on the agenda and passed.

Council Member Patrick Souter shared his Crape Myrtle Parade experience and noted the special opportunity for the community to come together and celebrate as fellow citizens, neighbors, and friends.

Mayor David Hill expressed the importance of sharing the Crape Myrtle Festival with family and the community and thanked the City Council for their dedication to working together through difficult discussions.

21. Adjourn

There being no further business, the meeting adjourned at 7:41 p.m.

Respectfully submitted,

Jami Bonner, Assistant City Secretary