

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 18, 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
Terry Welch, 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

City Manager Michael Scott gave the invocation and 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 December 4, 2023
- b. Event application for King Day March/Parade to be held January 15, 2024
- c. Proposed Ordinance approving a request by Old Maypearl Road LLC for a Petition for ETJ Release for approximately 293.843 acres, located southwest of the intersection of Old Maypearl Road and Cunningham Meadows Road (Property ID 183334) – Owner: Old Maypearl Road LLC (ETJ-PTN-147-2023)
- d. Proposed Ordinance approving a request by Harlan Properties, Inc. for a Petition for ETJ Release for approximately 17.680 acres, located north of 630 and 641 Wales Court (Property ID 181695) – Owner: Harlan Properties, Inc. (ETJ-PTN-159-2023)
- e. Proposed Ordinance approving a request by Johnny Fussell for a Petition for ETJ Release for approximately 47.919 acres, located north of the intersection of Wilson Road and Ryder Lee Lane (Property ID 192131) – Owner: Fuquez Property Company No. 105, LLC (ETJ-PTN-182-2023)
- f. Proposed Ordinance approving a request by Esher, LTD for a Petition for ETJ Release for approximately 81.950 acres, located east of F.M. 876 and north of Grainery Road (Property ID 183342) – Owner: Esher, LTD (ETJ-PTN-185-2023)

- g. Proposed Ordinance approving a request by Clayton Snodgrass, Bluebonnet Capital Partners, for a Petition for ETJ Release for approximately 854.319 acres, located directly north of West Sterrett Road and east of Patrick Road (Property ID 184434, 184443, 271638, 284715, 290304) – Owners: CSAS 269, LP, SRP SS, LLC, and Sterrett Road Partners, LP (ETJ-PTN-186-2023)
- h. Proposed Ordinance approving a request by Clayton Snodgrass, Bluebonnet Capital Partners, for a Petition for ETJ Release for approximately 479.381 acres, located directly west of 813 Windham Road (Property ID 138308, 188546, 190063, 297156) – Owners: Wax 480 Partners, LLC and BBCP FTW 117, LLC (ETJ-PTN-187-2023)
- i. Mobile Home License Renewals for 2024
- j. Approve a Service Agreement for an HVAC Compressor Replacement and authorize a supplemental appropriation to the FY23-24 Civic Center Budget

ORDINANCE NO. 3435

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 293.843 ACRE TRACT OF LAND, LOCATED SOUTHWEST OF THE INTERSECTION OF OLD MAYPEARL ROAD AND CUNNINGHAM MEADOWS ROAD, KNOWN AS PROPERTY ID 183334, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3436

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 17.680 ACRE TRACT OF LAND, LOCATED NORTH OF 630 & 641 WALES COURT, KNOWN AS PROPERTY ID 181695, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3437

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 47.919 ACRE TRACT OF LAND, LOCATED NORTH OF THE INTERSECTION OF WILSON ROAD AND RYDER LEE LANE, KNOWN AS PROPERTY ID 192131, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3438

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 81.950 ACRE TRACT OF LAND, LOCATED EAST OF F.M. 876 AND NORTH OF GRAINERY ROAD,

KNOWN AS PROPERTY ID 183342, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3439

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 854.319 ACRE TRACT OF LAND, LOCATED NORTH OF WEST STERRETT ROAD AND EAST OF PATRICK ROAD, KNOWN AS PROPERTY ID 184434, 184443, 271638, 284715, 290304, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3440

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 479.381 ACRE TRACT OF LAND, LOCATED DIRECTLY WEST OF 813 WINDHAM ROAD, KNOWN AS PROPERTY ID 138308, 188546, 190063, 297156, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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 Patrick Souter and carried unanimously (5-0).

6. Introduce Honorary Council Member

Mayor Hill announced there was not an Honorary Council Member for December.

7. Public Hearing on a request by Stephen Lin, P.E., CDS Muery, for a Specific Use Permit (SUP) for an Outside Storage use and Heavy Machinery and Equipment, Rental, Sales or Storage (Holt Cat) use within a Light Industrial-1 (LI-1) zoning district located at 550 Austin Road (Property ID: 254632) – Owner: PC5 Properties LLC (ZDC-82-2023)

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

Mayor Hill opened the Public Hearing at approximately 7:07 p.m.

There being no others to speak for or against ZDC-82-2023, Mayor Hill closed the Public Hearing at approximately 7:07 p.m.

8. Consider proposed Ordinance approving ZDC-82-2023

ORDINANCE NO. 3441

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HEAVY MACHINERY AND EQUIPMENT RENTAL, SALES OR STORAGE USE WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT, LOCATED 550 AUSTIN ROAD, BEING PROPERTY ID 254632, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK A OF THE AUSTIN INDUSTRIAL PARK SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve an Ordinance for ZDC-82-2023, a Specific Use Permit for an Outside Storage use and Heavy Machinery and Equipment, Rental, Sales or Storage use, subject to the conditions of the staff report. Motion was seconded by Patrick Souter and carried unanimously (5-0).

9. Consider Development Agreement for ZDC-82-2023

Action:

Billie Wallace moved to approve the Development Agreement for ZDC-82-2023. Motion was seconded by Patrick Souter and carried unanimously (5-0).

10. Consider proposed Ordinance amending Appendix C Subdivisions, Section 7.2 Schedule of Filing Fees

The Item was presented by Senior Director of Public Works and Engineering Justin Stoker. Council Member Travis Smith expressed concern with the proposed flat fee. City Council discussed providing an option to developers to pay the flat rate or hourly billing, not to exceed the flat rate.

ORDINANCE NO. 3442

AN ORDINANCE AMENDING APPENDIX C SUBDIVISIONS; SECTION 7.2 SCHEDULE OF FILING FEES; MAKING FINDINGS AND SETTING AN EFFECTIVE DATE OF SEPTEMBER 1, 2023.

Action:

Billie Wallace moved to approve the Ordinance amending Appendix C Subdivisions, Section 7.2 Schedule of Filing Fees, allowing the developers to choose an hourly rate or the flat rate, and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

11. Consider award of a construction contract to Schofield Civil Construction, Inc. for the Robert W. Sokoll Water Treatment Plant Tube Settlers and Sodium Hypochlorite Tanks Replacement Project and the related supplemental appropriation

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

Action:

Billie Wallace moved to approve a construction contract with Schofield Civil Construction, Inc. in the amount of \$1,740,700 for the Sokoll Water Treatment Plant Tube Settlers and Sodium Hypochlorite Tanks Replacement Project, the associated funding supplemental appropriation in the amount of \$913,867.50, and authorize the City Manager to execute any necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

12. Consider revised agreement between Rockett Special Utility District and City of Waxahachie amending the Administration Fees associated with the billing of Wastewater Service and Garbage Collection

The Item was presented by Executive Director of Public Works and Engineering James Gaertner.

{Mayor Pro Tem Chris Wright left the meeting at 7:50 p.m.}

Action:

Patrick Souter moved to approve the revised agreement between Rockett Special Utility District and City of Waxahachie and authorize the City Manager to execute all necessary documents. Motion was seconded by Billie Wallace and carried unanimously (4-0).

13a. Consider the inclusion of City-owned property (Parcel 193904), 407 W. Jefferson, The Ellis County Woman's Building, within the proposed Historic Overlay

The Item was presented by City Manager Michael Scott. Council Member Smith noted to his recollection, the Heritage Preservation Commission did not recommend including the Ellis County Woman's Building in the proposed Historic Overlay expansion. Mr. Scott noted staff would review the Heritage Preservation Commission meeting minutes to confirm whether it was recommended to include the Ellis County Woman's Building in the proposed expansion of the Historic Overlay District.

Action:

Billie Wallace moved to approve the inclusion of City-owned property (Parcel 193904), located at 407 W. Jefferson, the Ellis County Woman's Building, within the proposed Historic Overlay.

Patrick Souter amended the motion to approve the inclusion of City-owned property (Parcel 193904), located at 407 W. Jefferson, the Ellis County Woman's Building, within the proposed Historic Overlay, subject to whether it was included in the recommendation from the Heritage Preservation Commission. Billie Wallace accepted the amendment.

Motion was seconded by Patrick Souter and carried unanimously (4-0).

13b. Consider the inclusion of a portion of City-owned property (Parcel 171053), 455 S. College, Railyard Park, within the proposed Historic Overlay

The Item was presented by Mr. Scott.

Action:

Billie Wallace moved to approve the inclusion of a portion of City-owned property (Parcel 171053), located at 455 S. College, Railyard Park, within the proposed Historic Overlay. Motion was seconded by Patrick Souter and carried unanimously (4-0).

13c. Consider the inclusion of a portion of City-owned property (Parcel 252537), Railyard Park, within the proposed Historic Overlay

The Item was presented by Mr. Scott.

Action:

Billie Wallace moved to approve the inclusion of a portion of City-owned property (Parcel 252537), located at 455 S. College, Railyard Park, within the proposed Historic Overlay. Motion was seconded by Travis Smith and carried by a 3-1 vote, with Patrick Souter voting in opposition.

13d. Consider the inclusion of City-owned property (Parcel 289894), 300 Smokey Lane, within the proposed Historic Overlay

The Item was presented by Mr. Scott.

Action:

Billie Wallace moved to approve the inclusion of City-owned property (Parcel 289894), located at 300 Smokey Lane, within the proposed Historic Overlay. Motion was seconded by Travis Smith and failed by a 2-2 vote, with David Hill and Patrick Souter voting in opposition.

13e. Consider the inclusion of City-owned property (Parcel 189786), 308 Smokey Lane, Texaco Bulk Plant facility, within the proposed Historic Overlay

The Item was presented by Mr. Scott.

Action:

Billie Wallace moved to approve the inclusion of City-owned property (Parcel 189786), located at 308 Smokey Lane, Texaco Bulk Plant facility, within the proposed Historic Overlay. Motion was seconded by Travis Smith and carried unanimously (4-0).

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

Council Member Billie Wallace noted she attended the Fire Department's Christmas Party and recognized their impressive work.

City Manager Michael Scott thanked City Council for attending the Employee Christmas Party and for their recognition of employees.

Council Member Patrick Souter expressed his appreciation for the opportunity to attend the City Employee Christmas Party and the Fire Department Christmas Party.

City Attorney Terry Welch expressed his appreciation to continue working with City Council.

Mayor David Hill noted he enjoyed attending the Employee Christmas Party and expressed his appreciation for staff and first responders.

City Council and staff wished everyone Happy Holidays.

15. Adjourn

There being no further business, the meeting adjourned at 8:08 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary