

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 on Monday, February 1, 2021 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1  
Mary Lou Shipley, Mayor Pro Tem  
Chuck Beatty, Council Member

Council Member Absent: Doug Barnes, Council Member Place 2  
Melissa Olson, Council Member Place 3

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Robert Brown, City Attorney  
Lori Cartwright, 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 and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Mr. Chris Wright, 808 Marvin, Waxahachie, thanked Mayor Hill and Mrs. Hill for their participation in getting the immunization information out to the public.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of January 19, 2021
- b. Minutes of the City Council briefing of January 19, 2021
- c. Waxahachie Police Department Racial Profiling Report for 2020
- d. Mutual Aid Agreement with Ellis County for Coordination of a Vaccine Hub

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve items a. through d. on the Consent Agenda. Council Member Chuck Beatty seconded, All Ayes.*

**6. Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for Pole Sign use within a Light Industrial-1 zoning district located at 7240 Interstate 35E (Property ID 186924) - Owner: 7240 I35 EAST LLC (ZDC-177-2020)**

Mayor Hill opened the Public Hearing.

Director of Planning Shon Brooks reported the pole sign request does meet the zoning requirements and recommended approval.

There being no others to speak for or against ZDC-177-2020, Mayor Hill closed the Public Hearing.

**7. Consider proposed Ordinance approving ZDC-177-2020**

**ORDINANCE NO. 3250**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A POLE SIGN USE WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT, LOCATED 7240 N INTERSTATE 35, BEING PROPERTY ID 186924, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOCATED IN THE J.H. LAWRENCE SURVEY, ABSTRACT 633, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Chuck Beatty moved to approve Ordinance No. 3250. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**8. Public Hearing on a request by Kellen Robertson, RLG Consulting Engineers, for a Zoning Change from a Planned Development-Commercial zoning district to Planned Development-Commercial located at 2460 Interstate 35E (Property ID 261917) - Owner: BAYLOR SCOTT & WHITE PROFESSIONAL PLAZA I (ZDC-181-2020)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported TxDOT will be widening the road in this area and the billboard, in its current location, will encroach on TxDOT's Right-of-Way easement. He explained the relocation would ensure that the billboard is outside of TxDOT's easement.

There being no others to speak for or against ZDC-181-2020, Mayor Hill closed the Public Hearing.

**9. Consider proposed Ordinance approving ZDC-181-2020**

**ORDINANCE NO. 3251**

**AN AMENDMENT TO ORDINANCE 2649 AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-COMMERCIAL (PD-C) TO PLANNED DEVELOPMENT-COMMERCIAL (PD-C), WITH AMENDED ORDINANCE, TO ALLOW THE RELOCATION OF A BILLBOARD, LOCATED AT 2460 N INTERSTATE 35, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 5.261 ACRES KNOWN AS A PORTION OF PROPERTY ID 261917 OF BAYLOR WAXAHACHIE HOSPITAL SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3251. Council Member Chuck Betty seconded, All Ayes.*

- 10. Public Hearing on a request by Ben Talley, LJA Engineering, for an Amendment to Ordinance No. 2302 for Saddlebrook Estates to increase the Maximum Lot Coverage from 35% to 50% by main building and accessory structures in the remaining South Tract and Central Tract West (ZDC-180-2020)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant is requesting to amend Ordinance 2302 to increase maximum lot coverage from 35% to 50% and recommended approval.

There being no others to speak for or against ZDC-180-2020, Mayor Hill closed the Public Hearing.

- 11. Consider proposed Ordinance approving ZDC-180-2020**

**ORDINANCE NO. 3252**

**AN AMENDMENT TO ORDINANCE 2302 AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD), WITH AMENDED ORDINANCE, TO ALLOW AN INCREASE IN LOT COVERAGE, LOCATED AT THE NORTHWEST & SOUTHEAST OF THE INTERSECTION OF PIMLICO DR. AND HIGHWAY 287, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 472.56 ACRES KNOWN AS A PORTION OF PROPERTY ID 262511, 189842, AND 241033, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Chuck Beatty moved to approve Ordinance No. 3252. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

- 12. Public Hearing on a request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported Southwestern Assembly of God University (SAGU) is requesting to construct a 6,000 square foot multi-purpose accessory building for the baseball team adjacent to the baseball dorms. He recommended approval.

There being no others to speak for or against ZDC-176-2020, Mayor Hill closed the Public Hearing.

**13. Consider proposed Ordinance approving ZDC-176-2020**

**ORDINANCE NO. 3253**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT NON-RESIDENTIAL ACCESSORY BUILDING USE WITHIN A PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) ZONING DISTRICT, LOCATED AT 1200 SYCAMORE STREET, PROPERTY ID 193782, BEING ABSTRACT 148 OF THE WM BASKINS SURVEY AND BLOCKS 1-10 AND 18A AND 19A AND 20A OF BLOCK 2 OF UNIVERSITY ADDITION, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3253. Council Member Chuck Beatty seconded, All Ayes.*

**14. Public Hearing on a request by Joshua Ward for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 125 Homestead Lane (Property ID 269684) - Owner: JOSHUA WARD & SABRINA HULL-WARD (ZDC-175-2020)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant is requesting to construct a 3,100 square foot accessory structure and intends to use it for storage of supplies, vehicles, and workshop space. He explained the primary residence is 3,019 square feet.

There being no others to speak for or against ZDC-175-2020, Mayor Hill closed the Public Hearing.

**15. Consider proposed Ordinance approving ZDC-175-2020**

**ORDINANCE NO. 3254**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT ACCESSORY STRUCTURE USE WITHIN A PLANNED DEVELOPMENT-23-SINGLE FAMILY-1 (PD-23-SF1) ZONING DISTRICT, LOCATED AT 125 HOMESTEAD LANE, PROPERTY ID 269684, BEING LOT 5, BLOCK B, HOMESTEAD ESTATES, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Chuck Beatty moved to approve Ordinance No. 3254. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

- 16. Public Hearing on a request by Joseph Ray, D&R Solutions LLC, for a Zoning Change from a Single-Family Residential-3 zoning district to Two-Family Residential-Duplex (2F), located at 200 Peters Street (Property ID 283063) - Owner: D & R SOLUTIONS LLC (ZDC-182-2020)**

Mayor Hill opened the Public Hearing and stated the applicant requested to continue ZDC-182-2020 to the City Council meeting of February 15, 2021.

- 17. Consider proposed Ordinance approving ZDC-182-2020**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to continue the Public Hearing on a request by Joseph Ray, D&R Solutions LLC, for a Zoning Change from a Single-Family Residential-3 zoning district to Two-Family Residential-Duplex (2F), located at 200 Peters Street (Property ID 283063) - Owner: D & R SOLUTIONS LLC (ZDC-182-2020) to the City Council meeting of February 15, 2021. Council Member Chuck Beatty seconded, All Ayes.*

- 18. Public Hearing on a request by George Salvador, Lilian Custom Homes, for a Zoning Change from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-179-2020)**

Mayor Hill opened the Public Hearing and stated the applicant requested to continue ZDC-179-2020 to the City Council meeting of February 15, 2021.

- 19. Consider proposed Ordinance approving ZDC-179-2020**

**Action:**

*Council Member Chuck Beatty moved to continue the Public Hearing on a request by George Salvador, Lilian Custom Homes, for a Zoning Change from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-179-2020) to the City Council meeting of February 15, 2021. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

- 20. Consider Development Agreement for ZDC-179-2020**

**Action:**

*Council Member Chuck Beatty moved to move consideration of the Development Agreement for ZDC-179-2020 to the City Council meeting of February 15, 2021. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

- 21. Consider proposed Resolution making findings regarding the creation of the Sterrett Road Municipal Management District**

**RESOLUTION NO. 1300**

**A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS, MAKING FINDINGS REGARDING THE CREATION OF THE STERRETT ROAD MUNICIPAL**

**MANAGEMENT DISTRICT THROUGH ACT OF THE 87TH LEGISLATURE OF THE STATE OF TEXAS.**

**Action:**

*Council Member Chuck Beatty moved to approve Resolution No. 1300. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**22. Consider proposed Resolution in support of Navarro College's pursuit of legislative approval to offer a Bachelor of Science in Nursing (BSN) Degree**

Navarro College President Dr. Kevin G. Fegan presented Resolution 1301 and asked City Council to support House Bill 885, a proposal to allow Navarro College to create a Bachelor of Science in a Nursing Degree Program. He explained the proposed Resolution notes the outstanding efforts of State Representative Cody Harris and himself as President of Navarro College in the creation of House Bill 885.

**RESOLUTION NO. 1301**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS ('CITY') IN SUPPORT OF HOUSE BILL 885, A PROPOSAL TO ALLOW NAVARRO COLLEGE TO CREATE A BACHELOR OF SCIENCE IN NURSING DEGREE PROGRAM, AND FURTHER NOTING THE OUTSTANDING EFFORTS OF STATE REPRESENTATIVE CODY HARRIS, AND NAVARRO COLLEGE PRESIDENT DOCTOR KEVIN G. FEGAN, IN THE CREATION OF HOUSE BILL 885**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve Resolution No. 1301. Council Member Chuck Beatty seconded, All Ayes.*

**23. Consider proposed Resolution accepting a petition to create the Emory Lakes public improvement district, calling for a public hearing to consider the feasibility and advisability of establishing the district and authorizing and directing the publication and mailing of notices of the public hearing**

**RESOLUTION NO. 1302**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ACCEPTING A PETITION TO CREATE THE EMORY LAKES PUBLIC IMPROVEMENT DISTRICT; CALLING FOR A PUBLIC HEARING TO CONSIDER THE FEASIBILITY AND ADVISABILITY OF ESTABLISHING THE DISTRICT; AUTHORIZING AND DIRECTING THE PUBLICATION AND MAILING OF NOTICES OF THE PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE.**

**Action:**

*Council Member Chuck Beatty moved to approve Resolution No. 1302. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**24. Consider proposed Resolution of Candidate Nomination for the Ellis Appraisal District Board of Directors Vacancy for the year 2021**

Mayor Hill announced a proposed Resolution of Candidate Nomination for the Ellis Appraisal District Board of Directors Vacancy for the year 2021 will be considered at the City Council meeting of February 15, 2021.

**Action:**

*None*

**25. Consider authorization of smart meter funding analysis with Performance Services, Inc.**

Assistant City Manager Tommy Ludwig reported staff has been pursuing and researching moving forward converting the existing water meters with smart meters. He explained the City will enter into an agreement with Performance Services, Inc. in which they will conduct a water audit to determine if the project will be self-sufficient and funded. Mr. Ludwig stated the exercise will take approximately three (3) months and based on that analysis staff will come back to City Council with a recommendation.

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved the authorization of smart meter funding analysis with Performance Services, Inc. Council Member Chuck Beatty seconded, All Ayes.*

**26. Consider approval of will serve agreement and certificate of convenience and necessity boundary adjustment with Sardis Lone-Elm Water Supply Corporation**

**Action:**

*Council Member Chuck Beatty moved to approve the agreement and certificate of convenience and necessity boundary adjustment with Sardis Lone-Elm Water Supply Corporation. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**27. Consider authorizing professional services with Birkhoff, Hendricks, and Carter, LLP associated with the Grove Creek Trunk Sewer Phase IV Capital Improvement Project**

Assistant Director of Utilities Richard Abernethy reported the services will include the design of approximately 15,000 linear feet of 24 inch to 27 inch sewer line diameter parallel upstream at the Grove Creek lift station and extending north westerly along Grove Creek to the north and south prong of Grove Creek at Highland Village. He stated the project is included in the five year CIP and will cover the design, land right acquisition services, bid specifications and preparation and construction support services. It will not only meet the existing needs of our wastewater system but also accommodate the additional capacity in the Grove Creek drainage basin in the northern part of the city. The funding is in the 2019 – 2020 bond sale.

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to authorize professional services with Birkhoff, Hendricks, and Carter, LLP associated with the Grove Creek Trunk Sewer Phase IV Capital Improvement Project as presented. Council Member Chuck Beatty seconded, All Ayes.*

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

City Manager Michael Scott expressed his appreciation to Emergency Management Director Thomas Griffith and city staff for getting the Senior Center prepared for the COVID-19 vaccination hub. He congratulated Mayor David Hill and Council Member Melissa Olson for earning their Certified Municipal Official designation by completing the appropriate number of continuing education units (CEUs) in the Texas Municipal League Institute program. Mr. Scott thanked City Council for their support of staying on course with the sewer project noting this has been an ongoing effort for years.

Mayor Pro Tem Mary Lou Shipley asked for prayers for Council Member Doug Barnes. She commended Mr. Will Turner, President at Baylor Scott and White, and his entire staff as they continue to work through the COVID pandemic. She thanked city staff for their continued work on a number of large projects in the city.

Mayor David Hill stated the immunization hub at the Senior Center would go live on Tuesday, February 2, 2021 and vaccinate 200 – 300 people with plans on vaccinating 1,000 on Wednesday. He stated there would be 5,000 vaccines to distribute this week. The hub is located at the Senior Center for 90 days. He asked to keep the nurses in your prayers.

**29. Adjourn**

There being no further business, the meeting adjourned at 7:23 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary