

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, January 22, 2024 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

Council Member Absent: Patrick Souter, Council Member Place 2

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

Pastor Mitchell White, University Church, gave the invocation. Mayor Pro Tem Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Vanessa Voldan, 301 Cynisca, Waxahachie, Texas, requested assistance from the City to provide low cost spay and neutering services for animals and an improved animal shelter.

Alan Broome, 731 Broadhead Road, Waxahachie, Texas, spoke in opposition to the approval of the engineering services contract for Broadhead Road. He expressed safety concerns with increasing the road to four lanes.

5. Consent Agenda

- a. Minutes of the City Council meeting of December 18, 2023
- b. Minutes of the City Council Work Session of January 18, 2024
- c. Event application for Hachie Gras to be held February 10, 2024
- d. Event application for District 2-X1 Build Beds for Kids Project to be held March 16, 2024 at Lions Park
- e. Event application for Gingerbread Trail Car Show to be held June 8, 2024 at Getzendaner Park
- f. Event application for Cars in the Park Car Show to be held July 13, 2024 at Getzendaner Park
- g. Event application for Waxahachie Fun Run Car Show to be held August 10, 2024 at Getzendaner Park

- h. Event application for St. Jude Car Show to be held September 14, 2024 at Getzendaner Park
- i. Proposed Ordinance approving a request by Andrew Garrett, for a Petition for ETJ Release for approximately 21.955 acres, located at 982 E Butcher Road (Property ID 191454 and 189365)– Owner: WGM, LLC (ETJ-PTN-197-2023)
- j. Proposed Ordinance approving a request by Andrew Garrett, for a Petition for ETJ Release for approximately 10.711 acres, located at 731 South Westmoreland Road (Property ID 186474 and 186475)– Owner: Andrew Garret & Kati Garrett (ETJ-PTN-198-2023)
- k. Authorize use of Park Dedication Fee Fund for professional services costs related to design and engineering of North Grove Park
- l. Proposed Ordinance re-establishing classified positions under Civil Service
- m. Adoption of the revised Joint Airport Agreement with the City of Midlothian

ORDINANCE NO. 3443

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 21.955 ACRE TRACT OF LAND, LOCATED AT 982 EAST BUTCHER ROAD, KNOWN AS PROPERTY ID 191454 AND 189365, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3444

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 10.711 ACRE TRACT OF LAND, LOCATED AT 731 SOUTH WESTMORELAND ROAD, KNOWN AS PROPERTY ID 186474 AND 186475, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3445

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ESTABLISHING AND RE-ESTABLISHING CLASSIFIED POSITIONS UNDER CIVIL SERVICE IN THE FIRE AND POLICE DEPARTMENTS, REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

Action:

Billie Wallace moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Chris Wright and carried unanimously (4-0).

6. Introduce Honorary Council Member

Mayor Hill recognized Orise Kopnak as the January 2024 Honorary Council Member. Ms. Kopnak was born on September 19, 1921, in Dubuque, Iowa and lived in Pennsylvania, Florida, and North Carolina before retiring in Waxahachie, Texas. She joined the Women's Army Corps in 1945 and served for one year working in entertainment and recreation as a vocalist for the Army Band. Orise was married to her beloved husband, John Kopnak, for 47 years. Mrs. Kopnak has been an active member of the local St. Joseph Catholic Church and a member of Baylor Scott and White Medical Center Waxahachie Volunteer Services Department for the past 10 years, volunteering twice a week with over 2600 hours of dedicated service to the community. She has touched innumerable lives over the years, and her kindness, generosity, and wisdom are a source of inspiration to all who are fortunate enough to know her. Mrs. Kopnak was recognized by the Waxahachie City Council on September 18th at Baylor Scott and White Medical Center with a proclamation recognizing September 19, 2023 as "ORISE KOPNAK DAY."

7. Consider supplemental appropriation for the Waxahachie City Hall Remodel and Construction Project in the amount of \$5,603,751

The Item was presented by Senior Director of Administrative Services Dale Sigler. Council Member Travis Smith inquired about the option for bonding and City Manager Michael Scott explained legislation changes would allow this project to be reimbursable through bonds, if Council chooses.

Action:

Billie Wallace moved to approve a supplemental appropriation from the General Fund unrestricted reserve fund balance in the amount of \$5,603,751 for the Waxahachie City Hall Remodel and Construction Project and authorize the City Manager to execute all documents as necessary. Motion was seconded by Chris Wright and carried unanimously (4-0).

Mayor Pro Tem Chris Wright explained City Council contemplated all options for the City Hall renovation.

8. Consider approval of two new positions in the Human Resources Department and associated supplemental appropriation

The Item was presented by Mr. Scott.

Action:

Billie Wallace moved to approve the addition of the two new positions within the Human Resources Department as described and the related supplemental appropriation of \$223,305. Motion was seconded by Chris Wright and carried unanimously (4-0).

9. Present Proclamation recognizing January as "General Aviation Appreciation Month"

Mayor Hill presented a Proclamation recognizing January as "General Aviation Appreciation Month."

10. Hear presentation on “Holidays with Heroes”

Bishop Aaron Blake Sr., Harvest Family Life Ministries, made a presentation on “Harvest Holiday with Heroes” noting the participation from first responders is greatly appreciated. He explained children were able to participate because of the partnership with the community and local businesses. Bishop Blake explained Harvest Family Life Ministries has helped those in need in our community and is always looking for more partnerships.

11. Public Hearing on a request by Charles Shelburne, BSW Health, for a Replat of Lot 1, Block A of the Baylor Waxahachie Hospital Addition, 1 lot, being 46.931 acres, located at 2400 N Interstate 35E (Property ID: 180334 & 261917) – Owner: Baylor Health Care System and Baylor Scott & White Professional Plaza I (SUB-188-2023)

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

Mayor Hill opened the Public Hearing at approximately 7:44 p.m.

There being no others to speak for or against SUB-188-2023, Mayor Hill closed the Public Hearing at approximately 7:44 p.m.

12. Consider approval of SUB-188-2023

Action:

Billie Wallace moved to approve SUB-188-2023, a Replat of the Baylor Waxahachie Hospital addition and the associated Petition for the Relief Waiver, subject to the conditions of the staff report, and authorize the Mayor to execute all associated documents. Motion was seconded by Travis Smith and carried unanimously (4-0).

13. Public Hearing on a request by Chris Clark, Clarkitecture LLC, for a Specific Use Permit (SUP) for a Drive-Through Establishment (HTeaO) use within a Planned Development-24-General Retail zoning district, located at 502 N US Highway 77 (Property ID 289738) – Owner: RS Waxahachie LLC (ZDC-163-2023)

The Item was presented by Ms. Pruitt and applicant Brad Williamson requested approval.

Mayor Hill opened the Public Hearing at approximately 7:48 p.m.

City Council expressed concern with traffic safety on this site. Council Members discussed on-site directional signage, drainage, and improvements needed to the shared access easement from the adjacent property.

Mr. Williamson explained safety at the property is paramount and he was willing to discuss improvement options with the adjacent property owner for the shared access.

There being no others to speak for or against ZDC-163-2023, Mayor Hill closed the Public Hearing at approximately 8:08 p.m.

City Attorney Terry Welch explained the City Council can include a stipulation in the Development Agreement to improve the shared access; however, the City cannot force the applicant to make repairs on a property they do not own.

14. Consider proposed Ordinance approving ZDC-163-2023

Action:

Billie Wallace moved to approve an Ordinance for ZDC-163-2023, a Specific Use Permit for a Drive-Through Establishment at 502 N US Highway 77, subject to the conditions of the staff report. Motion was seconded by David Hill. The motion failed by a 2-2 vote, with Chris Wright and Travis Smith voting in opposition.

15. Consider Development Agreement for ZDC-163-2023

No action taken.

16. Public Hearing on a request by Suzanne Bell, Cove Construction, for a Specific Use Permit (SUP) for an Accessory Structure 700+ Square Feet use within a Single-Family Dwelling-1 (SF-1) zoning district located at 673 Brookglen Court (Property ID 216273) - Owner: John & Leslie Majors (ZDC-176-2023)

The Item was presented by Ms. Pruitt.

Mayor Hill opened the Public Hearing at approximately 8:10 p.m.

There being no others to speak for or against ZDC-176-2023, Mayor Hill closed the Public Hearing at approximately 8:10 p.m.

17. Consider proposed Ordinance approving ZDC-176-2023

ORDINANCE NO. 3446

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY STRUCTURE GREATER THAN 700 SQUARE FEET USE WITHIN A SINGLE-FAMILY DWELLING-1 (SF-1) ZONING DISTRICT AT 673 BROOKGLEN COURT IN THE CITY OF WAXAHACHIE, TEXAS, ELLIS COUNTY TEXAS, BEING 0.517 ACRES KNOWN AS PROPERTY ID 216273, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Billie Wallace moved to approve an Ordinance for ZDC-176-2023, a Specific Use Permit for an Accessory Structure over 700 square feet use within a Single-Family 1 zoning district, subject to the conditions of the staff report. Motion was seconded by Chris Wright and carried unanimously (4-0).

- 18. Public Hearing on a request by the City of Waxahachie for a Textual Amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, adding language related to a Data Center use (ZTA-194-2023)**

The Item was presented by Ms. Pruitt.

Mayor Hill opened the Public Hearing at approximately 8:13 p.m.

There being no others to speak for or against ZTA-194-2023, Mayor Hill closed the Public Hearing at approximately 8:13 p.m.

- 19. Consider proposed Ordinance approving ZTA-194-2023**

ORDINANCE NO. 3447

AN ORDINANCE AUTHORIZING A TEXTUAL AMENDMENT TO THE CITY ZONING ORDINANCE (ORDINANCE NO. 3020), ARTICLE IV (DEFINITIONS AND USE REGULATIONS), SECTION 4.01 (DEFINITIONS) TO SECTION 4.03 (USE CHARTS), PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

Action:

Billie Wallace moved to approve ZTA-194-2023, a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance as presented and authorize the Mayor to sign all associated documents. Motion was seconded by Chris Wright and carried unanimously (4-0).

- 20. Consider approval of an Engineering Professional Services Agreement with Westfall Engineering for the Broadhead Road Reconstruction Project**

The Item was presented by Senior Director of Public Works and Engineering Justin Stoker. City Council discussed identifying the city/county boundary line, traffic safety on Broadhead Road, and funding for the project. Mr. Stoker explained Impact Fee funds can only be used in the service area in which they are collected; this section of Broadhead Road is the only location where the funds for Service Area 5 can be used.

Action:

Chris Wright moved to approve the agreement with Westfall Engineering for the Broadhead Road Reconstruction engineering services in the amount of \$367,250 and authorize the City Manager to execute all necessary documents. Motion was seconded by Billie Wallace and carried by a 3-1 vote, with Travis Smith voting in opposition.

- 21. Consider approval of an Engineering Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Pensacola Avenue Corridor Reconstruction Project**

The Item was presented by Mr. Stoker.

Action:

Billie Wallace moved to approve a professional services agreement in the amount of \$299,500 with Kimley-Horn and Associates, Inc. for Pensacola Avenue engineering services. Motion was seconded by Travis Smith and carried unanimously (4-0).

22. Consider the award of a construction contract to Red River Construction Co. for the Howard Road Water Treatment Plant Air Scour Blower and Chemical Storage Tank Rehabilitation and Replacement Project

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

Action:

Billie Wallace moved to approve the award of a construction contract to Red River Construction Company in the amount of \$2,557,100 and additional construction contingency in the amount of \$127,900 for the Howard Road Water Treatment Plant Air Scour Blower and Chemical Storage Tank Rehabilitation and Replacement Project and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (4-0).

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

Mayor Pro Tem Chris Wright explained City Council understands the Broadhead Road safety concern. He congratulated Dale Sigler on his new role, praised the Harvest Holiday with Heroes event, and expressed his support for HTeaO but noted his concern with traffic safety at the proposed site.

Council Member Billie Wallace thanked citizens for their attendance and participation at the meeting.

Council Member Travis Smith announced Bessie Coleman's birthday on January 26, 2024.

Deputy City Manager welcomed Communications and Marketing Director Alice Jauregui to the City team.

Mayor David Hill thanked Police Chief Joe Wiser, Fire Chief Ricky Boyd, and Bishop Aaron Blake Sr. for their work on the Harvest Holiday with Heroes event. He recognized the need for a new animal shelter and affordable services for pet owners.

15. Adjourn

There being no further business, the meeting adjourned at 8:43 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary