

City Council
December 4, 2023

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, December 4, 2023 at 7:00 p.m.

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

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Robert Brown, City Attorney
Amber Villarreal, 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. Mayor Pro Tem Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

None.

5. Consent Agenda

- a. Minutes of the City Council meeting of November 20, 2023
- b. Ratify the City Manager's execution of Affidavits opting out of the PFAS class actions relative to 3M and DuPont

Council Member Travis Smith amended the November 20, 2023 minutes as follows:

Action:

Chris Wright moved to approve the textual amendments to the City of Waxahachie Code of Ordinances, Chapter 4 – Alcoholic Beverages as presented and authorize the Mayor and/or City Manager to execute all documents as necessary. Motion was seconded by Patrick Souter and was approved and carried 3-0 with Billie Wallace and Travis Smith abstaining, with three ayes.

A call for opposed or abstaining votes was not made.

Action:

Billie Wallace moved to approve all items on the Consent Agenda as amended and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Travis Smith and carried unanimously (5-0).

6. Introduce Honorary Council Member

Mayor Hill announced there was not an Honorary Council Member in attendance.

7. Present Proclamation recognizing November 26, 2023 as “Waxahachie Rebekah Lodge No. 381 Day”

Mayor Hill presented a Proclamation recognizing November 26, 2023 as “Waxahachie Rebekah Lodge No. 381 Day.”

8. Public Hearing on a request by Jared Ruffin, Ruffin Holdings LLC for a Zoning Change from a General Retail (GR) zoning district to Planned Development-General Retail (PD-GR) zoning district, located at 115 Dean Box Drive (Property ID 291054) - Owner: Ruffin Holdings LLC (ZDC-31-2023)

The Item was presented by Senior Director of Planning Jennifer Pruitt.

Mayor Hill opened the Public Hearing at approximately 7:11 p.m.

There being no others to speak for or against ZDC-31-2023, Mayor Hill closed the Public Hearing at approximately 7:11 p.m.

9. Consider proposed Ordinance approving ZDC-31-2023

ORDINANCE NO. 3431

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM GENERAL RETAIL DISTRICT (GR) TO PLANNED DEVELOPMENT DISTRICT - GENERAL RETAIL (PD-GR) LOCATED AT 115 DEAN BOX DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.37 ACRES KNOWN AS PROPERTY ID 291054, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Billie Wright moved to approve an Ordinance for ZDC-31-2023, a Zoning Change from a General Retail zoning district to a Planned Development-General Retail zoning district, subject to the conditions of the staff report. Motion was seconded by Chris Wright and carried unanimously (5-0).

10. Consider Development Agreement for ZDC-31-2023

Action:

Billie Wallace moved to approve the Development Agreement for ZDC-31-2023. Motion was seconded by Travis Smith and carried unanimously (5-0).

- 11. Consider a request by a majority of the qualified voters of approximately 263.60 acres annexed by the City in 2005 to disannex the property from the City pursuant to Texas Local Government Code Section 43.141 (ANX-DNX-76-2023)**

The Item was presented by Ms. Pruitt.

Action:

Travis Smith moved to deny Disannexation Request ANX-DNX-76-2023. Motion was seconded by Billie Wallace and carried unanimously (5-0).

- 12. Consider proposed ordinance for a disannexation request for approximately 9.952 acres, located at 611 Wilson Road, pursuant to Texas Local Government Code Section 43.141. (ANX-DNX-154-2023)**

The Item was presented by Ms. Pruitt.

ORDINANCE NO. 3432

AN ORDINANCE PROVIDING FOR THE DISANNEXATION OF LOT 1, BLOCK A OF THE FUQUEZ ADDITION, SITUATED AT 611 WILSON ROAD, WAXAHACHIE, ELLIS COUNTY, TEXAS, WITHIN THE BOUNDARY LIMITS OF THE CITY OF WAXAHACHIE AND SETTING AN EFFECTIVE DATE.

Action:

Billie Wallace to approve an Ordinance for ANX-DNX-154-2023, a Disannexation Request for the Fuquez Addition and authorize the City Manager and/or Mayor to execute any necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

- 13. Consider proposed Ordinance for a disannexation request for approximately 45.096 acres, generally located East of East Haven Road and South of Hunter Pass (Property ID: 180774, 183003, 257627) – Owner: GRBK Edgewood LLC (ANX-DNX-184-2023)**

The Item was presented by Ms. Pruitt.

ORDINANCE NO. 3433

AN ORDINANCE PROVIDING FOR THE DISANNEXATION OF CERTAIN TRACTS OF LANDS SITUATED EAST OF EAST HAVEN ROAD AND SOUTH OF HUNTER PASS, AND BEING PART OF THE W. BASKINS SURVEY, ABSTRACT NO. 145, THE J.R. LANGFORD SURVEY, ABSTRACT NO. 635, THE J. RIGGS SURVEY, ABSTRACT NO. 923, THE S.C. WHITE SURVEY, ABSTRACT NO. 1250, THE N.H. WHITTENBERG SURVEY, ABSTRACT NO. 1128, THE ELLIS COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 328, THE J.J. YOUNG SURVEY, ABSTRACT NO. 1199, THE W.

STEWART SURVEY, ABSTRACT NO. 956, AND THE S.M. DURRETT SURVEY, ABSTRACT NO. 272, WAXAHACHIE, ELLIS COUNTY, TEXAS, WITHIN THE BOUNDARY LIMITS OF THE CITY OF WAXAHACHIE AND SETTING AN EFFECTIVE DATE.

Action:

Billie Wallace moved to approve an Ordinance for ANX-DNX-184-2023, a Disannexation for approximately 45.096 acres owned by GRBK Edgewood, LLC and authorize the City Manager and/or Mayor to execute any necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

14. Consider approving a contract for ambulance services with Allegiance Mobile Health and related supplemental appropriation

The Item was presented by Fire Chief Ricky Boyd.

Action:

Patrick Souter moved to approve the award of a contract for Emergency Ambulance Service with Allegiance Mobile Health and the related supplemental appropriation of \$6,582 from the General Fund unrestricted reserve and authorize the Mayor and/or City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

15. Consider proposed Ordinance amending Chapter 4 ½ “Ambulances and Emergency Medical Service” of the City of Waxahachie Code of Ordinances

The Item was presented by Chief Boyd.

ORDINANCE NO. 3434

AN ORDINANCE OF THE CITY OF WAXAHACHIE AMENDING SECTION 4-1/2 OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, CONCERNING AMBULANCES AND EMERGENCY MEDICAL SERVICE BY AMENDING USE, AND SETTING AN EFFECTIVE DATE, DECLARING AN EMERGENCY AND PROVIDING FOR AN EFFECTIVE DATE.

Action:

Patrick Souter moved to approve the Ordinance amending Section 4 ½ of the Code of Ordinances of the City of Waxahachie concerning Ambulances and Emergency Medical Service. Motion was seconded by Billie Wallace and carried unanimously (5-0).

16. Consider award of a construction contract to J & L Construction, LLC. for the 2021 Water and Sanitary Sewer Replacement Project

The item was presented by Senior Director of Utilities Kumar Gali.

Action:

Billie Wallace moved to award a construction contract with J & L Construction, LLC. for \$2,259,392.97 and additional construction contingency in the amount of \$120,000 for the 2021 Water and Sanitary Sewer Replacement Project and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

17. Consider proposed Paving Plan for the Waxahachie 287 Retail development, located directly south of 131 Village Parkway

The Item was presented by Ms. Pruitt

Action:

Billie Wallace moved to approve the Paving Plan for the Waxahachie 287 Retail development. Motion was seconded by Travis Smith and carried unanimously (5-0).

18. Consider proposed Resolution authorizing an Advance Funding Agreement with the Texas Department of Transportation

The Item was presented by Senior Director of Parks and Recreation Kyle Cooper.

RESOLUTION NO. 1356

A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADVANCE FUNDING AGREEMENT FOR GRANT FUNDS WITH THE STATE OF TEXAS FOR THE CONSTRUCTION OF MIDLOTHIAN TO WAXAHACHIE TRAIL; PROVIDING AN EFFECTIVE DATE.

Action:

Patrick Souter moved to approve a resolution authorizing the Mayor and/or City Manager to execute an Advance Funding Agreement with the Texas Department of Transportation for grant funds for the construction of a portion of the Midlothian - Waxahachie Regional Veloweb shared-use trail. Motion was seconded by Travis Smith and carried unanimously (5-0).

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

Council Member Travis Smith requested additional funding for Christmas lights in Downtown Waxahachie through a partnership with building owners and Council Member Patrick Souter echoed his comments.

City Council and City Management thanked City staff for their work on the success of the Christmas Parade.

City Attorney Robert Brown wished everyone a Merry Christmas and Happy New Year.

Council Member Patrick Souter recognized members of the Waxahachie Arts Council and announced their current events: Fort Worth Symphony Association Christmas Concert, Bethlehem Revisited, and Historic Waxahachie, Inc Christmas Tour of Homes.

Mayor Pro Tem Chris Wright thanked Fire Chief Ricky Boyd for his work on the new emergency services contract and noted the regional trail to Midlothian will be beneficial for everyone. Mayor David Hill recognized Duane and Nancy Bourdo from Rhode Island in attendance and welcomed them to Waxahachie.

20. Adjourn

There being no further business, the meeting adjourned at 7:44 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary