

# **A G E N D A**

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on ***Tuesday, September 6, 2022 at 7:00 p.m.***

Council Members: 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

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Public Comments:*** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers must observe the five (5) minute time limit.***
5. ***Consent Agenda***

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

  - a. Minutes of the City Council meeting of August 15, 2022
  - b. Minutes of the City Council briefing of August 15, 2022
  - c. Minutes of the City Council special meeting of August 30, 2022
  - d. Event application for Gears and Beers event to be held September 24, 2022
  - e. Event application for Oddfest event to be held October 1, 2022 at Singleton Plaza
  - f. Event application for YMCA Santa Run to be held December 10, 2022 at Railyard Park
  - g. City Manager's appointment of member to Civil Service Commission
6. ***Consider*** confirmation of Police Chief
7. ***Request to appear*** by Nancy Clifford for approval of Texas Veterans Parade-Ellis County to be held November 5, 2022

8. **Public Hearing** on a request by Chad Adams, Levante Partners, LP, for a Plat of Levante, Lot 1X, Block A, Lots 1-6, 7X, 8-20, Block B, Lots 1-8, 9X, 10-11, Block C, Lots 1-17, Block D, Lots 1-18, Block E, Lots 1X, 2-10, Block F, Lots 1-26, Block G, Lots 1-9, Block H, Lots 1-13, Block I, being 150.59 acres, located on the west side of Howard Road (FM 877) across from 3175 Howard Road, situated in the S.M. Durrett Survey, Abstract No. 272, an addition to the City of Waxahachie (Property ID 182020) – Owner: LEVANTE PARTNERS, LP (SUB-66-2022)
9. **Consider** SUB-66-2022
10. **Public Hearing** on a request by Espire Enterprises, LLC for a Replat of the Original Town of Waxahachie, lots 7, 8, 9C Block 51A, being 0.1251 acres, located at 100 Coats Street, situated in the AM Keen Survey, Abstract 596, an addition to the City of Waxahachie (Property ID 170885) – Owner: ESPIRE ENTERPRISES, LLC (SUB-59-2022)
11. **Consider** SUB-59-2022
12. **Public Hearing** on a request by Debbie Manning, Capitola Builders, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 195 Brookbend Drive (Property ID 208145) - Owner: HIGGINBOTHAM REVOCABLE TRUST (ZDC-79-2022)
13. **Consider** proposed Ordinance approving ZDC-79-2022
14. **Consider** proposed Ordinance abandoning and vacating certain right-of-way along Flat Street
15. **Consider** and **act** upon an ordinance of the City of Waxahachie, Texas, approving the 2022-2023 annual service plan update to the Service and Assessment Plan for the Waxahachie Public Improvement District No. 1 and providing an effective date
16. **Consider** and **act** upon an ordinance of the City of Waxahachie, Texas, approving the 2022-2023 annual service plan update to the Service and Assessment Plan for the North Grove Public Improvement District and providing an effective date
17. **Consider** proposed Ordinance approving revised budget figures for fiscal year 2021-2022 and approving the budget for fiscal year 2022-2023
18. **Consider** proposed Ordinance amending Water and Wastewater rates and fees and setting an effective date of October 1, 2022
19. **Consider** a motion to ratify the property tax revenue increase reflected in the Fiscal Year 2022-2023 budget in accordance with the Texas Local Government Code
20. **Consider** proposed Ordinance adopting the Tax Rate for fiscal year 2022-2023
21. **Consider** proposed Ordinance re-establishing classified positions under Civil Service
22. **Consider** authorizing professional service agreement with Freese and Nichols for engineering services associated with the Drainage Master Plan

23. **Consider** authorizing professional service agreement with Kimley-Horn Associates for engineering services associated with the Charlotte Street Reconstruction Project
24. **Consider** authorizing professional service agreement with BGE, Inc for engineering services associated with the Conceptual Plan for Farley Street Improvements
25. **Consider** proposed Ordinance amending the Waxahachie Code of Ordinances Chapter 32 “Traffic”
26. **Consider** approval of an engineering professional service agreement with Freese and Nichols, Inc. for the Cole Creek/Little Mustang Creek Sewer Basin analysis and the Water and Wastewater Master Plan
27. **Consider** bid award for food grade salt with Morton Salt Inc.
28. **Consider** appointments to Boards and Commissions
29. Comments by Mayor, City Council, City Attorney and City Manager
30. Adjourn

**The City Council reserves the right to go into Executive Session on any posted item.** This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

(5a)

City Council  
August 15, 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 Monday, August 15, 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  
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**

Jason Curry, President TBHC Foster Care and Adoption, gave the invocation. Mayor Hill led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Paula Justice, 602 Cantrell, Waxahachie, Texas, expressed opposition to the City siting their RV park to be non-compliant with zoning regulations.

Alan Fox, 327 University, Waxahachie, Texas, commended City administration and Mayor Hill for prioritizing citizen safety during the Beto O'Rourke Drive Across Texas event held in downtown Waxahachie. Mr. Fox also thanked Waxahachie Police Officers at the event for their professionalism.

Cami Clay, 602 Cantrell, Lot 4, Waxahachie, Texas, spoke in concern of losing her home, as well as other residents who rent at the RV park, if the City proceeds with closing the park for non-compliance with zoning.

Paul Christenson, 110 Williams, Waxahachie, Texas, expressed his disagreement that Certificates of Obligation are ethical, although they are legal. Mr. Christenson requested transparency, bonds approved by citizens, prioritized projects funded by the General Fund, and accused the City of mismanagement of funds.

Bruce Zimmerman, 2821 Howard Road, Waxahachie, Texas, thanked City Council for their service and spoke in support of allowing the tenants to continue living at the RV park at 602 Cantrell.

Anissa Pryor, 602 Cantrell, Lot 21, Waxahachie, Texas, requested City Council be transparent with their plans for the property at 602 Cantrell. Ms. Pryor thanked City Council for their service.

Jim Jordan, 602 Cantrell, Lot 1, explained he has lived at the RV park for 8 years and hopes to continue living there for years to come.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of August 1, 2022
- b. Minutes of the City Council briefing of August 1, 2022
- c. Minutes of the City Council work session of August 4, 2022
- d. Event application for 2022 Junk in the Trunk events to be held September 17, 2022 and November 19, 2022
- e. Event application for Downtown Jamboree to be held October 15, 2022 at Railyard Park
- f. Event application for “Run to be Proactive” Veteran’s Oath to be held October 15, 2022 at Getzendaner Park
- g. Event application for Hike for Life 2022 to be held October 22, 2022 at Brown/Singleton Park
- h. Award of bids for one-year contracts with Befour Chemicals and Polydyne for wastewater polymers and Pencco, Inc. for hydrofluorosilicic acid
- i. Supplemental Appropriation for Insurance Reimbursement to the Parks Department Budget in the amount of \$29,152.48
- j. Resolution approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy, Mid-Tex Division

**Action:**

*Council Member Billie Wallace moved to approve items a. through j. on the Consent Agenda. Council Member Patrick Souter seconded, All Ayes.*

**6. Present Proclamation proclaiming August 23, 2022 as “Martin Van Buren Davis, Sr. Day”**

Mayor Hill presented a Proclamation proclaiming August 23, 2022 as “Martin Van Buren Davis, Sr. Day” celebrating his 100<sup>th</sup> birthday.

**7. Public Hearing on a request by Clint Rhodes, for a Plat of Rhodes Addition, 1 Residential Lot, being 1.00 acres, located at 2407 Howard Rd., (Property ID 182086,) – Owner: MASTERPIECE PROPERTIES (SUB-58-2022)**

Senior Director of Planning Jennifer Pruitt presented the case noting the applicant is requesting to plat the subject property into one (1) lot for single-family residential use. The applicant made a petition of relief waiver request for a 25’ front building line setback instead of the 40’ required due to the existing structure encroaching into the 40’ required front building line setback. Staff and the Planning and Zoning Commission recommended approval of the plat and approval of the petition of relief waiver.

Mayor Hill opened the Public Hearing.

There being no others to speak for or against SUB-58-2022, Mayor Hill closed the Public Hearing.

**8. Consider approval of SUB-58-2022**

**Action:**

*Council Member Billie Wallace moved to approve a request by Clint Rhodes, for a Plat of Rhodes Addition, 1 Residential Lot, being 1.00 acres, located at 2407 Howard Rd., (Property ID 182086,) – Owner: MASTERPIECE PROPERTIES (SUB-58-2022). Council Member Travis Smith seconded, All Ayes.*

**9. Consider request by Chris Muder, REES Associates Inc., for a detailed Site Plan Review for the Villages of Country Lane, an Assisted & Senior Living use within a Planned Development-90 (Office) zoning district at 110 Park Hills Drive (Property ID: 241956) – Owner: BRIDGEVIEW REALTY CAPITAL LLC (SP-55-2022)**

Ms. Pruitt presented the case noting the applicant is requesting a Site Plan approval to construct a two-story assisted and senior living facility on 5.215 acres at 110 Park Hills Drive. The proposed development includes 78 dwelling units for independent living, 59 assisted living beds, and 28 memory care beds. The proposed facility includes four outdoor courtyards and a pool for residents. Additionally, on-site amenities including a restaurant, fitness center, yoga studio, theater, game room, dog park, salon, and activity space are proposed with the facility. Ms. Pruitt noted the western portion of the property, along Highway 77, is covered by an 80-foot TXU electric easement and the owner has received permission from Oncor to place a dog park and additional parking spaces within the easement. The applicant provided two (2) exterior elevation options for the proposed development with both options featuring natural stone and stucco as the primary materials, with siding and board and batten accents. The Planning and Zoning Commission recommended approval of the Site Plan with exterior elevation option 2 and staff concurred.

**Action:**

*Council Member Billie Wallace moved to approve a request by Chris Muder, REES Associates Inc., for a detailed Site Plan Review for the Villages of Country Lane, an Assisted & Senior Living use within a Planned Development-90 (Office) zoning district at 110 Park Hills Drive (Property ID: 241956) – Owner: BRIDGEVIEW REALTY CAPITAL LLC (SP-55-2022) with exterior elevation option 2. Mayor Pro Tem Chris Wright seconded, All Ayes.*

**10. Public Hearing on a request by Michelle Kucaba, Interplan, LLC, for a Specific Use Permit (SUP) for a Restaurant with a Drive-Through use within a Planned Development-General Retail (PD-GR) zoning district located at 996 W Highway 287 (Property ID 142134) - Owner: CHICK-FIL-A INC (ZDC-47-2022)**

Ms. Pruitt presented the case noting the applicant requests a specific use permit to modify the drive through circulation and configuration for the existing Chick-Fil-A located at 996 W. Highway 287. She noted the applicant is not proposing any changes to the building and staff and the Planning and Zoning Commission recommended approval per the following staff comments:

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1. The subject property shall conform to the layout shown in the site plan.
2. The applicant shall obtain a permit from the City of Waxahachie Building Department and Public Works and Engineering Department prior to construction.

Mayor Hill opened the Public Hearing.

There being no others to speak for or against ZDC-47-2022, Mayor Hill closed the Public Hearing.

**11. Consider proposed Ordinance approving ZDC-47-2022**

**ORDINANCE NO. 3333**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE THROUGH ESTABLISHMENT USE WITHIN A PLANNED DEVELOPMENT DISTRICT- GENERAL RETAIL (PD-GR) LOCATED AT 996 W HIGHWAY 287 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.66 ACRES KNOWN AS PROPERTY ID 142134, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Billie Wallace moved to approve Ordinance No. 3333. Council Member Travis Smith seconded, All Ayes.*

**12. Public Hearing on a request by Jeb Jones, Pro Star Rental, for a Specific Use Permit (SUP) for a Heavy Machinery and Equipment Sales and Rental, use within a Light Industrial (LI-1) zoning district located at 2601 North Highway 77 (Property ID 174803) - Owner: CJ COMMERCIAL CO LLC (ZDC-52-2022)**

Ms. Pruitt presented the case noting the applicant requests a specific use permit to expand an existing heavy machinery and equipment sales and rental business (Pro Star Rental of Waxahachie). The property owner plans to purchase and acquire an additional 0.5 acres from the Northside Church of Christ to integrate into the site and expand the business's equipment rental and sales storage area. Ms. Pruitt explained the applicant is requesting a variance to allow for gravel on the perimeter of the new storage area instead of using concrete as proposed in the remainder. The applicant is also requesting a variance to not screen the outdoor storage along the western property line since the property on the west currently uses that area for outdoor storage, causing minimal visual impact where no screening is proposed. Staff and the Planning and Zoning Commission recommended approval per the following staff comments:

1. Approval of a variance request to utilize gravel in areas shown on the site plan.
2. Approval of a variance request to not screen the newly incorporated outdoor storage area along the western property line as shown on the site plan.
3. The applicant shall include a landscape plan for the living screen with the civil plan application submitted to the City of Waxahachie Public Works and Engineering Department.
4. The applicant shall obtain an irrigation permit from the City of Waxahachie Building Department prior to construction.

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Mayor Hill opened the Public Hearing.

There being no others to speak for or against ZDC-52-2022, Mayor Hill closed the Public Hearing.

**13. Consider proposed Ordinance approving ZDC-52-2022**

**ORDINANCE NO. 3334**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HEAVY MACHINERY AND EQUIPMENT SALES AND RENTAL USE WITHIN A LIGHT INDUSTRIAL-1 DISTRICT LOCATED ON 2601 NORTH HIGHWAY 77 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.85 ACRES KNOWN AS PROPERTY ID 174803, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Billie Wallace moved to approve Ordinance No. 3334 per staff comments. Council Member Travis Smith seconded, All Ayes.*

**14. Public Hearing on a request by Shannon Childs, for a Specific Use Permit (SUP) for an Accessory Dwelling Unit, use within a Single Family – 2 (SF-2) zoning district located at 301 Olive Street (Property ID 180822) - Owner: SHANNON MARIE CHILDS (ZDC-76-2022)**

Ms. Pruitt presented the case noting the applicant is requesting to utilize an existing accessory structure (731 sq. ft.) as an accessory dwelling unit. Staff and the Planning and Zoning Commission recommended approval per the following staff comments:

1. The accessory dwelling unit shall not be used for residence by a non-family member.
2. The structure shall, in any case, not be leased or sold and shall not be separately metered.
3. The applicant will need to ensure that the structure is habitable.
4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to renovating the accessory structure.

Mayor Hill opened the Public Hearing.

There being no others to speak for or against ZDC-76-2022, Mayor Hill closed the Public Hearing.

**15. Consider proposed Ordinance approving ZDC-76-2022**

**ORDINANCE NO. 3335**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY DWELLING UNIT USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 301 OLIVE STREET, BEING PROPERTY ID 180822, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE**

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**CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Billie Wallace moved to approve Ordinance No. 3335 per staff comments. Council Member Travis Smith seconded, All Ayes.*

- 16. Public Hearing on a request by Nic Paul, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 116 Spring Creek Drive (Property ID 206116) - Owner: LEE & ANNA L. MARTIN (ZDC-83-2022)**

Ms. Pruitt presented the case noting the applicant is requesting to construct a +700 sq. ft. (1,500 sq. ft.) accessory structure to the rear of a single-family residential lot and staff and the Planning and Zoning Commission recommended approval per staff comments:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The concrete will be extended from the driveway to the accessory structure.
5. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to the construction of the accessory structure.

Ms. Pruitt stated the use of the building to operate a business is prohibited.

Mayor Hill opened the Public Hearing.

There being no others to speak for or against ZDC-83-2022, Mayor Hill closed the Public Hearing.

- 17. Consider proposed Ordinance approving ZDC-83-2022**

**ORDINANCE NO. 3336**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EQUAL TO OR GREATER THAN 700 SQUARE FEET USE WITHIN A SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED 116 SPRING CREEK DRIVE, BEING PROPERTY ID 206166, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 11A, IN THE ROCK BOTTOM RANCH ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Billie Wallace moved to approve Ordinance No. 3336 per staff comments. Council Member Patrick Souter seconded, All Ayes.*

**18. Public Hearing on a request by Gregory Nehib, Big Blue Truck, LLC, for a Zoning Change from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)**

Ms. Pruitt presented the case noting the applicant is requesting to rezone approximately 1.98 acres of land located at 206 and 208 North Jackson Street from single-family-residential-2 (SF-2) district to Central Area (CA) district to reuse the existing building for indoor amusement. The property owner has a tenant who would like to operate a haunted house (Reindeer Manor) and a skate park. The applicant has noted they do not plan to make any exterior changes to the building or site improvements. Instead, the prospective tenant intends to make interior changes to occupy the building. Ms. Pruitt stated although the zoning change from SF-2 to Central Area District is appropriate, staff is concerned with the haunted house use and the lack of enhancement or improvements to the existing building given the property's close proximity to downtown. Staff informed the applicant that a site plan will be required if the property owner makes any site and building improvements. Staff received 7 letters of support, 2 letters of opposition, and 1 letter undecided. Staff recommended denial due to staff concerns. The Planning and Zoning Commission recommended approval by a 5-1 vote.

Mayor Hill opened the Public Hearing.

Greg Nehib, 1023 W. Main, Waxahachie, Texas, requested to change the zoning to Central Area District to match the zoning across the street. He explained the 18,000-sf. building is fully sprinkled and commercial taxes are paid on the property although it is zoned Single-Family-Residential.

Those who spoke in support:

Coy Sevier, 311 Brown Street, Waxahachie

Carl Goss, 603 N. Rogers, Waxahachie

Alan Fox, 327 University, Waxahachie

Alex Lohman, 801 W. Main, Waxahachie, potential operator of seasonal haunted house proposed

Those who spoke in opposition:

Brett Hess, 327 Blue Ribbon Road, Waxahachie

Council Member Billie Wallace inquired about parking on-site and Mr. Nehib explained consideration has been given to allow for employee parking. There is potentially space for 100 parking spots; however, they are not weather proof.

Council Member Travis Smith, Mayor Pro Tem Chris Wright, and Council Member Patrick Souter expressed concern with a straight Central Area District zoning change which would allow a multitude of uses in that area by right. They expressed support for changing the zoning through a Planned Development to remove unwanted uses from the Central Area District zoning for that site.

Mr. Nehib explained there are 3 buildings on-site that could possibly have 3 different uses and would be restricted with a Planned Development.

Council Member Smith asked Mr. Nehib if he is willing to work with staff to identify specific uses for the site and Mr. Nehib agreed.

Mayor Pro Tem Wright expressed his concern with lack of parking and spoke in support of a Planned Development for the site.

Council Member Souter spoke in support of a haunted house and skatepark but voiced his concern for those uses at the proposed site. He expressed his concern regarding parking, the negative affect on surrounding businesses, and lack of exterior improvements to the site.

There being no others to speak for or against ZDC-80-2022, Mayor Hill closed the Public Hearing.

**19. Consider proposed Ordinance approving ZDC-80-2022**

**Action:**

*Mayor Pro Tem Chris Wright moved to deny ZDC-80-2022 as presented. Council Member Billie Wallace seconded, All Ayes.*

**20. Consider setting Proposed Tax Rate and Dates for Public Hearing**

Finance Director Chad Tustison reported, as part of the annual budget process, Chapter 26 of the Property Tax Code requires taxing units to comply with the truth-in-taxation laws in adopting their tax rates. He stated the FY 2023 proposed budget includes a proposed tax rate of \$0.63000. Staff recommended taking a record vote to propose an ad valorem tax rate of \$0.63000 for FY 2023 and schedule a public hearing for Tuesday, August 30, 2022 at 5:30 p.m. in the City Council Chamber. City Council will consider adoption of the tax rate for FY 2023 on September 6, 2022 at 7:00 p.m.

**Action:**

*Mayor Pro Tem Chris Wright moved to set a proposed tax rate of \$.63000 per \$100 valuation, schedule a public hearing on the tax rate for August 30, 2022 at 5:30 p.m. in the City Council Chamber, and vote to adopt the tax rate on September 6, 2022 at 7:00 p.m. in the City Council Chamber. Council Member Patrick Souter seconded, the vote was as follows: Ayes: David Hill, Chris Wright, Patrick Souter, and Travis Smith. Noes: Billie Wallace.*

***The motion carried.***

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

Council Member Billie Wallace thanked the Fire Department for their quick assistance installing window units to a local non-profit. Council Member Wallace explained she voted against the proposed tax rate as a voice of the tax payers and noted the City can provide more relief due to the inflated property values.

City Manager Michael Scott thanked Senior Planning Director Jennifer Pruitt and her team for all their work.

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Mayor Pro Tem Chris Wright announced his phone number and encouraged Paul Christenson to contact him to discuss his concerns.

Council Member Patrick Souter thanked the Police Department for how they handled the Beto O'Rourke Drive Across Texas event downtown. Council Member Souter opposed Mr. Christenson's accusations of unethical behavior noting the law identifies projects allowed to be funded through Certificates of Obligations and the City follows the statutes for the benefit of the citizens.

Mayor David Hill thanked everyone for their meeting attendance.

## **22. Adjourn**

There being no further business, the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, August 15, 2022 at 6:30 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

Council Member Absent: 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. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting**

City Manager Michael Scott reviewed the following agenda items:

- Item 5d, event application for 2022 Junk in the Trunk events to be held September 17, 2022 and November 19, 2022.
- Item 5e, event application for Downtown Jamboree to be held October 15, 2022 at Railyard Park.
- Item 5f, event application for “Run to be Proactive” Veteran’s Oath to be held October 15, 2022 at Getzendaner Park.
- Item 5g, event application for Hike for Life 2022 to be held October 22, 2022 at Brown Singleton Park.
- Item 5h, award of bids for one-year contracts with Befour Chemicals and Polydyne for wastewater polymers and Pencoco, Inc. for hydrofluorosilicic acid.
- Item 6, proclamation proclaiming August 23, 2022 as “Martin Van Buren Davis, Sr. Day.”

Brad Barnes, Assistant Director of Parks and Recreation, reviewed Item 5i, requesting approval of a supplemental appropriation for insurance reimbursement to the Parks Department Budget in the amount of \$29,152.48 for roof replacement at the Ellis County Woman’s Building.

Richard Abernethy, Executive Director of Administrative Services, reviewed Item 5j. requesting approval of a resolution approving a negotiated settlement agreement between the Atmos Steering Committee and Atmos Energy, Mid-Tex Division.

Jennifer Pruitt, Senior Director of Planning, reviewed the following cases:

- SUB-58-2022, the applicant is requesting to plat one (1) residential lot in the Rhodes Addition, being 1.00 acres. The applicant is requesting a variance for a 25’ Front Building

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Line setback due to an existing structure encroaching into the required 40' Front Building Line setback. All City lot size and dimension requirements have been met. Staff and the Planning and Zoning Commission recommended approval as presented.

- SP-55-2022, the applicant is requesting Site Plan approval to construct a two-story assisted living facility on 5.215 acres with units including 78 dwelling units for independent senior living, 59 assisted living beds, 28 memory care beds, and several amenities. She noted the western portion of the property is covered by an 80-foot TXU electric easement. The applicant has received permission from Oncor to place a dog park and additional parking spaces within the easement. The applicant is proposing to provide a sidewalk easement along Highway 77 in order to provide sidewalks that comply with City of Waxahachie requirements. Staff and the Planning and Zoning Commission recommended approval as presented.
- ZDC-47-2022, the applicant is requesting a Specific Use Permit to modify the drive-through circulation and configuration for the existing Chick-fil-A located at 996 W. Highway 287. Staff and the Planning and Zoning Commission recommended approval per staff comments.
- ZDC-52-2022, the applicant is requesting a Specific Use Permit to expand an existing heavy machinery and equipment sales and rental business. She noted the applicant is requesting a variance to allow for gravel along the perimeter of the new storage area intended to be used to park and store heavy equipment. The remainder of the expansion will be paved. The applicant is also requesting a variance to not screen the outdoor storage along the western property line since the property on the west currently uses that area for outdoor storage, as well. Staff and the Planning and Zoning Commission recommended approval per staff comments.
- ZDC-76-2022, the applicant is requesting a Specific Use Permit to utilize an existing accessory structure as an accessory dwelling unit. The accessory structure has been used as an accessory dwelling unit for several years, but was just recently brought to the attention of code enforcement. Staff and the Planning and Zoning Commission recommended approval per staff comments.
- ZDC-83-2022, the applicant is requesting a Specific Use Permit to construct a +700 sq. ft. accessory structure to the rear of a single-family residential lot to be used as a barn for livestock and storage. Staff and the Planning and Zoning Commission recommended approval per staff comments.
- ZDC-80-2022, the applicant is requesting to rezone approximately 1.98 acres of land located at 206 and 208 North Jackson Street from Single Family Residential-2 (SF-2) to Central Area (CA) district to potentially use the location for indoor entertainment. The property owner has a prospective tenant that is interested in relocating his haunted house business to downtown Waxahachie. The plan is to operate a haunted house in October and use the facility as a skate park the remainder of the year. Ms. Pruitt noted the applicant does not plan on making any exterior changes to the building or site improvements. The tenant intends to make interior changes to occupy the building. If the request for zoning change is approved, the applicant would not be required to provide onsite parking. Although staff recognizes that the zoning change from SF-2 to CA is appropriate, staff is concerned with the use of the site, lack of enhancements and improvements to the existing building and site, and the property's proximity to the downtown core which should contribute to the character of the downtown area. If approved, all uses allowed in the use chart for Central Area District would be allowed for this location. Due to staff concerns,

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staff recommended denial. The Planning and Zoning Commission recommended approval by a 5-1 vote.

Chad Tustison, Finance Director, reviewed Item 20, explaining as part of the budget process, Chapter 26 of the Property Tax Code requires taxing units to comply with truth-in-taxation laws in adopting their tax rates. Staff recommends taking a record vote to propose an ad valorem tax rate of \$0.30000 for FY 2023 and schedule a public hearing on Tuesday, August 30, 2022 at 5:30 p.m. in the City Council Chamber. The City Council will consider adoption of the tax rate for FY 2023 on September 6, 2022 at 7:00 p.m.

### **3. Adjourn**

There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

City Council  
August 30, 2022

(5C)

A special 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, August 30, 2022 at 5:30 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**

City Manager Michael Scott gave the invocation. Council Member Travis Smith led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Barry Jacobs, 610 Kaufman, Waxahachie, Texas, spoke in opposition to rising taxes and requested City Council to decrease the rate to at least .61 cents to provide property tax relief to citizens.

Randy Donathan, 507 Farley, Waxahachie, Texas, spoke in opposition to rising tax appraisals and asked for a moratorium on growth in the City until there is adequate infrastructure. He recommended removing or reducing funding to new parks, sports complex, and salaries.

Mark Bielamowicz, 307 Seneca, Waxahachie, Texas, spoke in opposition to tax abatements due to direct conflicts with The Constitution.

Gary McKinney, 117 Acuba Lane, Waxahachie, Texas, spoke in opposition to the proposed property tax rate and asked for a reduction. Mr. McKinney expressed his concerns with growth in the City and the impact on infrastructure, especially streets and lack of thoroughfares.

Charles Whitaker, 214 Meagan Street, Waxahachie, Texas, spoke in opposition to the proposed tax rate.

**5. Public Hearing on the proposed Tax Rate for fiscal year 2022-2023**

Finance Director Chad Tustison reviewed the proposed tax rate at \$0.63000 per \$100 valuation, which is a three cent decrease from the current rate. He explained the rate provides for additional

(5C)

City Council  
August 30, 2022  
Page 2

funding for operating costs to keep pace with growth and to fund capital needs throughout the city. He explained \$0.40650 is for Operations and Maintenance (including Sims Library) and \$0.22350 is for Interest and Sinking. He noted the proposed rate exceeds the no-new-revenue rate of \$0.54083 but does not exceed the voter-approval tax rate of \$0.63035.

Mayor Hill opened the Public Hearing on the proposed Tax Rate for fiscal year 2022-2023.

Those who spoke in opposition to the proposed \$0.63000 rate:

Ora Johnson, 203 S. Hill Street, Waxahachie, Texas  
Johnny Bryant, 107 McKenzie, Waxahachie, Texas

There being no others to speak for or against the Public Hearing on the proposed Tax Rate for fiscal year 2022-2023, Mayor Hill closed the Public Hearing.

**6. Public Hearing on the City of Waxahachie proposed Budget for fiscal year 2022-2023 and vote to set the date for adoption**

Mr. Tustison presented the following FY 2023 proposed budget:

- General Fund \$60,088,570.00
- Waste Water Fund \$12,858,229.00
- Water Fund \$18,911,293.00
- Sokoll Fund \$6,719,809.00
- Waxahachie Community Development Corporation (WCDC) Fund \$6,749,250.00
- WCDC Debt Service Fund \$1,739,541.00
- General Debt Service Fund \$11,601,250.00
- Hotel/Motel Fund \$963,461.00
- Refuse Service Fund \$1,933,926.00
- Mid-Way Regional Airport Fund \$504,765.00
- Cemetery Fund \$309,734.00

Mr. Tustison explained the 9-month budget process begins in January with staff and departmental meetings. City Council held their first budget work shop in April where Council made recommendations to the proposed budget. After the second budget meeting in August, there were no additional changes to the budget. Mr. Tustison requested a vote to set the adoption date of the FY 23 tax rate and budget for Tuesday, September 6, 2022 at 7:00 p.m.

Mayor Hill opened the Public Hearing on the City of Waxahachie proposed Budget for fiscal year 2022-2023.

There being no others to speak for or against the Public Hearing on the City of Waxahachie proposed Budget for fiscal year 2022-2023, Mayor Hill closed the Public Hearing.

(5C)

**Action:**

*Mayor Pro Tem Chris Wright moved to set the date for adoption of the City of Waxahachie Budget for fiscal year 2022-2023 and the Tax Rate at the City Council meeting of September 6, 2022 at 7:00 p.m. Council Member Patrick Souter seconded, the vote was as follows: Ayes: David Hill, Chris Wright, Patrick Souter, and Travis Smith. Noes: Billie Wallace.*

***The motion carried.***

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

Council Member Travis Smith explained City Council is aware of the rising appraisals and with all the growth, the no new revenue rate is not sufficient; however, he is supportive of a lower tax rate. He reported City Council has been reviewing tangible relief options for tax payers. He explained tax rate caps are placed at the state level and encouraged citizens to contact their state representatives.

Council Member Billie Wallace explained the adoption date is set and she is not supportive of the proposed tax rate at \$0.63000. She encouraged City Council to consider adopting a lower rate to provide relief to citizens.

Mayor Pro Tem Chris Wright expressed his dismay with the state representative issuing a general letter supporting the no new revenue rate. Mayor Pro Tem Wright explained City Council is listening to residents and discussing options to alleviate some of the tax burden on citizens. He encouraged citizens to attend the Comprehensive Plan Advisory Committee meetings that discuss future growth and the means to sustain new and existing infrastructure.

Council Member Patrick Souter explained he understands the burden of inflation on citizens and noted the City feels that burden as well. Mr. Souter echoed comments that City Council is reviewing ways to reduce the tax burden to citizens but noted growth and inflation have to be addressed.

Mayor David Hill explained the City Council will vote on the tax rate at the September 6<sup>th</sup> meeting considering the best interest of the City. He reported the tax rate has reduced over his 9-year tenure on City Council and the City must adjust to appraisals. Mayor Hill echoed sentiments that City Council is reviewing options to provide relief to citizens and thanked those in attendance.

**8. Adjourn**

There being no further business, the meeting adjourned at 6:21 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

(5d)



**Application for a Festival or Event Permit**

Event Name and Description: Gears and Beers; Car Show

**Applicant Information**

Name: Jessie Evans  
Address: 421 S. College Street  
City, State, Zip: Waxahachie TX 75165 Phone: 214-980-1056  
E-mail Address: Kaelin@southernrootsbrewingco.com

**Organization Information**

Organization Name: Southern Roots Brewing Company  
Address: 421 S. College Street  
Authorized Head of Organization: Kaelin Evans  
Phone: 254-466-6441 E-mail Address: Kaelin@southernrootsbrewingco.com

**Event Chairperson/Contact**

Name: Jessie Evans  
Address: 421 S. College St.  
City, State, Zip: Waxahachie TX 75165 Phone: 214-980-1056  
E-mail Address: Kaelin@southernrootsbrewingco.com

**Event Information**

Event Location/Address: 421 S. College Street  
Purpose: Classic Car Show  
Event Start Date and Time: 12pm September 24th  
Event End Date and Time: 5 pm September 24th

(5d)

Approximate Number of Persons Attending Event Per Day: 500

Site Preparation and Set-Up Date and Time: set-up @ 9am day of

Clean-Up Completion Date and Time: 6pm cleanup day of

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

street closure of college street from  
train tracks to our parking lot

Requested City Services: signage for street closures

Will food and/or beverages be available and/or sold? YES/NO

If yes, contact the City Health Inspector, (469) 309-4134, for permitting requirements and compliance.

\*Will alcohol be available and/or sold? YES/NO

If yes, will the event be in the Historic Overlay District? YES/NO

Will dumpsters be needed? No

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO  If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations.

I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.

Jessie Evans  
Signature of Applicant

7/05/22  
Date

\* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

(5d)

**Bonner, Jami**

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**From:** Simpson, Anita  
**Sent:** Tuesday, July 26, 2022 2:49 PM  
**To:** Bonner, Jami; Gaertner, James; Mosley, Laurie; Massey, Matt  
**Subject:** RE: Event Application - Gears and Beers Car Show at Southern Roots Brewing Co.  
**Attachments:** Gears and Beers event.pdf

Jami,

Attached are some maps with my comments on the event application. I may be wrong about some of the information so I will look forward to hearing what the others say.

Thanks, Anita

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**From:** Bonner, Jami  
**Sent:** Tuesday, July 26, 2022 9:21 AM  
**To:** Simpson, Anita <[asimpson@waxahachie.com](mailto:asimpson@waxahachie.com)>; Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>; Mosley, Laurie <[imosley@waxahachiecvb.com](mailto:imosley@waxahachiecvb.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>  
**Subject:** FW: Event Application - Gears and Beers Car Show at Southern Roots Brewing Co.

Good morning,

Please provide comments you may have in regards to the attached "Gears and Beers Car Show" event to be held on September 24<sup>th</sup>. Thank you.

---

**From:** Bonner, Jami <>  
**Sent:** Tuesday, July 5, 2022 5:50 PM  
**To:** Griffith, Thomas <[john.griffith@waxahachie.com](mailto:john.griffith@waxahachie.com)>; Wade Goolsby <[wgoalsby@waxahachiepd.org](mailto:wgoalsby@waxahachiepd.org)>; Ricky Boyd <[rboyd@waxahachiefire.org](mailto:rboyd@waxahachiefire.org)>; Simpson, Anita <[asimpson@waxahachie.com](mailto:asimpson@waxahachie.com)>; Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>; Brooks, Shon <[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)>; Skistimas, Kelly <[kelly.skistimas@waxahachie.com](mailto:kelly.skistimas@waxahachie.com)>; Mosley, Laurie <[imosley@waxahachiecvb.com](mailto:imosley@waxahachiecvb.com)>  
**Cc:** Scott, Michael <[mscott@waxahachie.com](mailto:mscott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>; Crocker, Clarice <[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)>  
**Subject:** Event Application - Gears and Beers Car Show at Southern Roots Brewing Co.

For your review / comments.

The applicant is requesting to close College St. from the train tracks to just past their parking lot. Customers visiting Boyce Feed and Fresh will still have access to those businesses by entering College off of Rogers St.

Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168

(SD)

# Gears + Beers Event Application

12 pm - 5 pm Saturday, Sept. 24, 2022

Map 1 of 2



The pink lines are the borders of the area requested for closure. Access to College Street from Nay Company and City Hall would be blocked. The City access could be closed at the turn into parking lot leading traffic to Madison Street. The Nay lot would need to be blocked at the Rogers St. entrance + I'm not sure we have the authority to do that.



(5d)

Imagery ©2022 Maxar Technologies, Map data ©2022 50 ft

(5d)

**Bonner, Jami**

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**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Wednesday, July 6, 2022 8:19 AM  
**To:** Bonner, Jami  
**Subject:** Re: Event Application - Gears and Beers Car Show at Southern Roots Brewing Co.  
**Attachments:** EA2022.09.24 Gears and Beers Car Show.pdf

I have no concerns with this request.

Sent from my iPhone

On Jul 5, 2022, at 17:51, Bonner, Jami <jami.bonner@waxahachie.com> wrote:

For your review / comments.

The applicant is requesting to close College St. from the train tracks to just past their parking lot. Customers visiting Boyce Feed and Fresh will still have access to those businesses by entering College off of Rogers St.

Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(5d)

**Bonner, Jami**

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**From:** Wade Goolsby <wgoolsby@waxahachiepd.org>  
**Sent:** Wednesday, July 6, 2022 8:43 AM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - Gears and Beers Car Show at Southern Roots Brewing Co.

I don't have any issues.

**Wade G. Goolsby**  
Chief of Police  
Waxahachie Police Department  
469-309-4411

**H.E.A.R.T**  
*Honor Ethics Accountability Respect Transparency*

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, July 5, 2022 5:50 PM  
**To:** Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - Gears and Beers Car Show at Southern Roots Brewing Co.

For your review / comments.

The applicant is requesting to close College St. from the train tracks to just past their parking lot. Customers visiting Boyce Feed and Fresh will still have access to those businesses by entering College off of Rogers St.

Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(5d)

## Bonner, Jami

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**From:** Gaertner, James  
**Sent:** Tuesday, July 26, 2022 4:07 PM  
**To:** Simpson, Anita; Bonner, Jami; Mosley, Laurie; Massey, Matt  
**Subject:** RE: Event Application - Gears and Beers Car Show at Southern Roots Brewing Co.

I agree with Anita. I would assume that they would close the street on the south side of the railroad ROW (to prevent 3 point turns on the tracks) and by their driveway. However, I don't like to assume things.

Just like some of the events we have in downtown, we would like them to provide an exhibit showing what they are proposing to close and get something in writing from those affected, if they are ok with the closure.

I don't see any issue with closing the city driveway for this event, but I am not sure how Nay would feel.



**James Gaertner, PE, CFM**  
**Director of Public Works & Engineering**  
401 S. Rogers St.  
Waxahachie, TX 75165  
Office: 469-309-4301  
[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

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**From:** Simpson, Anita <[asimpson@waxahachie.com](mailto:asimpson@waxahachie.com)>  
**Sent:** Tuesday, July 26, 2022 2:49 PM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>; Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>; Mosley, Laurie <[imosley@waxahachiecvb.com](mailto:imosley@waxahachiecvb.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>  
**Subject:** RE: Event Application - Gears and Beers Car Show at Southern Roots Brewing Co.

Jami,

Attached are some maps with my comments on the event application. I may be wrong about some of the information so I will look forward to hearing what the others say.

Thanks, Anita

---

**From:** Bonner, Jami  
**Sent:** Tuesday, July 26, 2022 9:21 AM  
**To:** Simpson, Anita <[asimpson@waxahachie.com](mailto:asimpson@waxahachie.com)>; Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>; Mosley, Laurie <[imosley@waxahachiecvb.com](mailto:imosley@waxahachiecvb.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>  
**Subject:** FW: Event Application - Gears and Beers Car Show at Southern Roots Brewing Co.

Good morning,

Please provide comments you may have in regards to the attached "Gears and Beers Car Show" event to be held on September 24<sup>th</sup>. Thank you.

(EA)

**Bonner, Jami**

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**From:** Kaelin Evans <kaelin@southernrootsbrewingco.com>  
**Sent:** Tuesday, August 23, 2022 10:01 AM  
**To:** Bonner, Jami  
**Subject:** Re: Gears and Beers Car Show - Request for Support Letter

Hi Jami,

No. We added them to the insurance for the weekend and took over a letter for them to sign, but they have not returned it. I will reach out to them again today.

On Tue, Aug 23, 2022 at 8:53 AM Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)> wrote:  
Hi Kaelin,

Any word from The Nay Company?

---

**From:** Kaelin Evans <[kaelin@southernrootsbrewingco.com](mailto:kaelin@southernrootsbrewingco.com)>  
**Sent:** Tuesday, August 16, 2022 10:44 AM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>  
**Subject:** Re: Gears and Beers Car Show - Request for Support Letter

Yes we have! I took over the letter for them to sign. I'm just waiting to hear back from them!

On Tue, Aug 16, 2022 at 10:10 AM Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)> wrote:

Good morning Kaelin,

Our next City Council meeting will be held Tuesday, September 6<sup>th</sup>. Have you been in contact with The Nay Company in regards to a support letter?

**From:** Bonner, Jami <>  
**Sent:** Wednesday, August 3, 2022 8:35 AM  
**To:** Kaelin Evans <[kaelin@southernrootsbrewingco.com](mailto:kaelin@southernrootsbrewingco.com)>  
**Subject:** RE: Gears and Beers Car Show - Request for Support Letter

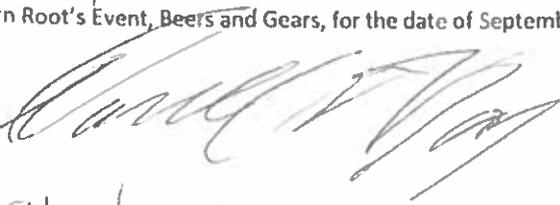
Good morning Kaelin,

(5d)

On Behalf of The Nay Company,

I Parrell Nay, support the closure of both our College Street and Rogers Street entrances for Southern Root's Event, Beers and Gears, for the date of September 24<sup>th</sup>.

Signed:



Date:

8/17/22



Date submitted

**Applicant Information**

Applicant name:

Wayne Strickland

Are you representing the host organization?

Yes  No

Will you be the on-site point of contact during the event?

Yes  No

Phone:

972-814-0605 Cell: ←

Email:

Collegestreetpure@yahoo.com

Mailing address:

210 N. College Street

Host organization name:

Waxahachie IOOF lodge #80

Alternate contact that will be on-site during the event.

On-site contact name:

SEAN CAGLE

Cell:

214-435-3915

**About the Event**

Event name:

Oddfellows Lodge #80 Annual Oddfest.

Location:

Singleton Plaza 200 N. Rogers St

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance:

~ 150 to 200 Come! Go anytime.

Description of event:

Annual Oddfest event: Art Vendors, Music, Beer, Wine, Food Trucks

**How many times has this event been hosted before?**

1<sup>st</sup> time  2-4 times  5 or more times

Location: Singleton Plaza.

**Choose the best description of the event:**

- Festival
- Birthday Party / Picnic
- Movie Screening
- Charitable / Fundraising
- Parade
- Community / Neighborhood
- Private Event
- Concert / Live Performance
- Run / Walk
- Other:



(52)

**Event activities include (check all that apply):**

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other: *Top Quality Artists/Artwork*

**The event is:**

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	<i>10/1/2022</i>	<i>11 AM</i>	<i>6 pm</i>
Event Set-up	<i>10/1/2022</i>	<i>8 AM</i>	<i>10 AM</i>
Event Breakdown	<i>10/1/2022</i>	<i>5:30 - 6 pm</i>	<i>7 pm</i>

**Run / Walk:**

Please provide the start time for each distance (if applicable)

1 mile

5K

Other distance

Please indicate your expected attendance:

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



(5e)

**Food / Beverage:**

Will the event offer food/beverages? Yes  No

Will event require any food preparation on-site? Yes  No

Will alcohol be served/sold? Yes  No

**Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events**

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

**Police / Security Services:**

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Volunteers How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Private security How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

Off duty police How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Have you made arrangements with the police? Yes  No

If no, please contact Sgt. Brian Fuller at bfuller@waxahachiepd.org to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: \_\_\_\_\_ Phone number: \_\_\_\_\_

**Street Closures:**

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes  No

If yes, please list all streets, intersections, and parking lots that apply: \_\_\_\_\_

Street closings to begin on date: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

Will any businesses be impacted by the proposed road closure? Yes  No

**Traffic Safety Equipment:**

Does your event require traffic cones or barricades? Yes  No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: \_\_\_\_\_ Barricades How many: 20

Other: \_\_\_\_\_

Where should equipment be dropped off & picked up?

Additional Support:

SINGLETON PLAZA  
PORT-A-LETS ; POLY CANS ; 1 - lg DUMPSTER ; HAND WASH STATION



When will the traffic equipment be set-up?

Date: \_\_\_\_\_ Time: \_\_\_\_\_

When will the traffic equipment be removed?

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Are you requesting the use of City traffic equipment?

Yes  No

**Availability is not guaranteed**

**Streets cannot be blocked without prior approval.**

*Barriers for Blocking of  
Singleton Plaza Entrance/Exits*

**Temporary Tents & Structures:**

Will the event have a tent(s) larger than 10' x 20'?

Yes  No

List the # of tents & sizes:

*20-25 small awnings supplied by Artists  
Singleton Plaza*

**Indicate locations on attached required site map.**

**Electrical Services:**

How will electrical services be supplied?

Generator  Franchise Utilities  Both

List contractor / supplier:

Explain services in detail:

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

*[Signature]*  
\_\_\_\_\_  
Signature

*8/30/2022*  
\_\_\_\_\_  
Date

**Contract Agreement**

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

*[Signature]*  
\_\_\_\_\_  
Signature

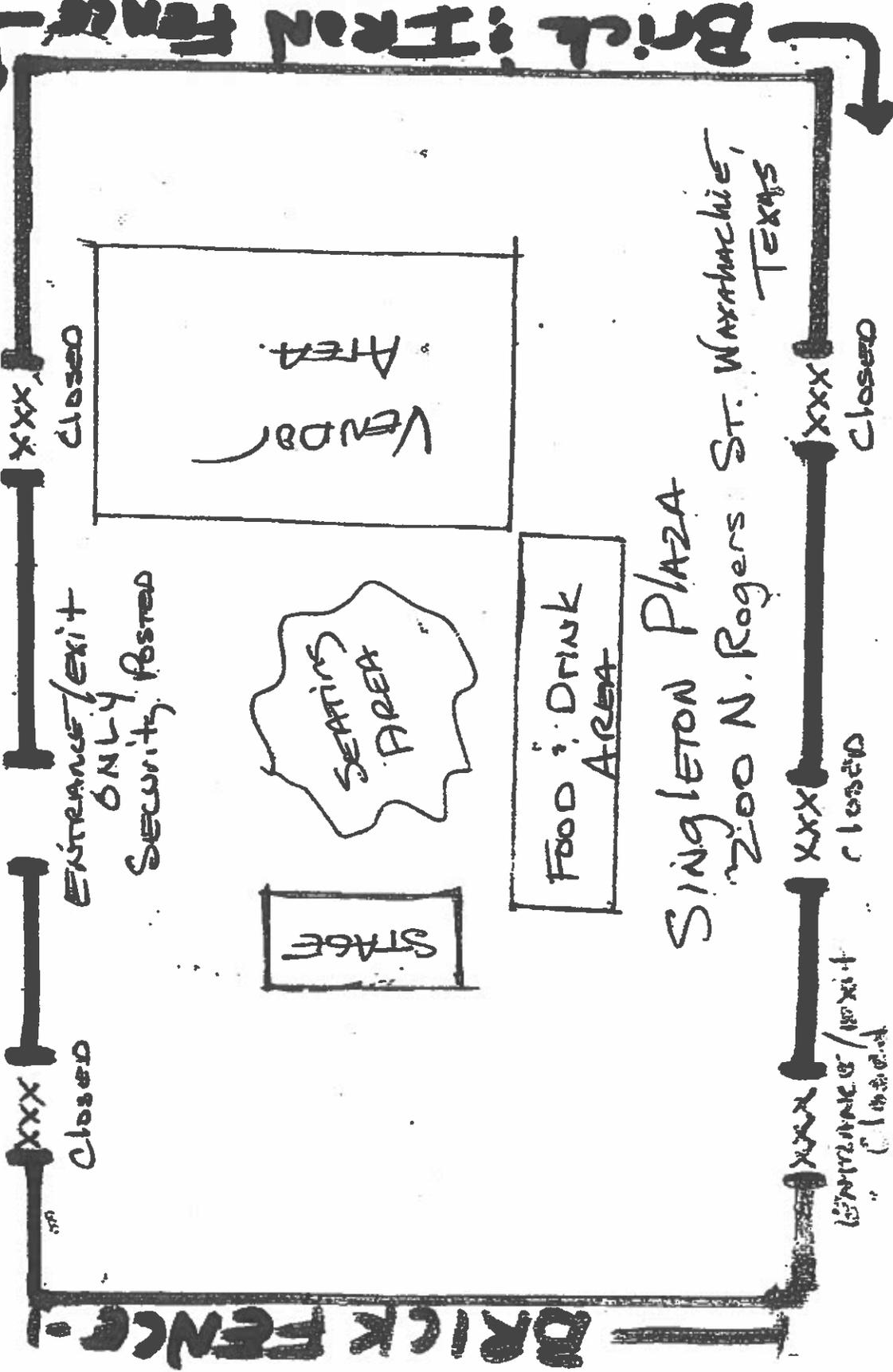
*8/30/2022*  
\_\_\_\_\_  
Date

(4e)



WAXAMINGUE AVE.

College St.



(5e)

SINGLETON PLAZA  
 200 N. Rogers St. Waxahachie, TEXAS

Rogers St.

WAXAMINGUE AVE.



**Citizens  
National Bank  
Of Texas**

Your Bank Since 1868

August 17, 2022

TABC  
P.O. Box 13127  
Austin, TX 78711-3127  
ATTN: Amy Harrison, Director Licensing Division

RE: Oddfest Festival/Singleton Plaza, Waxahachie, TX

Let this letter serve as confirmation that Waxahachie 100F Lodge # 80 has received my permission to use property owned by Citizens National Bank of Texas to hold the Oddfest Festival on Saturday, October 1, 2022 from 9:00am to 5:00pm. I am aware that this event will include sales and consumption of alcoholic beverages. The property owned by the Bank (Singleton Plaza) will be designated for only this event on this day. This property includes the entire plaza or parking lot directly between Rogers Street, College Street, the railroad tracks, and a building also owned by the Bank. The physical address for the Singleton Plaza is 200 N Rogers St., Waxahachie, TX 75165.

I will be your contact for this property. Should you need further information you may reach me at (214) 808-7721.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Singleton".

Marvin E. "Mark" Singleton, III  
President/CEO  
Citizens National Bank of Texas



(5e)

**Bonner, Jami**

---

**From:** Simpson, Anita  
**Sent:** Tuesday, August 30, 2022 3:20 PM  
**To:** Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Brooks, Shon; Massey, Matt; Gaertner, James; Jordan, Me'Lony; Mosley, Laurie; Griffith, Thomas; Wade Goolsby; Dale Sigler; Boyd, Ricky  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

This is an annual event that has always run smoothly so I have no comments.

Anita

---

**From:** Bonner, Jami  
**Sent:** Tuesday, August 30, 2022 2:51 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

For your review / comments. Thank you.

The applicant is requesting traffic cones, portable toilets, poly carts, dumpster, hand wash station, and barricades.

The applicant did not have the security information when he completed the application in office, but will share the details via email shortly.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(5c)

## Bonner, Jami

---

**From:** Boyd, Ricky  
**Sent:** Tuesday, August 30, 2022 3:42 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

I have no concerns with this request.

### *Ricky Boyd, Fire Chief*

Waxahachie Fire-Rescue  
214-463-9335

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, August 30, 2022 2:51 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

For your review / comments. Thank you.

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Jami Bonner  
Assistant City Secretary  
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[www.waxahachie.com](http://www.waxahachie.com)

(50)

**Bonner, Jami**

---

**From:** Wade Goolsby  
**Sent:** Tuesday, August 30, 2022 4:37 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

I don't have any issues with it.

**Wade G. Goolsby**  
Chief of Police  
Waxahachie Police Department  
469-309-4411

**H.E.A.R.T**

*Honor Ethics Accountability Respect Transparency*

---

**From:** Bonner, Jami  
**Sent:** Tuesday, August 30, 2022 2:51 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

For your review / comments. Thank you.

The applicant is requesting traffic cones, portable toilets, poly carts, dumpster, hand wash station, and barricades.

The applicant did not have the security information when he completed the application in office, but will share the details via email shortly.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(50)

**Bonner, Jami**

---

**From:** Martinez, Gumaro  
**Sent:** Tuesday, August 30, 2022 4:53 PM  
**To:** Bonner, Jami; Barnes, Bradley; Campos, Yadira; Brooks, Shon; Massey, Matt; Gaertner, James; Jordan, Me'Lony; Simpson, Anita; Mosley, Laurie; Griffith, Thomas; Wade Goolsby; Dale Sigler; Boyd, Ricky  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

I don't have any issues or concerns with the request event.

**Gumaro Martinez**  
**City of Waxahachie**  
**Executive Director of Parks & Leisure Services**  
 401 S. Elm  
 Waxahachie, TX 75165  
 469.309.4271 direct  
 214.903.3676 cell  
[gmartinez@waxahachie.com](mailto:gmartinez@waxahachie.com)

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**From:** Bonner, Jami  
**Sent:** Tuesday, August 30, 2022 2:51 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

For your review / comments. Thank you.

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Assistant City Secretary  
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[www.waxahachie.com](http://www.waxahachie.com)

(5e)

**Bonner, Jami**

---

**From:** Mosley, Laurie  
**Sent:** Tuesday, August 30, 2022 4:59 PM  
**To:** Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Brooks, Shon; Massey, Matt; Gaertner, James; Jordan, Me'Lony; Simpson, Anita; Griffith, Thomas; Wade Goolsby; Dale Sigler; Boyd, Ricky  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

It's a great annual event that helps raise money for a great organization!

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, August 30, 2022 2:51 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022

For your review / comments. Thank you.

The applicant is requesting traffic cones, portable toilets, poly carts, dumpster, hand wash station, and barricades.

The applicant did not have the security information when he completed the application in office, but will share the details via email shortly.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
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[www.waxahachie.com](http://www.waxahachie.com)

(5e)

**Bonner, Jami**

---

**From:** Gaertner, James  
**Sent:** Wednesday, August 31, 2022 6:16 AM  
**To:** Bonner, Jami  
**Cc:** Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Brooks, Shon; Massey, Matt; Jordan, Me'Lony; Simpson, Anita; Mosley, Laurie; Griffith, Thomas; Wade Goolsby; Dale Sigler; Boyd, Ricky; Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** Re: Event Application - Oddfellows Lodge #80 Annual Oddfest 10-1-2022  
**Attachments:** EA2022.10.01 Oddfellows Lodge #80 Annual Oddfest.pdf

I don't have any comments

James G  
Sent from my iPhone

On Aug 30, 2022, at 2:50 PM, Bonner, Jami <jami.bonner@waxahachie.com> wrote:

For your review / comments. Thank you.

The applicant is requesting traffic cones, portable toilets, poly carts, dumpster, hand wash station, and barricades.

The applicant did not have the security information when he completed the application in office, but will share the details via email shortly.

Jami Bonner  
Assistant City Secretary  
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[www.waxahachie.com](http://www.waxahachie.com)

(5f)



City of Waxahachie  
City Secretary's Office

Special Event Application

Date submitted 8/15/22

**Applicant Information**

Applicant name: Jonathan McLaughlin

Are you representing the host organization? Yes  No

Will you be the on-site point of contact during the event? Yes  No

Phone: 972-937-9622 Cell: 469-315-9995

Email: jmclaughlin@ymcadallas.org

Mailing address: 100 YMCA Drive Waxahachie, TX 75165

Host organization name: Waxahachie Family YMCA

Alternate contact that will be on-site during the event.

On-site contact name: Same Cell:

**About the Event**

Event name: YMCA Santa Run

Location: Railyard Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 800

Description of event: Friday - Candle Walk.

Saturday - 1 mile and 5k Fun Run. Live Music, Vendors & Free Kids Activities.

**How many times has this event been hosted before?**

1<sup>st</sup> time  2 - 4 times  5 or more times  Location:

**Choose the best description of the event:**

- Festival
- Birthday Party / Picnic
- Movie Screening
- Charitable / Fundraising
- Parade
- Community / Neighborhood
- Private Event
- Concert / Live Performance
- Run / Walk
- Other:

(5f)



City of Waxahachie  
City Secretary's Office

Special Event Application

**Event activities include (check all that apply):**

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other:

**The event is:**

- Private
- Entry by participation or registration fee
- Free & open to the general public
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Cost is limited to the run participants.

No cost for spectators and guests to enjoy the race day activities or Friday night Candle walk.

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	12/10/2022	8:30am	10am
Event Set-up	12/10/22	6am	8am
Event Breakdown	12/10/22	9:30am	11am

**Run / Walk:**

Please provide the start time for each distance (if applicable)

9:10am \_\_\_\_\_ 1 mile      9:00am \_\_\_\_\_ 5K      \_\_\_\_\_ Other distance

Please indicate your expected attendance: 800

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



(5f)



City of Waxahachie  
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 12/10/22

Time: 6am

When will the traffic equipment be removed?

Date: 12/10/22

Time: 11am

Are you requesting the use of City traffic equipment?

Yes

No

**Availability is not guaranteed**

**Streets cannot be blocked without prior approval.**

**Temporary Tents & Structures:**

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes: 10-15

**Indicate locations on attached required site map.**

**Electrical Services:**

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state of local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

[Signature]  
Signature

8/16/22  
Date

**Contract Agreement**

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

[Signature]  
Signature

8/16/22  
Date

Email completed Special Event Application and site map to Jami Bonner at [jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com).

# 2021

## Santa Run HQ Map

1. YMCA Santa Run Stage
2. Award / Trophy Table / 2nd speaker
3. Volunteer Check In / Refreshments
4. Registration & Packet Pick up
5. YMCA Kids Area—STEM center
6. Video Game Truck
7. Milk & Cookies / Fruit, Water  
\*\*2 Tables\*\*
8. Start Line—Chip 2 Chip
9. Frosty's Lane (Vendor tables—blue)  
\*\*5 Tables needed\*\*

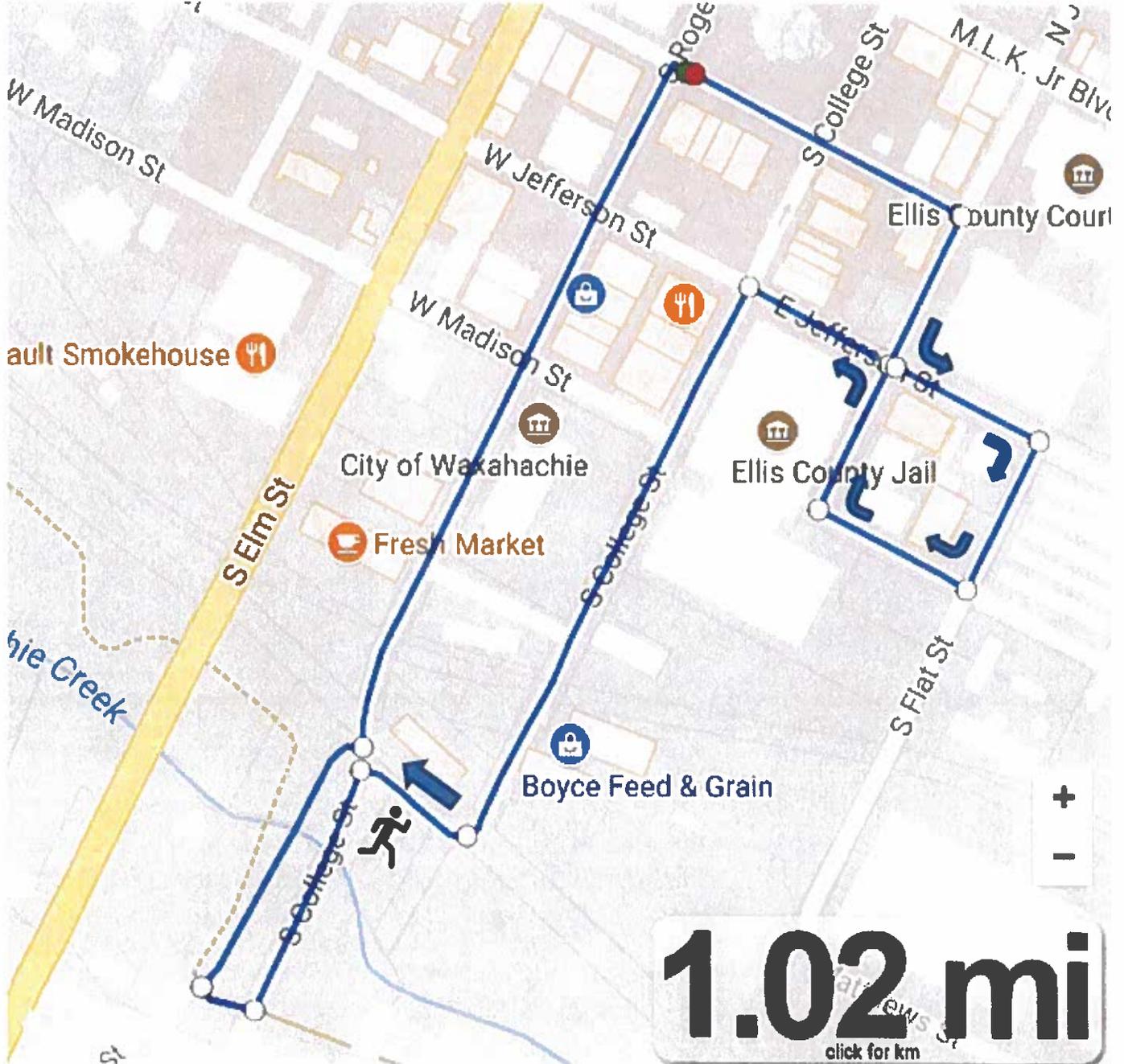
10. KBEC



1 Table Needed for Water  
Station@ Rogers St Bridge



(5f)  
**1 MILE - ELF RUN**



**1.02 mi**  
click for km

(SF)

**Bonner, Jami**

---

**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Tuesday, August 16, 2022 3:11 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - YMCA Santa Run

I have no concerns with this request.

*Ricky Boyd, Fire Chief*

**Waxahachie Fire-Rescue**  
**214-463-9335**

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, August 16, 2022 2:48 PM  
**To:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <Imosley@cityofwax.onmicrosoft.com>; Simpson, Anita <asimpson@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - YMCA Santa Run

For your review / comments. Thank you.

Jami Bonner  
Assistant City Secretary  
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[www.waxahachie.com](http://www.waxahachie.com)

(5F)

**Bonner, Jami**

---

**From:** Simpson, Anita  
**Sent:** Tuesday, August 16, 2022 2:52 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - YMCA Santa Run

No comments

---

**From:** Bonner, Jami  
**Sent:** Tuesday, August 16, 2022 2:48 PM  
**To:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - YMCA Santa Run

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[www.waxahachie.com](http://www.waxahachie.com)

(5f)

## Bonner, Jami

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**From:** Barnes, Bradley  
**Sent:** Tuesday, August 16, 2022 4:37 PM  
**To:** Gaertner, James; Bonner, Jami; Skistimas, Kelly; Mosley, Laurie; Simpson, Anita; Martinez, Gumaro; Campos, Yadira; Me'Lony Jordan; Brooks, Shon; Warren, Anthony; Wade Goolsbey; Dale Sigler; Ricky Boyd; Griffith, Thomas; Massey, Matt  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - YMCA Santa Run

Here's an alternative idea...why don't we let them have the run *right* before the Christmas parade along the parade route we're already using? I understand the times are totally different, but if everyone thinks it's an acceptable idea we could pitch it to them.

Brad Barnes  
Assistant Director of Parks and Recreation  
City of Waxahachie  
Mobile: 214-903-5733  
Work: 469-309-4272

**From:** Gaertner, James  
**Sent:** Tuesday, August 16, 2022 4:24 PM  
**To:** Bonner, Jami <jami.bonner@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** RE: Event Application - YMCA Santa Run

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James G.

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(5f)

## Bonner, Jami

---

**From:** Simpson, Anita  
**Sent:** Tuesday, August 16, 2022 4:40 PM  
**To:** Barnes, Bradley; Gaertner, James; Bonner, Jami; Skistimas, Kelly; Mosley, Laurie; Martinez, Gumaro; Campos, Yadira; Me'Lony Jordan; Brooks, Shon; Warren, Anthony; Wade Goolsbey; Dale Sigler; Ricky Boyd; Griffith, Thomas; Massey, Matt  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - YMCA Santa Run

The Santa Run typically brings in registrants from all over the Metroplex—who are able to attend because it's on a weekend. The Christmas parade takes place on a Tuesday evening. I'm afraid the Santa Run participation would be hurt by moving it to a weeknight. And I believe it is a fundraiser for the YMCA.

Anita

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**From:** Barnes, Bradley  
**Sent:** Tuesday, August 16, 2022 4:37 PM  
**To:** Gaertner, James <jgaertner@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** RE: Event Application - YMCA Santa Run

Here's an alternative idea...why don't we let them have the run *right* before the Christmas parade along the parade route we're already using? I understand the times are totally different, but if everyone thinks it's an acceptable idea we could pitch it to them.

Brad Barnes  
Assistant Director of Parks and Recreation  
City of Waxahachie  
Mobile: 214-903-5733  
Work: 469-309-4272

---

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**Sent:** Tuesday, August 16, 2022 4:24 PM  
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**Cc:** Scott, Michael <[msscott@waxahachie.com](mailto:msscott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Villarreal, Amber

(5f)

## Bonner, Jami

---

**From:** Simpson, Anita  
**Sent:** Tuesday, August 16, 2022 4:43 PM  
**To:** Gaertner, James; Bonner, Jami; Skistimas, Kelly; Mosley, Laurie; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Me'Lony Jordan; Brooks, Shon; Warren, Anthony; Wade Goolsbey; Dale Sigler; Ricky Boyd; Griffith, Thomas; Massey, Matt  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
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**Cc:** Scott, Michael <[mscott@waxahachie.com](mailto:mscott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>; Crocker, Clarice <[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)>  
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**Subject:** Event Application - YMCA Santa Run

For your review / comments. Thank you.

(5F)

**Bonner, Jami**

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**To:** Bonner, Jami; Skistimas, Kelly; Mosley, Laurie; Simpson, Anita; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Me'Lony Jordan; Brooks, Shon; Warren, Anthony; Wade Goolsbey; Dale Sigler; Ricky Boyd; Griffith, Thomas; Massey, Matt  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - YMCA Santa Run

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**Sent:** Tuesday, August 16, 2022 2:48 PM  
**To:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>  
**Cc:** Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - YMCA Santa Run

For your review / comments. Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(SF)

## Bonner, Jami

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**From:** Gaertner, James  
**Sent:** Tuesday, August 16, 2022 4:52 PM  
**To:** Simpson, Anita; Bonner, Jami; Skistimas, Kelly; Mosley, Laurie; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Me'Lony Jordan; Brooks, Shon; Warren, Anthony; Wade Goolsbey; Dale Sigler; Ricky Boyd; Griffith, Thomas; Massey, Matt  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - YMCA Santa Run

I just talked to Matt and they don't close the streets for the Santa Run or the Hachie 50. They have a special sign that says "Joggers Ahead". So I don't have any additional comments to the Santa Run.

**James Gaertner, PE, CFM**  
**Director of Public Works & Engineering**  
Office: 469-309-4301  
[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

---

**From:** Simpson, Anita <[asimpson@waxahachie.com](mailto:asimpson@waxahachie.com)>  
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**Subject:** RE: Event Application - YMCA Santa Run

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(5E)

**Bonner, Jami**

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**From:** Martinez, Gumaro  
**Sent:** Thursday, August 18, 2022 8:26 AM  
**To:** Bonner, Jami; Skistimas, Kelly; Mosley, Laurie; Simpson, Anita; Barnes, Bradley; Campos, Yadira; Me'Lony Jordan; Brooks, Shon; Warren, Anthony; Wade Goolsbey; Dale Sigler; Ricky Boyd; Griffith, Thomas; Gaertner, James; Massey, Matt  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - YMCA Santa Run

I would advise at least two extra portable restrooms are ordered for this event.

This event has used a similar route in prior years without closing side streets along Jefferson St.

**Gumaro Martinez**  
**City of Waxahachie**  
**Executive Director of Parks & Leisure Services**  
401 S. Elm  
Waxahachie, TX 75165  
469.309.4271 direct  
214.903.3676 cell  
[gmartinez@waxahachie.com](mailto:gmartinez@waxahachie.com)

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**Subject:** Event Application - YMCA Santa Run

For your review / comments. Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(59)



## Memorandum

To: City Council

From: Michael Scott, City Manager

Thru:

Date: September 1, 2022

Re: Civil Service Appointment – Bob Aday

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As you know, per LGC 143, the Civil Service Commission is made up of three members from the community. These positions each serve a three year term with one term expiring each year. The City Manager is charged with making these appointments.

This year Bob Aday's position is up for consideration. Bob has served in this capacity for many years and has done a fantastic job. He has graciously agreed to serve in this important capacity for another term. As such, I am recommending his reappointment to the Commission.

(4)



## Memorandum

To: Honorable Mayor and City Council

From: Michael Scott, City Manager

Thru:

Date: September 1, 2022

Re: Appointment of Waxahachie Police Chief

---

As you are aware, Police Chief Wade Goolsby has submitted his intention to retire after a 42-year long career. We certainly appreciate the noticeable positive contribution Chief Goolsby has made on the department and this community during his tenure here. We wish him well in his well-served retirement.

This presents the need to appoint a new Chief of Police to lead the department into the next chapter. Section 143.013(a)(1) the Texas Local Government Code is applicable to Texas cities that have adopted in the Civil Service processes. This statute stipulates that the Police Chief position is appointed by the municipality's chief executive and is confirmed by the governing body. Therefore, the selection is made by the City manager with confirmation by the City Council.

As such, since receiving notice of Chief Goolsby's intention to retire, I began considering several factors related to the Waxahachie Police Department including, but not limited to: the current state of the department, the desired direction for the department, the needs of the community related to policing, morale of the department, accessibility and community involvement of the department and its administration, and overall safety of the community. In considering these factors, I determined the best course of action would be to promote the most qualified individual from within the department to continue and build on the positive direction the department is currently on.

(U)

One very positive success of this department has been the ability to build a strong team of professionals that are able to seamlessly promote into growth opportunities when they become available. We have experienced this in a number of promotion opportunities over the past couple of years and with this opportunity, it is no different.

After a thorough review of Assistant Chief Joe Wiser's A and G personnel files, conversations with Chief Goolsby and a background investigation, **I present Assistant Chief Joe Wiser as my unwavering choice as the next Police Chief for the City of Waxahachie.** Joe has nearly 32 years of service for WPD serving this community. He is well-known in this community by its residents, well-respected by his peers at the department and has the requisite knowledge, experience and vision to lead this department forward.

Please confirm Joe Wiser as the Police Chief of Waxahachie effective October 1, 2022.

(7)



City of Waxahachie  
City Secretary's Office

Special Event Application

Date submitted

**Applicant Information**

Applicant name: Nancy Clifford

Are you representing the host organization? Yes  No

Will you be the on-site point of contact during the event? Yes  No

Phone: 214-399-0381 Cell: 214-399-0381

Email:

Mailing address: 422 Victorian Drive, Waxahachie, TX, 75165

Host organization name: Texas Veterans Parade- Ellis County

Alternate contact that will be on-site during the event.

On-site contact name: William Wallace Cell: 214-903-2023

**About the Event**

Event name: Texas Veterans Parade - Ellis County

Location: Waxahachie

*An event site map is **REQUIRED** to be submitted with your application.*

Anticipated attendance: 2500

Description of event: A parade honoring Ellis County Veterans.

**How many times has this event been hosted before?**

1<sup>st</sup> time  2 - 4 times  5 or more times  Location:

**Choose the best description of the event:**

- Festival
- Birthday Party / Picnic
- Movie Screening
- Charitable / Fundraising
- Parade
- Community / Neighborhood
- Private Event
- Concert / Live Performance
- Run / Walk
- Other:

(7)



City of Waxahachie  
City Secretary's Office

Special Event Application

**Event activities include (check all that apply):**

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other:

**The event is:**

- Private
- Entry by participation or registration fee
- Free & open to the general public
- Entry by admission fee or ticket

Admission information, if applicable:  
 Include entry or participant fees, ticket prices, donations, and / or fees based on activity.  
 None

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	11/05/2022	10am	1pm
Event Set-up	11/05/2022	8am	
Event Breakdown	11/05/2022		1:30pm

**Run / Walk:**

Please provide the start time for each distance (if applicable)

\_\_\_\_\_ 1 mile      \_\_\_\_\_ 5K      \_\_\_\_\_ Other distance

Please indicate your expected attendance: \_\_\_\_\_

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

*Provide route on attached site map.*

(7)



**Food / Beverage:**

- Will the event offer food/beverages? Yes  No
- Will event require any food preparation on-site? Yes  No
- Will alcohol be served/sold? Yes  No

**Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events**

*If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.*

**Police / Security Services:**

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

- Event staff                      How many: 10                      Date(s) & time(s): \_\_\_\_\_
- Volunteers                      How many: 50                      Date(s) & time(s): \_\_\_\_\_
- Private security                      How many: 0                      Date(s) & time(s): \_\_\_\_\_

Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

Off duty police                      How many: 10                      Date(s) & time(s): 8am to 1pm

Have you made arrangements with the police?                      Yes                       No

If no, please contact Sgt. Brian Fuller at [bfuller@waxahachiepd.org](mailto:bfuller@waxahachiepd.org) to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: \_\_\_\_\_ Phone number: \_\_\_\_\_

**Street Closures:**

Does the event propose closing, blocking, or using City streets and/or parking lots?                      Yes                       No

If yes, please list all streets, intersections, and parking lots that apply: 441 E MLK Jr to

**Getzendaner Park.**

Street closings to begin on date: 11/05/2022                      Start time: 8am                      End time: 12 Noon

Will any businesses be impacted by the proposed road closure?                      Yes                       No

**Traffic Safety Equipment:**

Does your event require traffic cones or barricades?                      Yes                       No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones                      How many: \_\_\_\_\_                      Barricades                      How many: Cross streets

Other: \_\_\_\_\_

Where should equipment be dropped off & picked up? \_\_\_\_\_

(7)



City of Waxahachie  
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 11/05/2022 Time: 8:00 am

When will the traffic equipment be removed?

Date: 11/05/2022 Time: 12 Noon

Are you requesting the use of City traffic equipment?

Yes  No

**Availability is not guaranteed**

**Streets cannot be blocked without prior approval.**

**Temporary Tents & Structures:**

Will the event have a tent(s) larger than 10' x 20'?

Yes  No

List the # of tents & sizes:

**Indicate locations on attached required site map.**

**Electrical Services:**

How will electrical services be supplied?

Generator  Franchise Utilities  Both

List contractor / supplier: N/A

Explain services in detail:

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Jami Clifford  
Signature

8-16-22  
Date

**Contract Agreement**

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Jami Clifford  
Signature

8-16-22  
Date

Email completed Special Event Application and site map to Jami Bonner at [jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com).

(7)



### Ellis County African American Hall of Fame Museum and Library

**Address:** 441 Dr Martin Luther King Jr Blvd, Waxahachie, TX 75165

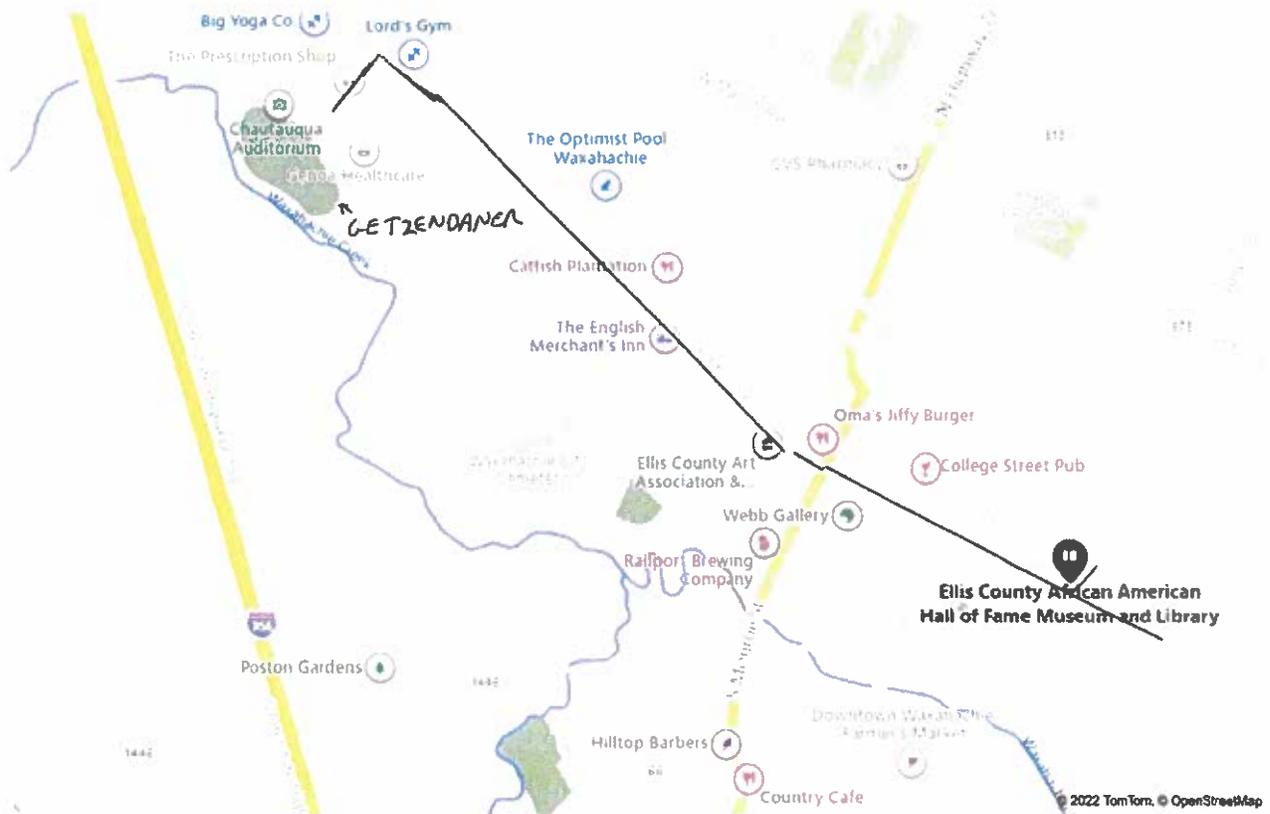
**Phone:** +1 (214) 980-1150

**Website:**

<https://www.facebook.com/elliscountyafricanamericanhalloffame/>

**Hours**

Wednesday - Sunday 10:00 AM - 5:00 PM



The Proposed Route will start at the Ellis County African American Hall of Fame and Museum at 441 E. Dr. Martin Luther King Jr. Blvd and will end at Getzendaner Park, 400 S. Grand Ave, Waxahachie, 75165. Parade staging will be on Wyatt Street. The Parade will make a right turn from Wyatt Street on to MLK Jr. Blvd and proceed all the way on business 287 to Grand Ave. At Grand Ave, the parade will turn left and go into Getzendaner Park where the Parade will end. The Parade route is 1.9 miles.

(7)

**Bonner, Jami**

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**From:** Simpson, Anita  
**Sent:** Tuesday, August 16, 2022 2:55 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - Texans Veteran Parade - Ellis County 11/5/2022

No comments

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**From:** Bonner, Jami  
**Sent:** Tuesday, August 16, 2022 10:00 AM  
**To:** Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Warren, Anthony <anthony.warren@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - Texans Veteran Parade - Ellis County 11/5/2022

For your review / comments. Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(7)

**Bonner, Jami**

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**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Tuesday, August 16, 2022 3:24 PM  
**To:** Bonner, Jami; Gaertner, James; Massey, Matt; Me'Lony Jordan; Wade Goolsbey; Dale Sigler; Griffith, Thomas; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Brooks, Shon; Simpson, Anita; Mosley, Laurie; Warren, Anthony  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - Texans Veteran Parade - Ellis County 11/5/2022

With this long of a route, this is going to take quite a bit of planning much like the July 4<sup>th</sup> and Christmas Parades. It may even take 3 sessions for the first year. I'm not saying I'm against it, but it will cause numerous street closures as I assume it may be highly attended.

*Ricky Boyd, Fire Chief*

Waxahachie Fire-Rescue  
214-463-9335

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, August 16, 2022 10:00 AM  
**To:** Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Wade Goolsby <>wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@cityofwax.onmicrosoft.com>; Warren, Anthony <anthony.warren@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - Texans Veteran Parade - Ellis County 11/5/2022

For your review / comments. Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(7)

## Bonner, Jami

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**From:** Gaertner, James  
**Sent:** Tuesday, August 16, 2022 4:33 PM  
**To:** Ricky Boyd; Bonner, Jami; Massey, Matt; Me'Lony Jordan; Wade Goolsbey; Dale Sigler; Griffith, Thomas; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Brooks, Shon; Simpson, Anita; Mosley, Laurie; Warren, Anthony  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - Texans Veteran Parade - Ellis County 11/5/2022

I agree with Chief Boyd.

Business 287 is a major state thoroughfare and they/city needs to coordinate with TxDOT as well.

The Santa Run is different since they are proposing to use Jefferson, but it also needs coordination for their closure as well.

**James Gaertner, PE, CFM**  
**Director of Public Works & Engineering**  
Office: 469-309-4301  
[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

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**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Tuesday, August 16, 2022 3:24 PM  
**To:** Bonner, Jami <jami.bonner@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@cityofwax.onmicrosoft.com>; Warren, Anthony <anthony.warren@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** RE: Event Application - Texans Veteran Parade - Ellis County 11/5/2022

With this long of a route, this is going to take quite a bit of planning much like the July 4<sup>th</sup> and Christmas Parades. It may even take 3 sessions for the first year. I'm not saying I'm against it, but it will cause numerous street closures as I assume it may be highly attended.

*Ricky Boyd, Fire Chief*

**Waxahachie Fire-Rescue**  
**214-463-9335**

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**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, August 16, 2022 10:00 AM  
**To:** Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley

(7)

**Bonner, Jami**

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**From:** Bonner, Jami  
**Sent:** Wednesday, August 17, 2022 8:48 AM  
**To:** Nancy Clifford  
**Cc:** William Wallace  
**Subject:** RE: Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

Good morning Nancy,

I have a couple requests for clarification. Please see below:

- Who/what is the target participant in the parade? Will only Ellis County veterans and/or businesses be able to participate as a parade participant?
- The application mentioned that food/beverages will be offered and that food will be prepared on site. The site map does not indicate where this will occur. Please clarify.

Thank you.

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**From:** Bonner, Jami <>  
**Sent:** Tuesday, August 16, 2022 9:54 AM  
**To:** Nancy Clifford <>  
**Cc:** William Wallace <> ; Mosley, Laurie <[imosley@waxahachievb.com](mailto:imosley@waxahachievb.com)>; Boyd, Monica <[mboyd@waxahachie.com](mailto:mboyd@waxahachie.com)>  
**Subject:** RE: Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

Received. Thank you.

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**From:** Nancy Clifford <[nclifford@waxahachie.com](mailto:nclifford@waxahachie.com)>  
**Sent:** Tuesday, August 16, 2022 9:38 AM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>  
**Cc:** William Wallace <[w.wallace@waxahachie.com](mailto:w.wallace@waxahachie.com)> ; Mosley, Laurie <[imosley@waxahachievb.com](mailto:imosley@waxahachievb.com)>; Boyd, Monica <[mboyd@waxahachie.com](mailto:mboyd@waxahachie.com)>  
**Subject:** Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

Good Morning,

I have attached the Special Application form and site map.

This will be the First Ellis County Veterans Parade.

This is also my first experience coordinating a parade.

I did the best I could with the site map but I'm sure you will need more detail.

Please let me know what additional information is needed.

(7)

## Bonner, Jami

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**From:** Nancy Clifford <  
**Sent:** Wednesday, August 17, 2022 9:00 AM  
**To:** Bonner, Jami  
**Subject:** RE: Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

Good Morning, Jami,

Thank you for your very quick response. I know the food will be in the Park. I will find out the answer to the rest of your questions and I will update the site map.

Thank you and have a great day!

Nancy Clifford

[Sent from AT&T Yahoo Mail on Android](#)

On Wed, Aug 17, 2022 at 8:48 AM, Bonner, Jami <jami.bonner@waxahachie.com> wrote:

Good morning Nancy,

I have a couple requests for clarification. Please see below:

- Who/what is the target participant in the parade? Will only Ellis County veterans and/or businesses be able to participate as a parade participant?
- The application mentioned that food/beverages will be offered and that food will be prepared on site. The site map does not indicate where this will occur. Please clarify.

Thank you.

**From:** Bonner, Jami <>  
**Sent:** Tuesday, August 16, 2022 9:54 AM  
**To:** Nancy Clifford <  
**Cc:** William Wallace <william.wallace@co.ellis.tx.us>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Boyd, Monica <mboyd@waxahachie.com>  
**Subject:** RE: Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

(7)

**Bonner, Jami**

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**From:** Martinez, Gumaro  
**Sent:** Thursday, August 18, 2022 8:42 AM  
**To:** Bonner, Jami; Gaertner, James; Massey, Matt; Me'Lony Jordan; Wade Goolsbey; Dale Sigler; Ricky Boyd; Griffith, Thomas; Barnes, Bradley; Campos, Yadira; Brooks, Shon; Simpson, Anita; Mosley, Laurie; Warren, Anthony  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - Texans Veteran Parade - Ellis County 11/5/2022

Do we know how many parade entries they plan on allowing?

Also, if the parade route is intended for it to finish at Getzendaner Park, I would advise for the parade entries to not enter into the park. That could cause a bottleneck and have entries stuck in the park and restrict the flow of traffic. I would recommend as they make a left on Grand Ave to use Jefferson St (east & west) for disbursement.

**Gumaro Martinez**  
**City of Waxahachie**  
**Executive Director of Parks & Leisure Services**  
401 S. Elm  
Waxahachie, TX 75165  
469.309.4271 direct  
214.903.3676 cell  
[gmartinez@waxahachie.com](mailto:gmartinez@waxahachie.com)

---

**From:** Bonner, Jami  
**Sent:** Tuesday, August 16, 2022 10:00 AM  
**To:** Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Warren, Anthony <anthony.warren@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - Texans Veteran Parade - Ellis County 11/5/2022

For your review / comments. Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(7)

**Bonner, Jami**

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**From:** Bonner, Jami  
**Sent:** Thursday, August 18, 2022 9:40 AM  
**To:** Martinez, Gumaro; Gaertner, James; Massey, Matt; Me'Lony Jordan; Wade Goolsbey; Dale Sigler; Ricky Boyd; Griffith, Thomas; Barnes, Bradley; Campos, Yadira; Brooks, Shon; Simpson, Anita; Mosley, Laurie; Warren, Anthony  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - Texans Veteran Parade - Ellis County 11/5/2022

Good morning,

There are a few concerns with the parade including the amount of City resources required for a safe and successful parade. I have spoken to the applicant in regards to the concerns and have asked that if they wish to continue with the event they present their plans to City Council and respond to questions / concerns. The applicant is aware if the event application is approved by Council, they will be responsible for the expenses associated with event resources. The applicant plans to speak with others that are planning the event and will let me know if they wish to proceed.

The City supports the annual Ellis County Veterans Celebration Ceremony (held at the Civic Center) which will be held on November 12<sup>th</sup>.

Please let me know if you have any questions. Thank you.

---

**From:** Martinez, Gumaro <gmartinez@waxahachie.com>  
**Sent:** Thursday, August 18, 2022 8:42 AM  
**To:** Bonner, Jami <jami.bonner@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Warren, Anthony <anthony.warren@waxahachie.com>  
**Cc:** Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** RE: Event Application - Texans Veteran Parade - Ellis County 11/5/2022

Do we know how many parade entries they plan on allowing?

Also, if the parade route is intended for it to finish at Getzendaner Park, I would advise for the parade entries to not enter into the park. That could cause a bottleneck and have entries stuck in the park and restrict the flow of traffic. I would recommend as they make a left on Grand Ave to use Jefferson St (east & west) for disbursement.

**Gumaro Martinez**  
**City of Waxahachie**  
**Executive Director of Parks & Leisure Services**  
401 S. Elm  
Waxahachie, TX 75165  
469.309.4271 direct

(7)

**Bonner, Jami**

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**From:** Nancy Clifford <  
**Sent:** Tuesday, August 23, 2022 11:26 AM  
**To:** Bonner, Jami; William Wallace; Billie Pendleton-Wallace; Nancy Clifford  
**Subject:** Fw: Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

Good Morning, Jami,

Billie Wallace is another member of the parade committee and I checked with her on your questions.

- Who/what is the target participant in the parade? Will only Ellis County veterans and/or businesses be able to participate as a parade participant?

This year will be the First Ellis County Veterans Appreciation Parade.

**The Parade is open to all of Ellis County Veterans and non-Veterans. Ellis County Businesses are welcome to participate, the only requirement is that all floats be registered, appropriate and decorated to celebrate our Veterans.**

In addition, we will be inviting other cities in Ellis County to participate, with High School bands, businesses or floats.

- The application mentioned that food/beverages will be offered and that food will be prepared on site. The site map does not indicate where this will occur. Please clarify.

**The food will be in Getzendaner Park.** Once we have the approval, I will update the site map.

I do have a question.

In our last conversation you said we needed City Council approval, and that the next City Council meeting is Tuesday September 6th?

What is the process to present this to the City Council for approval on the 6th?

I appreciate your assistance.

Thank you for your help in this matter,

Nancy Clifford

(7)

**Bonner, Jami**

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**From:** Bonner, Jami  
**Sent:** Tuesday, August 23, 2022 2:39 PM  
**To:** Nancy Clifford  
**Cc:** Villarreal, Amber; William Wallace; Billie Pendleton-Wallace  
**Subject:** RE: Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

Thank you. I will share your responses with staff.

City Secretary Amber Villarreal has added your presentation to the City Council agenda scheduled for Tuesday, September 6<sup>th</sup>. The City Council will consider your event application at that time. Please update the site map to indicate food/vendor set up so that the Council will have the most accurate, up to date site map to consider.

Please reach out to TxDOT to begin talks and request permission to use Hwy 287. Please consider identifying other officer entities that may be able to provide resources to help alleviate the potential strain on City staff/resources.

If you have any questions, please let me know. Thank you.

---

**From:** Nancy Clifford  
**Sent:** Tuesday, August 23, 2022 11:26 AM  
**To:** Bonner, Jami <jami.bonner@waxahachie.com>; William Wallace ... ; Billie Pendleton-Wallace  
**Subject:** Fw: Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

Good Morning, Jami,

Billie Wallace is another member of the parade committee and I checked with her on your questions.

- Who/what is the target participant in the parade? Will only Ellis County veterans and/or businesses be able to participate as a parade participant?

This year will be the First Ellis County Veterans Appreciation Parade.

**The Parade is open to all of Ellis County Veterans and non-Veterans. Ellis County Businesses are welcome to participate, the only requirement is that all floats be registered, appropriate and decorated to celebrate our Veterans.**

In addition, we will be inviting other cities in Ellis County to participate, with High School bands, businesses or floats.

(7)

## Bonner, Jami

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**From:** Bonner, Jami  
**Sent:** Tuesday, August 23, 2022 2:46 PM  
**To:** Martinez, Gumaro; Gaertner, James; Massey, Matt; Me'Lony Jordan; Wade Goolsbey; Dale Sigler; Ricky Boyd; Griffith, Thomas; Barnes, Bradley; Campos, Yadira; Brooks, Shon; Simpson, Anita; Mosley, Laurie; Warren, Anthony  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - Texans Veteran Parade - Ellis County 11/5/2022

Good morning,

The applicant is moving forward with the Texans Veteran Parade – Ellis County event application and will present to the City Council on Tuesday, September 6<sup>th</sup>. Thank you.

---

**From:** Bonner, Jami <>  
**Sent:** Thursday, August 18, 2022 9:40 AM  
**To:** Martinez, Gumaro <[gmartinez@waxahachie.com](mailto:gmartinez@waxahachie.com)>; Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>; Me'Lony Jordan <[mjordan@waxahachie.com](mailto:mjordan@waxahachie.com)>; Wade Goolsbey <[wgoolsby@waxahachiepd.org](mailto:wgoolsby@waxahachiepd.org)>; Dale Sigler <[dsigler@waxahachiepd.org](mailto:dsigler@waxahachiepd.org)>; Ricky Boyd <[rboyd@waxahachiefire.org](mailto:rboyd@waxahachiefire.org)>; Griffith, Thomas <[john.griffith@waxahachie.com](mailto:john.griffith@waxahachie.com)>; Barnes, Bradley <[bradley.barnes@waxahachie.com](mailto:bradley.barnes@waxahachie.com)>; Campos, Yadira <[ycampos@waxahachie.com](mailto:ycampos@waxahachie.com)>; Brooks, Shon <[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)>; Simpson, Anita <[asimpson@waxahachie.com](mailto:asimpson@waxahachie.com)>; Mosley, Laurie <[Imosley@waxahachiecvb.com](mailto:Imosley@waxahachiecvb.com)>; Warren, Anthony <[anthony.warren@waxahachie.com](mailto:anthony.warren@waxahachie.com)>  
**Cc:** Scott, Michael <[mScott@waxahachie.com](mailto:mScott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>; Crocker, Clarice <[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)>  
**Subject:** RE: Event Application - Texans Veteran Parade - Ellis County 11/5/2022

Good morning,

There are a few concerns with the parade including the amount of City resources required for a safe and successful parade. I have spoken to the applicant in regards to the concerns and have asked that if they wish to continue with the event they present their plans to City Council and respond to questions / concerns. The applicant is aware if the event application is approved by Council, they will be responsible for the expenses associated with event resources. The applicant plans to speak with others that are planning the event and will let me know if they wish to proceed.

The City supports the annual Ellis County Veterans Celebration Ceremony (held at the Civic Center) which will be held on November 12<sup>th</sup>.

Please let me know if you have any questions. Thank you.

---

**From:** Martinez, Gumaro <[gmartinez@waxahachie.com](mailto:gmartinez@waxahachie.com)>  
**Sent:** Thursday, August 18, 2022 8:42 AM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>; Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>; Me'Lony Jordan <[mjordan@waxahachie.com](mailto:mjordan@waxahachie.com)>; Wade Goolsbey <[wgoolsby@waxahachiepd.org](mailto:wgoolsby@waxahachiepd.org)>; Dale Sigler <[dsigler@waxahachiepd.org](mailto:dsigler@waxahachiepd.org)>; Ricky Boyd <[rboyd@waxahachiefire.org](mailto:rboyd@waxahachiefire.org)>; Griffith, Thomas <[john.griffith@waxahachie.com](mailto:john.griffith@waxahachie.com)>; Barnes, Bradley <[bradley.barnes@waxahachie.com](mailto:bradley.barnes@waxahachie.com)>; Campos, Yadira

(7)

**Bonner, Jami**

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**From:** Nancy Clifford <[nclifford@waxahachie.com](mailto:nclifford@waxahachie.com)>  
**Sent:** Tuesday, August 23, 2022 3:09 PM  
**To:** Bonner, Jami; Billie Pendleton-Wallace; William Wallace  
**Subject:** Re: Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

Thank you, for the information and I will get working on it.

On Tuesday, August 23, 2022 at 02:38:39 PM CDT, Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)> wrote:

Thank you. I will share your responses with staff.

City Secretary Amber Villarreal has added your presentation to the City Council agenda scheduled for Tuesday, September 6<sup>th</sup>. The City Council will consider your event application at that time. Please update the site map to indicate food/vendor set up so that the Council will have the most accurate, up to date site map to consider.

Please reach out to TxDOT to begin talks and request permission to use Hwy 287.

Please consider identifying other officer entities that may be able to provide resources to help alleviate the potential strain on City staff/resources.

If you have any questions, please let me know. Thank you.

---

**From:** Nancy Clifford <[nclifford@waxahachie.com](mailto:nclifford@waxahachie.com)>  
**Sent:** Tuesday, August 23, 2022 11:26 AM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>; William Wallace <[wwallace@waxahachie.com](mailto:wwallace@waxahachie.com)>; Billie Pendleton-Wallace <[bpwallace@waxahachie.com](mailto:bpwallace@waxahachie.com)>; Nancy Clifford <[nclifford@waxahachie.com](mailto:nclifford@waxahachie.com)>  
**Subject:** Fw: Special Application For Ellis County Veterans Appreciation Parade November 5, 2022

Good Morning, Jami,

(8+9)



## Memorandum

To: Honorable Mayor and City Council  
From: Jennifer Pruitt, Senior Director of Planning  
Thru: Michael Scott, City Manager  
Date: September 6, 2022  
Re: SUB-66-2022 - Levante

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On August 22, 2022, the applicant requested to continue the public hearing for case no. SUB-66-2022 Levante from the August 23, 2022 Planning and Zoning Commission agenda and the September 6, 2022, City Council meeting agenda to the September 27, 2022 Planning and Zoning Commission agenda and the October 3, 2022 City Council meeting.

(10 + 11)

**Planning & Zoning Department**  
**Plat Staff Report**

**Case: SUB-59-2022**



**MEETING DATE(S)**

*Planning & Zoning Commission:* August 23, 2022

*City Council:* September 6, 2022

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held August 23, 2022, the Commission voted 6-1 to recommend approval of case number SUB-59-2022, subject to staff comments.

**CAPTION**

**Public Hearing** on a request by Espire Enterprises, LLC for a **Replat** of the Original Town of Waxahachie, lots 7, 8, 9C Block 51A, being 0.1251 acres, located at 100 Coats Street, situated in the AM Keen Survey, Abstract 596, an addition to the City of Waxahachie (Property ID 170885) – Owner: Espire Enterprises, LLC (SUB-59-2022)

**APPLICANT REQUEST**

The Applicant is requesting to replat three existing lots (approximately 0.12 acres) into one lot for single family use.

**CASE INFORMATION**

*Applicant:* Cody Crone, Espire Enterprises, LLC

*Property Owner(s):* Espire Enterprises, LLC

*Site Acreage:* 0.12 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 1 unit

*Park Land Dedication:* Parkland dedication is not required since the subject property is in the Infill Overlay

*Adequate Public Facilities:* Adequate public facilities are available to the subject property

**SUBJECT PROPERTY**

*General Location:* 100 Coats Street

*Parcel ID Number(s):* 170885

*Current Zoning:* Single Family-3 (SF-3)

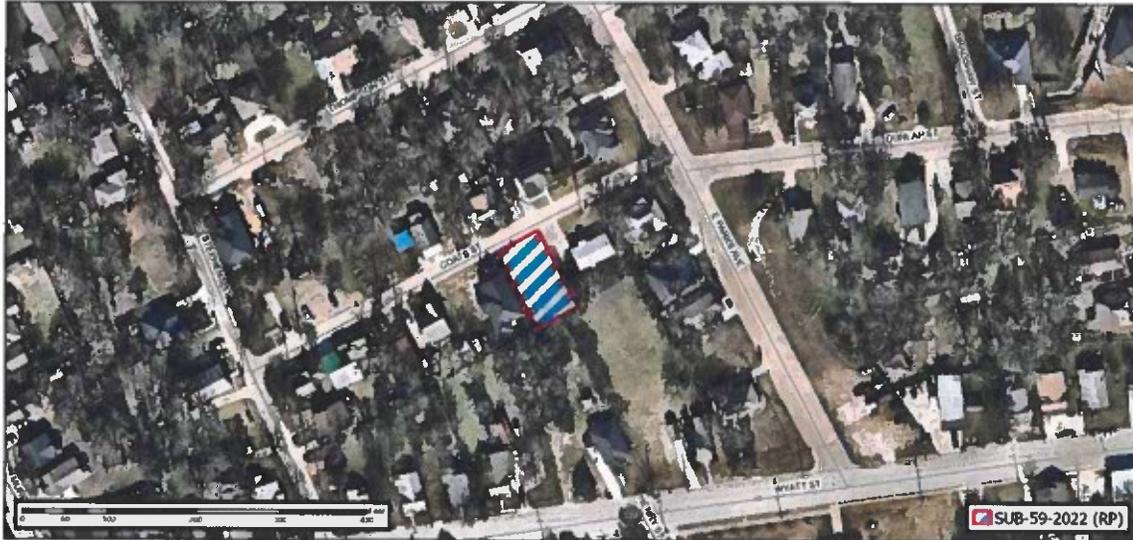
*Existing Use:* Undeveloped Land

(10 + 11)

**Platting History:**

The subject property was platted as lot lots 7, 8, 9C Block 51A of the Original Town of Waxahachie

**Site Aerial:**



**PLANNING ANALYSIS**

The Applicant is requesting to replat three existing lots (approximately .12 acres) into one lot to build a single-family home. In addition, the Applicant is requesting two variances regarding right-of-way dedication and minimum lot size. The site plan for the single-family home proposed on the subject property is in the staff report for informational purposes.

The Applicant is requesting a variance not to dedicate right-of-way. The ultimate right-of-way width for Coats street is fifty-four (54) feet. Therefore, based on the ultimate right-of-way width for Coats Street, the Applicant would be responsible for dedicating twenty-seven (27) feet measured from the centerline of the existing pavement. Given existing conditions, the Applicant is requesting not to dedicate an additional thirteen (13) feet. Staff is recommending approval of the variance since it would be challenging to get the necessary right-of-way dedication from adjoining properties and to expand the road in the future due to the location of the existing homes in proximity to the road.

The Applicant is requesting a variance to not comply with the minimum lot size required in the Infill Ordinance (Section 3.25 of the City of Waxahachie Zoning Ordinance). Per the infill ordinance, the minimum lot size cannot be less than ten (10%) percent of the average lot size of properties located within 50 feet. The average lot size is 10,553 square feet, and the subject property is 5,451 square feet (54' X 100' lot size). Staff recommends approval of the variance due to the site's physical constraints. Additionally, the Applicant has met all other provisions of the infill overlay.

(10+11)

### **RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. Approval of a variance to not dedicate the right-of-way.
  2. Approval of a variance to not comply with the minimum lot size (proposed 5,451 sf) required by the infill ordinance.

### **ATTACHED EXHIBITS**

1. Replat
2. Site Plan

### **APPLICANT REQUIREMENTS**

1. If approved by City Council, within 30 days the Applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
  - a. If comments were not satisfied, then Applicant will be notified to make corrections.
  - b. If all comments satisfied, Applicant shall provide five signed, hard-copy plats.

### **CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed, and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department.

### **STAFF CONTACT INFORMATION**

*Prepared by:*

Eleana Tuley, AICP  
Senior Planner  
[eleana.tuley@waxahachie.com](mailto:eleana.tuley@waxahachie.com)

*Reviewed by:*

Jennifer Pruitt, AICP, LEED-AP, CNU-A  
Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)



(10 + 11)

SITE DATA TABLE	
LOT ACREAGE	.1251 AC - 5,451 S.F.
PROPOSED FLOOR AREA	1,742.20 SQ. FT.
FRONT YARD SETBACK	28'-9"
REAR YARD SETBACK	15'-4"
SIDE YARD SETBACK (10% OF TOTAL WIDTH)	6'-0" & 9'-3"
LOT COVERAGE (MAX. 80%)	42.8%
# OF BEDROOMS	4
GARAGE (YES OR NO)	YES

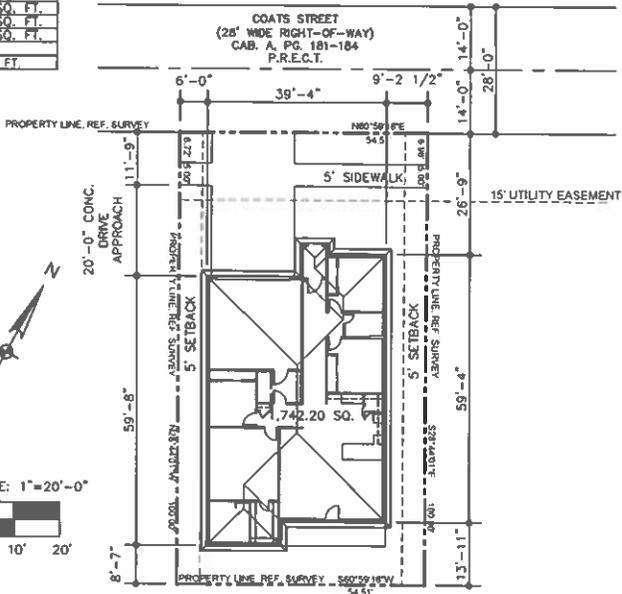
ADDRESSES FOR PROPERTIES WITHIN 50 FEET				
	FRONT YARD SETBACK	REAR YARD SETBACK	LOT SIZES	HOME SIZES
114 COATS STREET	18.15'	15.70'	5,009.40 SQ. FT.	1,664 SQ. FT.
119 COATS STREET	20.12'	32.50'	11,238.48 SQ. FT.	1,411 SQ. FT.
120 COATS STREET	28.24'	35.20'	7,187.40 SQ. FT.	1,125 SQ. FT.
121 COATS STREET	20.08'	30.56'	4,435.68 SQ. FT.	1,474 SQ. FT.
408 WYATT STREET	18.95'	85.65'	9,408.98 SQ. FT.	1,350 SQ. FT.
415 WYATT STREET	39.90'	130.20'	11,761.20 SQ. FT.	1,181 SQ. FT.
417 WYATT STREET	29.70'	181.15'	24,785.64 SQ. FT.	1,181 SQ. FT.
AVERAGE SETBACK	25.07'	74.42'	10,952.68 SQ. FT.	1,371 SQ. FT.

- NOTE:
1. WATER METERS ARE PROHIBITED FROM BEING PLACED IN A DRIVEWAY OR SIDEWALK
  2. MINIMUM 5% SLOPE AWAY FROM THE BUILDING
  3. LANDSCAPING SHALL COMPLY WITH THE CITY'S LANDSCAPING REQUIREMENTS

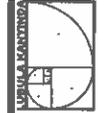
**SITE PLAN:**  
 SCALE: 1"=20'-0"  
 100 COATS STREET  
 LOT 7, B, 9C  
 BLOCK 51A  
 ORIGINAL TOWN OF  
 WAXAHACHE  
 ELLIS COUNTY, TEXAS  
 DATE: MARCH, 2022



IT SHALL BE THE FULL RESPONSIBILITY OF THE BUILDER TO VERIFY ALL ASPECTS OF THIS PLAN AND ADJUST IF REQUIRED



1 SITE PLAN  
 SCALE: 1"=20'-0"



LUBIKA MANTROVA  
 7420 FRONT LAKE TRAIL  
 ARLINGTON, TEXAS 76002  
 PH: 682.351.6980  
 EMAIL: dlion.kent@redline.com  
 ELLIS COUNTY, TEXAS  
 COPYRIGHTS 2022

PROJECT TITLE:  
**A NEW HOUSE**  
 100 COATS STREET  
 WAXAHACHE, TEXAS

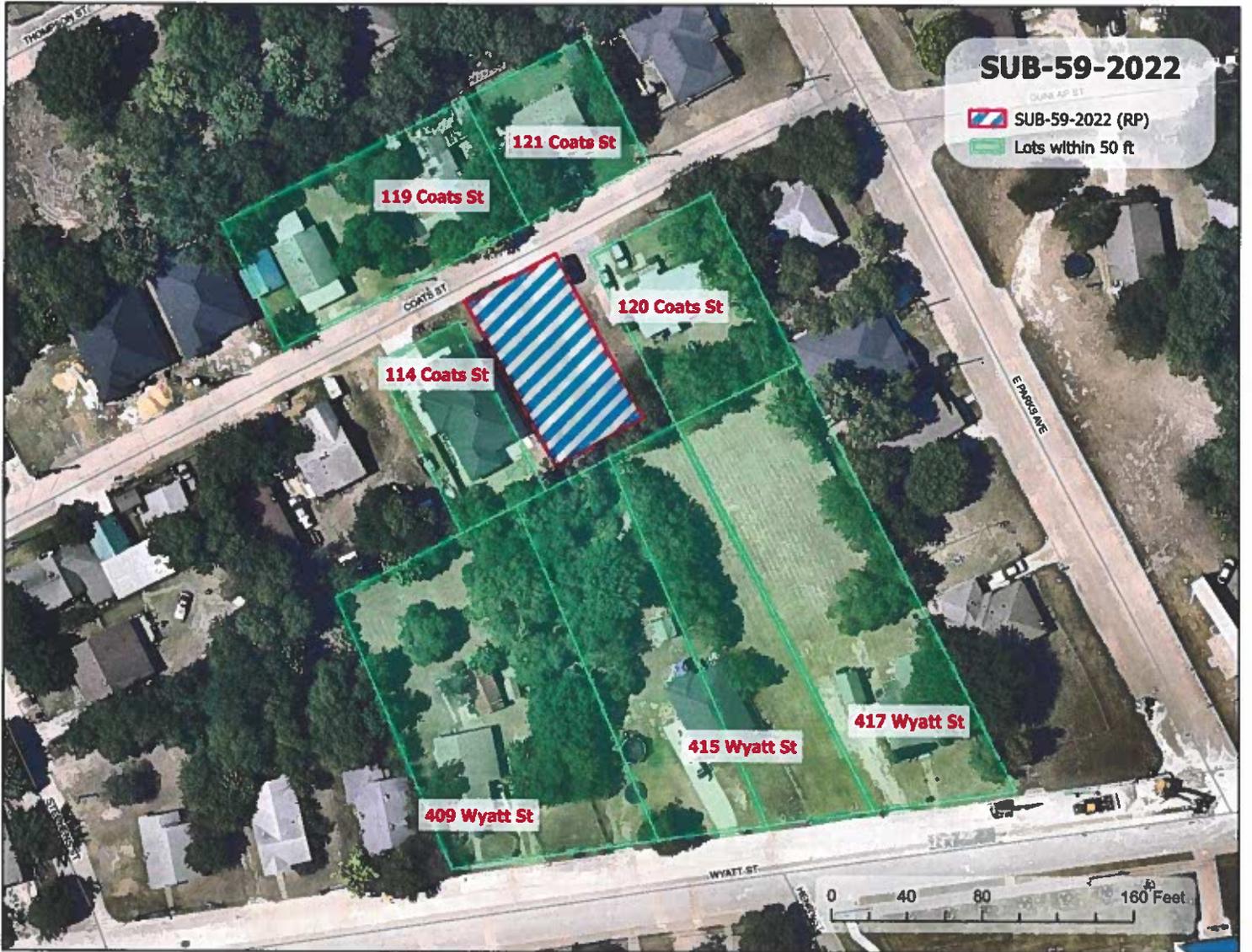
SITE PLAN

DATE: NOVEMBER 2022
DRAWING TITLE: SITE PLAN
DESIGNER: [Blank]
CHECKER: [Blank]
DATE: [Blank]

SHEET#:

**SITE**

(10 + 11)



(12)

# Planning & Zoning Department

## Plat Staff Report



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**Case: ZDC-79-2022**

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**MEETING DATE(S)**

*Planning & Zoning Commission:* August 23, 2022

*City Council:* September 6, 2022

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held August 23, 2022, the Commission voted 7-0 to recommend approval of the case number ZDC-79-2022, as recommended by Staff.

**CAPTION**

**Public Hearing** on a request by Debbie Manning – Capitola Builders, for a **Specific Use Permit (SUP)** for an **Accessory Structure equal or greater than 700SF** use within a Single Family-1 (SF-1) zoning district located at 195 Brookbend Dr. (Property ID 208145) – Owner: Higginbotham Revocable Trust (ZDC-79-2022).

**APPLICANT REQUEST**

The applicant is requesting to construct at +700 sq. ft. (1,361 sq. ft.) accessory structure to the rear of a single-family residential lot.

**CASE INFORMATION**

<i>Applicant:</i>	Debbie Manning, Capitola Builders
<i>Property Owner(s):</i>	Higginbotham Revocable Trust
<i>Site Acreage:</i>	0.933 acres
<i>Current Zoning:</i>	SF-1
<i>Requested Zoning:</i>	SF-1 with a Specific Use Permit (SUP) for an accessory structure greater than 700 square feet.

**SUBJECT PROPERTY**

<i>General Location:</i>	195 Brookbend Dr.
<i>Parcel ID Number(s):</i>	208145
<i>Current Zoning:</i>	Single Family-1 (SF-1)
<i>Existing Use:</i>	The existing use is residential.
<i>Development History</i>	The subject property is platted as Lot 89 of Brookbend Grove Phase 2.

(12)

**Adjoining Zoning & Uses:**

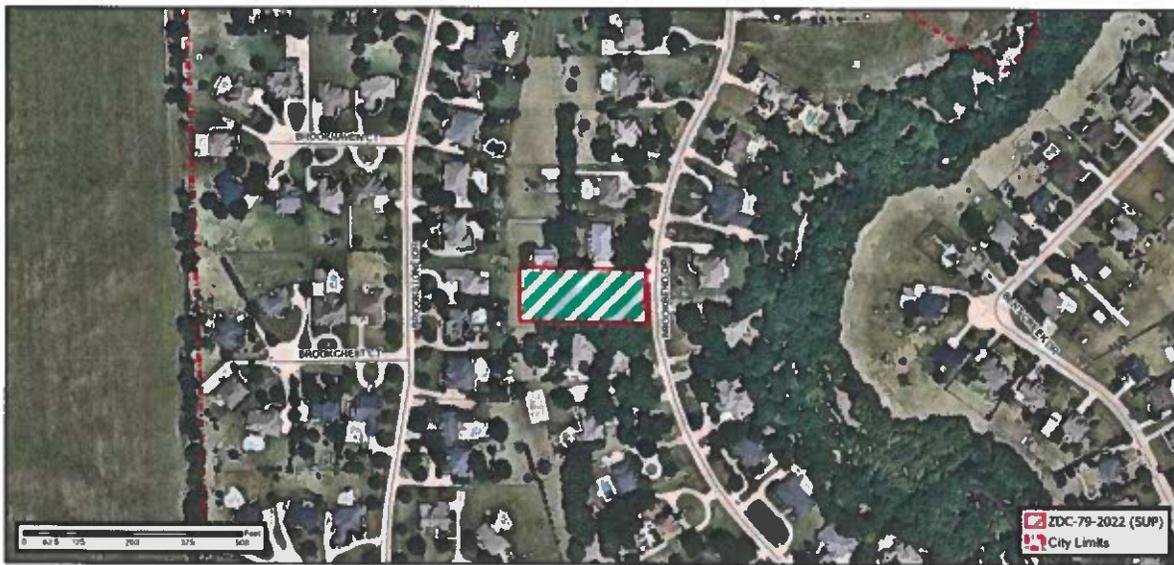
Direction	Zoning	Current Use
North	Single-Family-1	Single Family Residential Home
East	Single-Family-1	Single Family Residential Home
South	Single-Family-1	Single Family Residential Home
West	Single-Family-1	Single Family Residential Home

**Future Land Use Plan:** Low Density Residential

**Comprehensive Plan:** This use is representative of smaller single-family homes and some duplex units. The majority of Waxahachie’s current development is of a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

**Thoroughfare Plan:** The subject property is accessible via Brookbend Dr.

**Site Aerial:**



**PLANNING ANALYSIS**

The applicant is proposing to construct a +700 sq. ft. (1,361 sq. ft.) accessory structure to the side and rear of a single-family residential lot at 195 Brookbend Dr. The Ellis County Appraisal District states that the primary structure on the property is 3,693 square feet. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 square feet requires a Specific Use Permit (SUP) to be approved by City Council.

**Proposed Use:**

The proposed accessory structure is comprised of 1,361 square feet of fully enclosed space. The applicant is proposing to construct the structure out of masonry that will match the primary structure. The structure is intended to be used for as a garage and personal shop.

The accessory structure is 23.5' in height, and the interior floor plan does indicate a small storage area that is accessible by stairs. The applicant has informed staff that the purpose of this storage area and the width of the stairs is to provide ease of access for items such as Christmas decorations. The applicant has confirmed to staff that the structure will not be used as a dwelling of any kind and will not be metered, sold, or leased separately from the existing home. The accessory structure will be connected to the existing driveway with a concrete drive.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 15 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

**PROPERTY OWNER NOTIFICATION RESPONSES**

At the time of this report (August 24, 2022), staff has received 3 letters of support.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:

1. The site plan shall conform as approved by the City Council under case number ZDC-79-2022.
2. The development shall adhere to the City Council approved Exhibit A – Location Exhibit, Exhibit B - Site Layout Exhibit, Exhibit C – Site Plan Exhibit, Exhibit D – Architectural Plans, and Exhibit E – Staff Report.
3. The accessory structure shall not be used as a dwelling.
4. The accessory structure shall not be used for commercial purposes.
5. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
6. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to the construction of the accessory structure.
7. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. If approved, City Council reserves the right to review the Specific Use Permit at any point in the future, if needed.

**ATTACHED EXHIBITS**

Identify the exhibits that will be included as agenda backup material.

1. Ordinance
2. Location Map
3. Site Layout Exhibit
4. Site Plan
5. Architectural Plan
6. PON Responses

(12)

**APPLICANT REQUIREMENTS**

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

**STAFF CONTACT INFORMATION**

*Prepared by:*

Ashlie Jones

Senior Planner

[ashlie.jones@waxahachie.com](mailto:ashlie.jones@waxahachie.com)

*Reviewed by:*

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)



(12)

**City of Waxahachie, Texas**  
**Notice of Public Hearing**  
**Case Number: ZDC-79-2022**

**HUBBARD MICHAEL D & CONNIE R**  
**211 BROOKBEND DR**  
**WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 23, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 6, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Debbie Manning, Capitola Builders, for a **Specific Use Permit (SUP)** for an **Accessory Structure +700sf**, use within a **Single Family - 1 (SF-1)** zoning district located at 195 Brookbend Drive (Property ID 208145) - Owner: **HIGGINBOTHAM REVOCABLE TRUST (ZDC-79-2022)** Staff: Ashlie Jones

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-79-2022

City Reference: 208153

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 17, 2022 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Connie Hubbard  
Signature  
Connie Hubbard  
Printed Name and Title

8/5/22  
Date  
211 Brookbend Dr.  
Address

(12)

Case Number: ZDC-79-2022

City Reference: 208144

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 17, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

The Higgins bothams are great neighbors and we  
support the application for an accessory building

Diane M. Szymczak  
Signature

8/6/22  
Date

DIANE M. SZYMCAK  
Printed Name and Title

201 BROOKBEND DRIVE  
Address

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

(12)

Case Number: ZDC-79-2022

City Reference: 208145

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 17, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
*Dale Haggabetham*

Signature

Date

8/8/22

Printed Name and Title

Address

Dale Haggabetham - Retired

195 Brookbend Dr  
Waxahachie, TX 75165

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

(13)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EQUAL TO OR GREATER THAN 700 SQUARE FEET USE WITHIN A SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED AT 195 BROOKBEND DRIVE, BEING PROPERTY ID 208145, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, LOT 89, IN THE BROOKBEND GROVE PHASE 2 ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

**WHEREAS**, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

**WHEREAS**, the described property is classified in said ordinance and any amendments thereto as SF-1; and

**WHEREAS**, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-79-2022. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

**WHEREAS**, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

**WHEREAS**, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

**NOW, THEREFORE**, this property is rezoned from SF-1 to SF-1, with a SUP in order to permit an Accessory Structure Equal to or Greater Than 700 Square Feet use on the following property: Lot 89, of the Brookbend Grove Phase 2, which is shown on Exhibit A, in accordance with the Site Layout Exhibit attached as Exhibit B, the Site Plan attached as Exhibit C, the Architectural Plan attached as Exhibit D and the Staff Report attached as Exhibit E.

### **SPECIFIC USE PERMIT**

#### **Purpose and Intent**

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

(13)

### Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE EQUAL TO OR GREATER THAN 700 SQUARE FEET USE WITHIN A SINGLE FAMILY – 1 (SF-1) ZONING DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number ZDC-79-2022.
2. The development shall adhere to the City Council approved Exhibit A – Location Exhibit, Exhibit B - Site Layout Exhibit, Exhibit C – Site Plan Exhibit, Exhibit D – Architectural Plans, and Exhibit E – Staff Report.
3. The accessory structure shall not be used as a dwelling.
4. The accessory structure shall not be used for commercial purposes.
5. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
6. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to the construction of the accessory structure.
7. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. If approved, City Council reserves the right to review the Specific Use Permit at any point in the future, if needed.

### Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

(13)

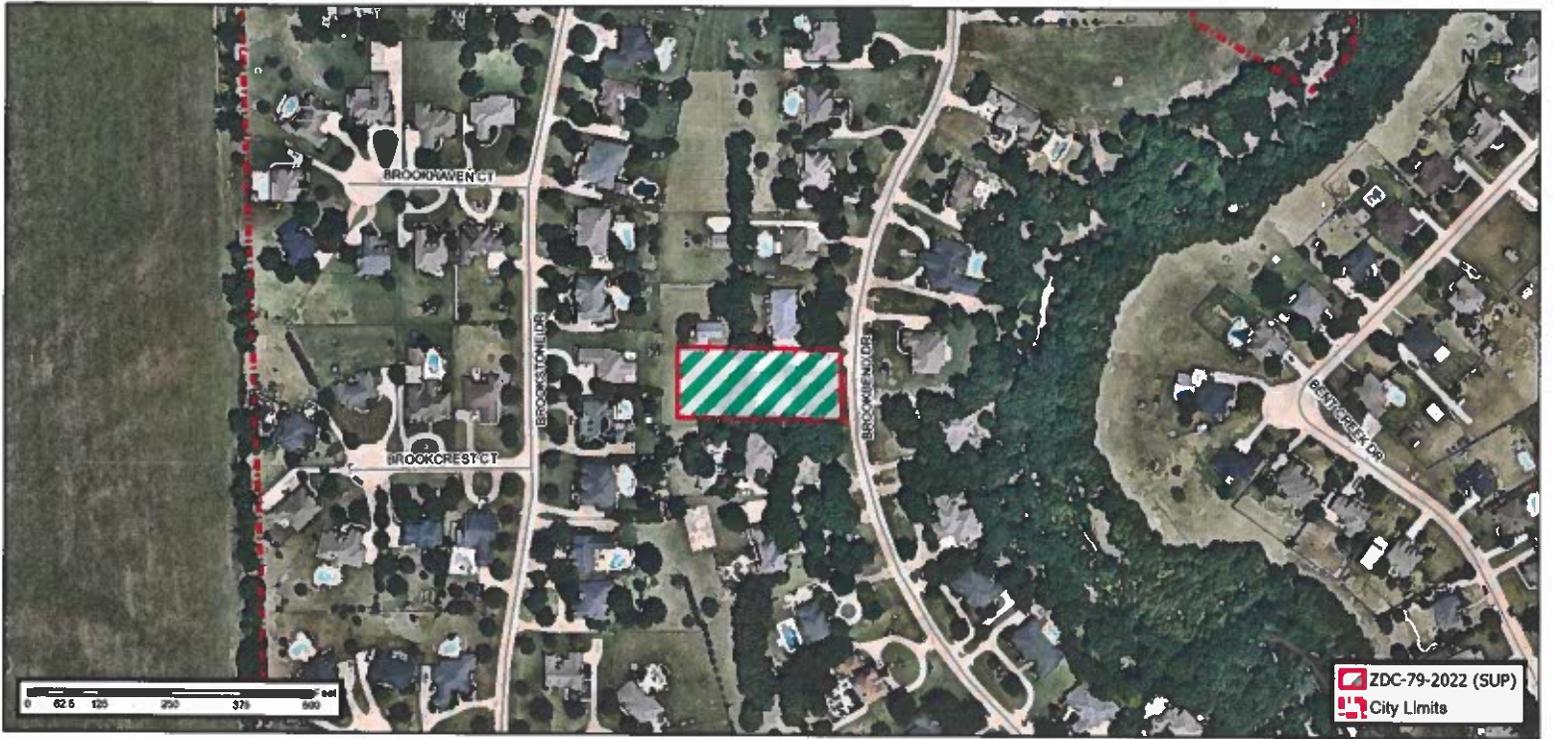
**PASSED, APPROVED AND ADOPTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

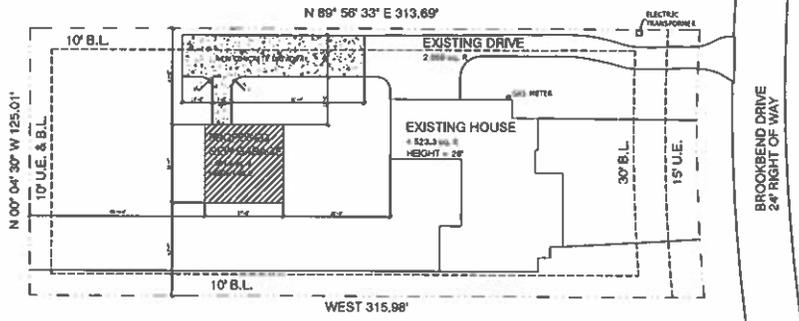
(13)



(13)



(13)



SITE PLAN



VICINITY MAP

PROJECT LOCATION

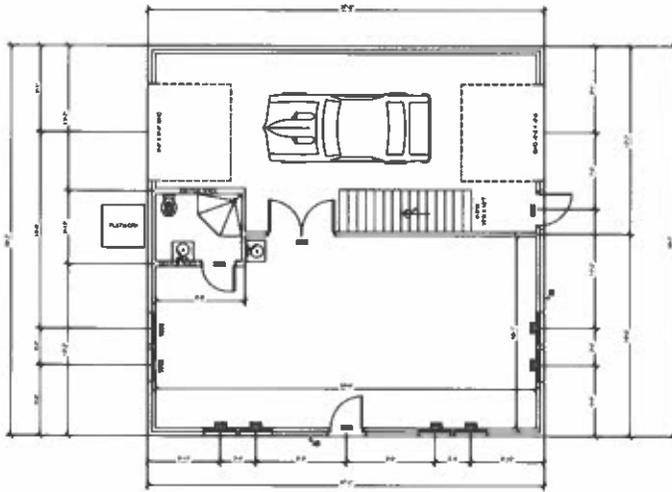
**PRIOR TO DIGGING CALL 811**  
<https://www.texas811.org/>



IF THIS BAR BE NOT DIMENSION SHOWN ADJUST SCALES ACCORDINGLY

<p>LOT 16          166 BROOKBEND DR          WILLOWACRE, ELLIS COUNTY, TEXAS</p>
<p>JOB</p>
<p>DALE HIGGINBOTHAM          166 BROOKBEND DR          WILLOWACRE, TX 75088          CONTACT DALE HIGGINBOTHAM - (214) 253-5154</p>
<p><b>Eymcon</b>          CONSULTING ENGINEERS</p> <p>2805 W. UNIVERSITY          SUITE 100, FORT WORTH, TX 76107          (817) 335-1111          www.eymcon.com</p>
<p>STATE OF TEXAS          ENGINEERING EXAMINER          DALE HIGGINBOTHAM          LICENSE NO. 12345</p>
<p>Drawn by: M. J. [Name]          SCALE: 1"=30'</p>
<p>DATE: 05/15/2017</p>
<p>PROJECT:          A. [Name] - [Address]          B. [Name] - [Address]          C. [Name] - [Address]          D. [Name] - [Address]          E. [Name] - [Address]</p>
<p>JOB CODE:          002 1006C</p>
<p>Sheet  <b>C1</b>          OF 10017</p>

(13)



FLOOR PLAN

AREA TOTALS	
GOOD SHOP	750 SF
OFFICE	210 SF
PERMISSION	1000 SF

**GENERAL NOTES**  
 1. ALL WORK TO BE INSTALLED WITHIN THE 2' SET-BACK APPLICABLE.  
 2. RESPONSIBILITY FOR CITY OF WASHINGTON.  
 3. ALL WORKS & MATERIALS TO BE SUBJECT TO CHECK.

LOT 88  
 184 BROOKBEND DR.  
 WASHINGTON, ILLIS COUNTY, TEXAS

DALE HIGGINBOTHAM  
 184 BROOKBEND DR.  
 WASHINGTON, TEXAS  
 CONTACT: DALE HIGGINBOTHAM - (714) 253-1154

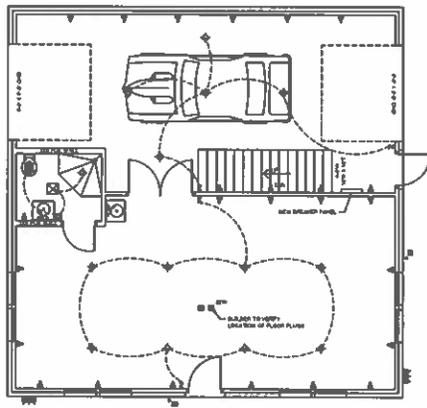


DALE HIGGINBOTHAM  
 STATE OF TEXAS  
 LICENSE NO. 10000

SCALE: 1/4" = 1'-0"  
 DATE: DEC 20, 2011  
 PROJECT: 1111111111

JOB CODE:  
 0021218  
 A1  
 (P. 1 OF 2)

(13)



ELECTRICAL PLAN

ELECTRICAL SCHEDULE			
SYMBOL	QTY	DESCRIPTION	ATTACHED TO
◆	11	CORNER LIGHT	CEILING
⊠	1	POW. G.A. LIGHT	CEILING
⊞	1	SWITCH	WALL
⊞	21	OUTLET	WALL
⊞	1	SW. INLET	WALL
⊞	1	SW. FLOOR PLUG	FLOOR
⊞	1	FLOOR PLUG	FLOOR

NOTE: ATTIC TO HAVE SHOP LIGHT PER OWNER SPECIFICATIONS.

LOT #8  
188 BROOKSIDE DR.  
WAXAHACHE, TULSA COUNTY, TEXAS

JOB

DALE HIGGINBOTHAM  
185 BROOKSIDE DR.  
WAXAHACHE, TX 75090  
CONTACT DALE HIGGINBOTHAM (214) 232-8184



ISSUED BY: N. 002  
SCALE: 1/4" = 1'-0"  
DATE: DEC. 22, 2011  
PROJECT:

JOB CODE:  
0821098

sheet  
**A2**  
of 1 sheets

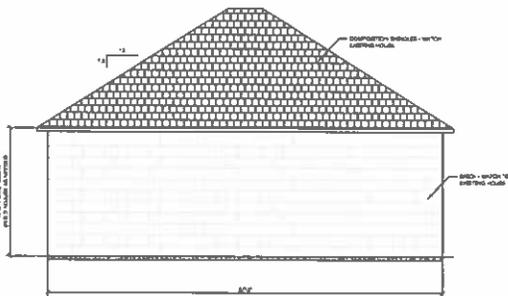
(13)



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

LOT: 68  
186 SPOONBEND DR.  
WILLOWACRE, ELLIS COUNTY, TEXAS

DALE HIGGINBOTHAM  
186 SPOONBEND DR.  
WILLOWACRE, ELLIS COUNTY, TEXAS  
CONTACT: DALE HIGGINBOTHAM - (214) 232-9154

**Syncon**  
ENGINEERS

1000 N. Main Street  
Dallas, TX 75201  
www.syncon.com

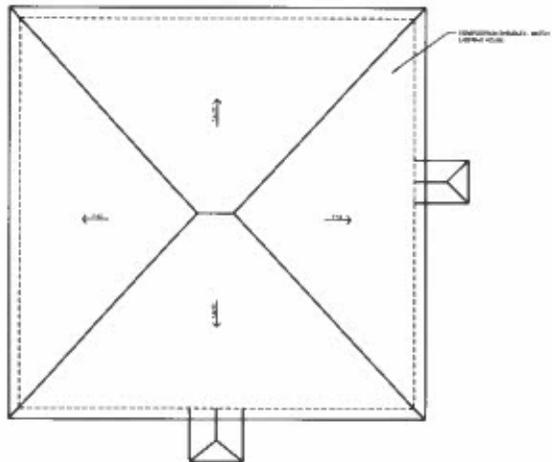


Drawn by: S. Bell  
Scale: 1/4" = 1'-0"  
Date: DEC 10, 2011

JOB CODE:  
0921085

SHEET  
**A3**  
OF 4 SHEETS

(13)



ROOF PLAN

LOT: 88  
185 BROOKBEND DR  
WAXAHACHE, CLUSE COUNTY, TEXAS

DALE HIGGINBOTHAM  
185 BROOKBEND DR  
WAXAHACHE, TX 75165  
CONTACT: DALE HIGGINBOTHAM - (714) 228-6154

**Eyncon**  
ENGINEERS



DATE: 01/15/2014  
SCALE: AS SHOWN  
SHEET NO. 13 OF 13

JOB CODE:  
0821666

**A4**  
OF 13 SHEETS

(14)



### PETITION FOR ALLEY/STREET/PUBLIC RIGHT OF WAY CLOSING

DATE: 4-20-2022

We, the adjoining property owner(s) of certain real estate (property) located in the City of Waxahachie, hereby request that said alley/street/public right of way as described below, be closed. We, the adjoining property owner(s) release any and all damages resulting from said closing. Nonrefundable application fee of \$200.00 is enclosed.

#### PLEASE PRINT OR TYPE

1. Please list all adjoining **PROPERTY OWNER(S)**:

Name Gregory Boston Telephone 214-923-0042  
 Address 313 HOWARD AD. WAXAHACHIE, TX 75168  
 Name CITIZENS NATIONAL BANK Telephone 972-938-4300  
 Address P.O. Box 717 WAXAHACHIE, TX 75168  
 Name CITY OF WAXAHACHIE Telephone 469-309-4000  
 Address 401 S. ROGERS ST 75165  
 Name \_\_\_\_\_ Telephone \_\_\_\_\_  
 Address \_\_\_\_\_

If more space is required, please list on a separate sheet of paper.

2. List the physical location of the alley/street/public right of way to be closed. Provide map.

3. Reason for closing alley/street/public right of way and list any future improvements.

IT HAS BEEN USED BY THE ADJACENT PROPERTY OWNERS FOR MORE THAN 30 YEARS. WILL NEVER BE A ROAD AS IT WOULD CROSS WAXAHACHIE CREEK

4. We have received and understand the regulations for alley/street/public right of way closings therefore, we the undersigned, realize that if utilities are located within the alley, the alley will remain as utility easement. Therefore, no temporary or permanent building or fencing will be allowed on the easement.

DocuSigned by: [Signature] 4/22/2022  
49E578E32304458  
Owner

DocuSigned by: [Signature] 4/25/2022  
57A332F72FEB4A3  
Owner

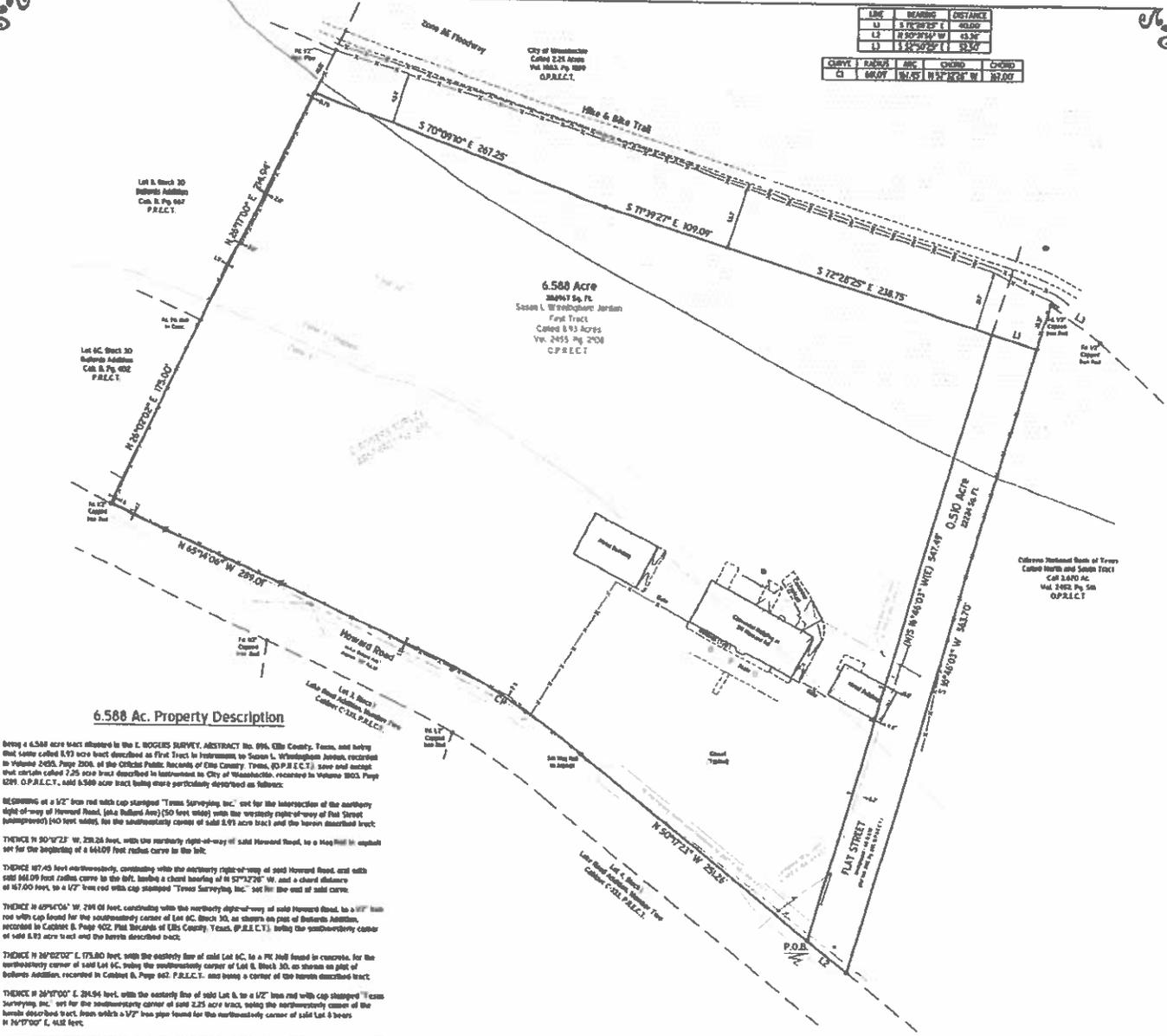
DocuSigned by: [Signature] 8/22/2022  
WA103901111FE9425  
Owner

(14)

LINE	BEARING	DISTANCE
L1	S 72°02'25" E	60.00
L2	N 80°07'00" W	43.30
L3	S 72°02'25" E	19.20

CURVE	RADIUS	ARC	CHORD	CHORD
C1	60.00'	18.85'	19.20' BEV	19.20'



**6.588 Ac. Property Description**

Being a 6.588 acre tract situated in the E. BOGGS SURVEY, ABSTRACT No. 596, Ellis County, Texas, and being that same called 6.93 acre tract described as First Tract in Instrument to Susan L. Whitehouse Jordan, recorded in Volume 2455, Page 2306, of the Official Public Records of Ellis County, Texas, (P.R.E.C.T.) save and except that certain called 2.25 acre tract described in Instrument to City of Waco, Texas, recorded in Volume 1803, Page 629, O.P.R.E.C.T., said 6.588 acre tract being more particularly described as follows:

(beginning at a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for the intersection of the northerly right-of-way of Howard Road, (also called 150 feet wide) with the westerly right-of-way of said Flat Street, (approximately) 110 feet wide, to the southeasterly corner of said 6.93 acre tract and the herein described tract;

THENCE N 80°07'00" W, 28.25 feet, with the westerly right-of-way of said Howard Road, to a NagHill in equal set for the beginning of a 64.00' foot radius curve to the left;

THENCE W 74°50' feet, curving with the westerly right-of-way of said Howard Road, and with said 64.00' foot radius curve to the left, having a chord bearing of N 57°42'28" W, and a chord distance of 67.00 feet, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for the end of said curve;

THENCE N 49°04' W, 298.00 feet, continuing with the northerly right-of-way of said Howard Road, to a 1/2" iron rod with cap found for the southeasterly corner of Lot 8C, Block 30, as shown on plat of Bosters Addition, recorded in Cabinet B, Page 402, Plat Book 6 of Ellis County, Texas, (P.R.E.C.T.), being the southeasterly corner of said 6.93 acre tract and the herein described tract;

THENCE N 80°07'00" E, 175.80 feet, with the easterly line of said Lot 8C, to a PK Nail found in concrete, for the southeasterly corner of said Lot 8C, being the southeasterly corner of Lot 8, Block 30, as shown on plat of Bosters Addition, recorded in Cabinet B, Page 402, P.R.E.C.T., and being a corner of the herein described tract;

THENCE N 80°07'00" E, 28.54 feet, with the easterly line of said Lot 8, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for the southeasterly corner of said 6.93 acre tract, being the southeasterly corner of the herein described tract, from which a 1/2" iron pipe found for the northeasterly corner of said Lot 8 bears N 74°07'00" E, 4.82 feet;

THENCE over and across said 6.93 acre tract with the westerly line of said 2.25 acre tract, the following bears 170 degrees and distance:

1) S 70°07'30" E, 28.25 feet, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for corner;

2) S 72°02'25" E, 120.00 feet, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for corner;

3) S 72°02'25" E, 120.00 feet, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for the westerly right-of-way of said Flat Street, being the easterly line of said 6.93 acre tract, for the southeasterly corner of said 2.25 acre tract, and being the northeasterly corner of the herein described tract;

THENCE S 14°43'17" E, 547.40 feet, with the westerly right-of-way of said Flat Street, the easterly line of said 6.93 acre tract, to the POINT OF BEGINNING, and containing 6.588 acres more or less.

Bearings, Distances, and/or Areas derived from GNSS observations, performed by Texas Surveying, Inc., and reflect NAD 1983, Texas State Plane Coordinate System, North Central Zone 4202, (GNS).

**0.510 Ac. Property Description**

Being a 0.510 acre tract situated in the E. BOGGS SURVEY, ABSTRACT No. 596, Ellis County, Texas, and being a portion of an addition of Flat Street, (also called 150 feet wide) as described and shown on plat of Instrument recorded in Volume 2411, Page 653, Official Public Records of Ellis County, Texas, (P.R.E.C.T.) said 0.510 acre tract being more particularly described as follows:

(beginning at a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for the intersection of the northerly right-of-way of Howard Road, (also called 150 feet wide) with the westerly right-of-way of said Flat Street (approximately) 110 feet wide, to the southeasterly corner of a called 6.93 acre tract described as First Tract in Instrument to Susan L. Whitehouse Jordan, recorded in Volume 2455, Page 2306, O.P.R.E.C.T., and being the southeasterly corner of the herein described tract;

THENCE N 80°07'00" E, 64.70 feet, with the westerly right-of-way of said Flat Street, the easterly line of said 6.93 acre tract, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for the southeast corner of that certain called 2.25 acre tract described in Instrument to City of Waco, Texas, recorded in Volume 1803, Page 629, O.P.R.E.C.T., for the northeasterly corner of the herein described tract;

THENCE S 72°02'25" E, 60.00 feet, with an extension of the westerly line of said 2.25 acre tract, over and across said Flat Street, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for the westerly right-of-way of said Flat Street, being the westerly line of that certain 2.470 acre tract described in Instrument to Citizens National Bank of Texas, recorded in Volume 2492, Page 591, O.P.R.E.C.T., for the northeast corner of the herein described tract, from which a 1/2" iron rod with cap found for the northeast corner of said 2.470 acre tract bears N 84°43'17" E, 39.33 feet;

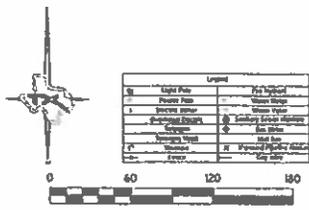
THENCE S 14°43'17" W, 114.70 feet, with the easterly right-of-way of said Flat Street, the westerly line of said 2.470 acre tract, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set for the southeasterly right-of-way of said Howard Road, for the southeast corner of said 2.470 acre tract, being the southeast corner of the herein described tract;

THENCE N 50°07'34" W, 43.30 feet, with the northerly right-of-way of said Howard Road, to the POINT OF BEGINNING, and containing 0.510 acres more or less.

Bearings, Distances, and/or Areas derived from GNSS observations, performed by Texas Surveying, Inc., and reflect NAD 1983, Texas State Plane Coordinate System, North Central Zone 4202, (GNS).

I, the undersigned a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the above described property was surveyed on the ground by me or under my direct supervision under conditions, circumstances, and coverage are as shown on this plat or map attached hereto, the area is boundary lines recomputed with regard to the required information as shown, and the information presented is true & correct to the best of my knowledge. In addition, it is not intended to express or imply liability, guarantee of accuracy or transfer of title, and this survey is subject to all applicable copyright laws from the date of this survey. The use of this survey is at the sole discretion of the customer under penalty, all rights, claims, losses, equipment, damage or other expenses arising from the use of this survey are the responsibility of the customer under penalty. The surveyor's liability is limited to no greater than the fee charged for the professional services rendered during the course of this survey. To protect of parties interested with survey to only make it appear true & legally correct on the face of any survey to be made.

*[Signature]*  
 Zachariah R. Savory, Registered Professional Land Surveyor No. 5046  
 Texas Surveying, Inc. - Main Office  
 200 S. Fourth Street, Suite 175  
 Houston, Texas 77002  
 281-441-5843  
 281-441-5844  
 281-441-5845  
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**TEXAS SURVEYING**  
 ALECK B. BLANCHET - 817-441-5843  
 P.O. Box 1894189 - Dallas, Texas 75218-9418



(14)

**CITY OF WAXAHACHIE, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ABANDONING AND VACATING CERTAIN RIGHT-OF-WAY ALONG FLAT STREET; MAKING FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Waxahachie, Texas ("City"), is a duly organized political subdivision and home-rule municipality of the State of Texas; and

**WHEREAS**, the City, by virtue of a prior dedication, owns a certain unused portion of a street/alley known as Flat Street, which street/alley is located within the corporate limits of the City; and

**WHEREAS**, Section 311.001(a) of the Texas Transportation Code generally provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

**WHEREAS**, Section 311.007 of the Texas Transportation Code provides the authority for a home-rule municipality to vacate, abandon or close a street or alley within the municipality; and

**WHEREAS**, the City has received a petition from the abutting landowners requesting that the City abandon and close an unused portion of Flat Street; and

**WHEREAS**, the City Council of the City of Waxahachie, Texas ("City Council"), finds and determines that the unused portion of Flat Street, which consists of approximately .51 acres as shown on *Exhibit A* attached hereto and incorporated herein for all purposes (hereinafter referred to as the "Unused Road ROW"), should be abandoned, vacated, and closed; and

**WHEREAS**, the City Council finds that the Unused Road ROW should be abandoned and vacated as a roadway/alley, and that any and all rights that the City may have in the Unused Road ROW should be released, which abandonment and vacation the City Council has determined is in furtherance of the public health, safety and welfare of the City; and

**WHEREAS**, the City Council also finds, pursuant to Texas Local Government Code Section 272.001(b)(2), that it is appropriate for the City to deed to the adjacent property owners along the Unused Road ROW their respective portions of the Unused Road ROW, with approximately .253 acres to be deeded to the owner of the abutting property to the west of the Unused Road ROW and approximately .257 acres to be deeded to the owner of the abutting property to the east of the Unused Road ROW, and to authorize the City Manager to execute such real estate conveyance documents and other related documents to accomplish such property transfer.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**

**OF WAXAHACHIE, TEXAS:**

**SECTION 1**

All of the above premises are hereby found to be true and correct legislative findings of the City Council and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2**

From and after the effective date of this Ordinance, any and all rights and interests that the City may have in the Unused Road ROW, as described in the attached *Exhibit A*, are hereby abandoned and vacated by the City for street, roadway, alley, and public travel purposes, and the City hereby disclaims any interest in the Unused Road ROW.

**SECTION 3**

The City Manager, or his designee, is hereby authorized to execute all documents necessary to transfer all title and property interests that the City has in the Unused Road ROW to the abutting property owners as described in this Ordinance, and the City hereby authorizes such transfers.

**SECTION 4**

All ordinances, orders or resolutions heretofore passed and adopted by the City Council are hereby repealed to the extent that said ordinances, resolutions, or parts thereof, are in conflict herewith.

**SECTION 5**

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 6**

This Ordinance shall take effect and be in full force from and after its passage, as provided by the laws of the State of Texas, and the City Charter of the City of Waxahachie.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, THIS 15TH DAY OF AUGUST, 2022.**

(14)

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**David Hill, Mayor**

**ATTEST:**

---

**Amber Villarreal, City Secretary**

---

**Robert F. Brown, City Attorney**

(14)

**EXHIBIT A**

**0.253 Ac. Property Description**

Being a 0.253 acre tract situated in the E. ROGERS SURVEY, ABSTRACT No. 896, Ellis County, Texas, and being a portion of an extension of Flat Street, (40 feet wide) as described and shown on sketch in instrument recorded in Volume 247, Page 653, Official Public Records of Ellis County, Texas, (O.P.R.E.C.T.), said 0.253 acre tract being more particularly described as follows:

Bearings, Distances, and/or Areas derived from GNSS observations performed by Texas Surveying, Inc. and reflect N.A.D. 1983, Texas State Plane Coordinate System, North Central Zone 4202. (Grid)

**BEGINNING** at a 1/2" iron rod with cap stamped "Texas Surveying, Inc." found for the intersection of the northerly right-of-way of Howard Road, (aka Buldian Ave) (50 feet wide) with the westerly right-of-way of said Flat Street (unimproved), for the southwest corner of a called 6.93 acre tract described as First Tract in instrument to Susan L. Winingham Jordan, recorded in Volume 2455, Page 2108, O.P.R.E.C.T., and being the southwest corner of the herein described tract;

**THENCE** N 16°48'03" E, 547.49 feet, with the westerly right-of-way of said Flat Street, the easterly line of said 6.93 acre tract, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." found for the southeast corner of that certain called 2.25 acre tract described in instrument to City of Wazauachke, recorded in Volume 1803, Page 1289, O.P.R.E.C.T., for the northwest corner of the herein described tract;

**THENCE** S 72°28'25" E, 20.00 feet, with an extension of the south line of said 2.25 acre tract, over and across said Flat Street, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set in the centerline of said Flat Street for the northeast corner of the herein described tract;

**THENCE** S 16°48'03" W, 555.60 feet, with the centerline of said Flat Street, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set in the northerly right-of-way of said Howard Road, for the southeast corner of the herein described tract;

**THENCE** N 50°31'56" W, 21.68 feet, with the northerly right-of-way of said Howard Road, to the POINT OF BEGINNING, and containing 0.253 acres more or less.

**0.257 Ac. Property Description**

Being a 0.257 acre tract situated in the E. ROGERS SURVEY, ABSTRACT No. 896, Ellis County, Texas, and being a portion of an extension of Flat Street, (40 feet wide) as described and shown on sketch in instrument recorded in Volume 247, Page 653, Official Public Records of Ellis County, Texas, (O.P.R.E.C.T.), said 0.257 acre tract being more particularly described as follows:

Bearings, Distances, and/or Areas derived from GNSS observations performed by Texas Surveying, Inc. and reflect N.A.D. 1983, Texas State Plane Coordinate System, North Central Zone 4202. (Grid)

**COMMENCING** at a 1/2" iron rod with cap stamped "Texas Surveying, Inc." found for the intersection of the northerly right-of-way of Howard Road, (aka Buldian Ave) (50 feet wide) with the westerly right-of-way of said Flat Street (unimproved), for the southwest corner of a called 8.93 acre tract described as First Tract in instrument to Susan L. Winingham Jordan, recorded in Volume 2455, Page 2108, O.P.R.E.C.T.,

**THENCE** S 50°31'56" E, with the northerly right-of-way of said Flat Street, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set in the centerline of said Flat Street, for the POINT OF BEGINNING and being the southwest corner of the herein described tract;

**THENCE** N 16°48'03" E, 555.60 feet, with the centerline of said Flat Street, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." set in an extension of the south line of a called 2.25 acre tract described in instrument to City of Wazauachke, recorded in Volume 1803, Page 1289, O.P.R.E.C.T., for the northwest corner of the herein described tract;

**THENCE** S 72°28'25" E, 20.00 feet, with an extension of the south line of said 2.25 acre tract, over and across said Flat Street, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." found in the easterly right-of-way of said Flat Street, being the westerly line of that certain 2.670 acre tract described in instrument to Citizens National Bank of Texas, recorded in Volume 2492, Page 516, O.P.R.E.C.T., for the northeast corner of the herein described tract, from which a 1/2" iron rod with cap found for the northwest corner of said 2.670 acre tract bears N 16°48'03" E, 39.31 feet;

**THENCE** S 16°48'03" W, 563.70 feet, with the easterly right-of-way of said Flat Street, the westerly line of said 2.670 acre tract, to a 1/2" iron rod with cap stamped "Texas Surveying, Inc." found in the northerly right-of-way of said Howard Road, for the southwest corner of said 2.670 acre tract, being the southeast corner of the herein described tract;

**THENCE** N 50°31'56" W, 21.68 feet, with the northerly right-of-way of said Howard Road, to the POINT OF BEGINNING, and containing 0.257 acres more or less.

EXHIBIT "A"

LINE	BEARING	DISTANCE
L1	S 72°28'25" E	20.00'
L2	N 50°31'56" W	21.68'
L3	S 72°28'25" E	20.00'
L4	N 50°31'56" W	21.68'
L5	N 16°48'03" E	39.31'

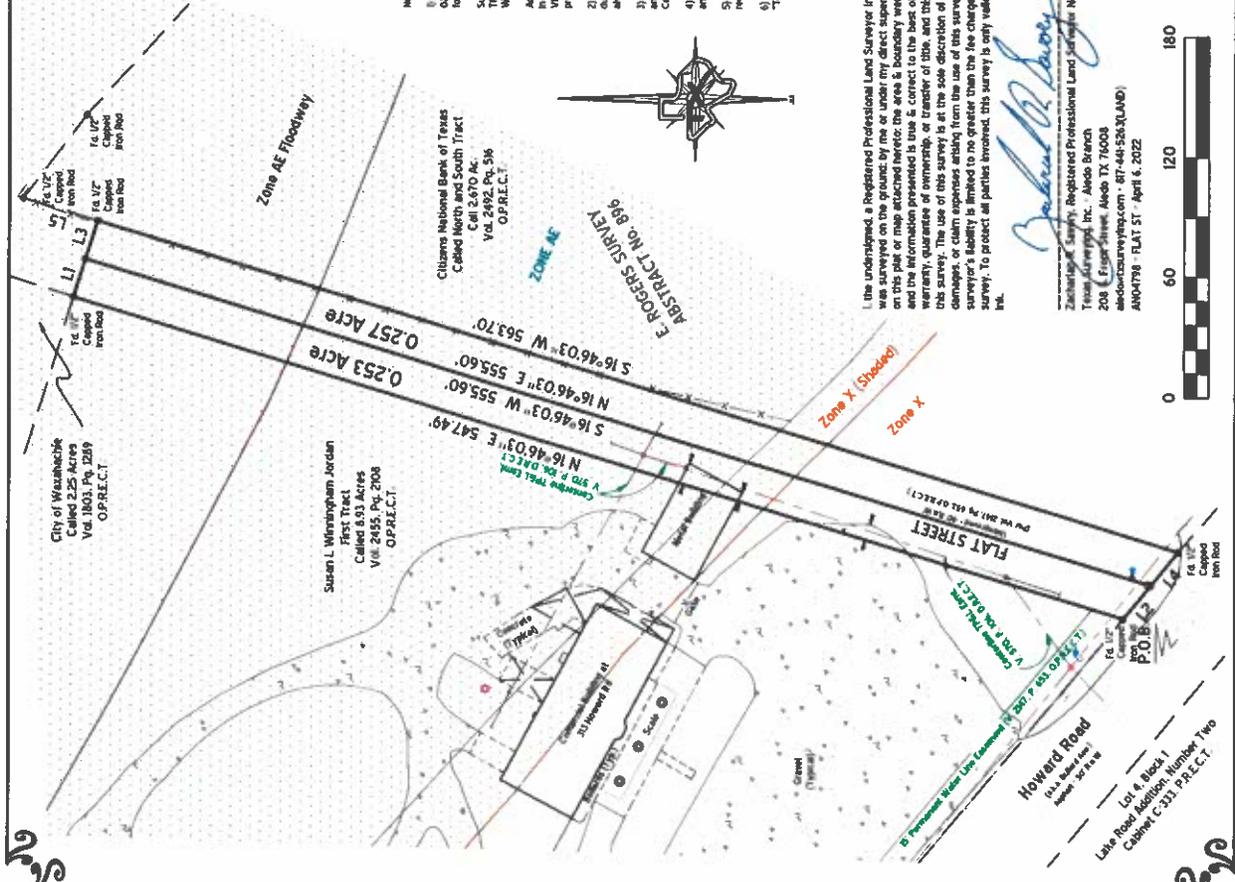
Legend	Symbol	Description
Light Pole	Circle with dot	Five Hydrant
Power Pole	Square with dot	Water Meter
Electric Meter	Circle with cross	Water Valve
Overhead Electric	Circle with slash	Secondary Street Mainline
Telecom	Circle with dot	Gas Meter
Telecom Vault	Square with dot	Mail Box
Mainline	Circle with cross	Ungrounded Hydrogen Meter
Fence	Dashed line	Cap Meter

- (Notes)
- With respect to the documents listed in Title Commitment No. Q2-19308 the following easements and/or restrictions were reviewed for this survey:
    - Subject to the following Covenants(s) and/or Documents: TP&L Term. - V 270 P. 106, D.R.E.C.T. (Shown)
    - Water Term. - V 247 P. 653, O.P.R.E.C.T. (Shown)
  - According to easement descriptions, visible easement locations of utilities in the field, addresses of record, Texas Railroad Commission Public GIS Viewer, Texas Utility Location Services (Treadbill) and the surveyor's professional opinion.
  - Official FEMA flood hazard information has not been reviewed during the course of this survey, for up to date flood hazard information always visit the official FEMA website at [www.fema.gov](http://www.fema.gov).
  - Bearings, Distances, and/or Areas derived from GNSS observations and reflect N.A.D. 1983, Texas State Plane Coordinate System, North Central Zone 4202. (Grid)
  - Unimproved utilities were not located during this survey. Call all and/or utility providers before excavation or construction.
  - Please consult all applicable governing entities regarding rules & regulations. Do not affect construction on this property.
  - All corners are set 1/2" iron rods with orange plastic caps stamped "Texas Surveying, Inc." unless otherwise noted.

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do certify that the above described property was surveyed on the ground by me or under my direct supervision, visible corners, encroachments, and overlaps are as shown and the information presented is true & correct to the best of my knowledge and belief. This survey is subject to all applicable copyright laws from the date of this survey. The use of this survey is at the sole discretion of the end-user and/or assignee, all injuries, claims, losses, expenses, damages, or claim expenses arising from the use of this survey are the responsibility of the end-user and/or assignee. The surveyor's liability is limited to no greater than the fee charged for the professional services rendered during the course of this survey. To protect all parties involved, this survey is only valid if original seal & signature appear on the face of this survey in blue ink.



Zachariah R. Savory  
 Registered Professional Land Surveyor No. 5966  
 Texas Surveying, Inc. - Aledo Branch  
 208 Eisenhower Blvd TX 76009  
 zachariasurvey.com - 817-461-5203(LAND)  
 AN0198 "FLAT ST" April 6, 2022



# MUNICAP, INC.

PUBLIC FINANCE

## Waxahachie PID

### Summary of Annual Service Plan Update

Presented for City Council consideration on September 6, 2022

#### 1. Authorized Improvement Budgets

- a. Phase One, Phase Two and Phase Three improvements are complete and accepted by the City.

#### 2. 2022-23 Annual Budget

Phase	2022-23 Budget	2021-22 Budget
<b>Phase One</b>		
Principal	\$35,000	\$30,000
Interest	\$84,297	\$86,783
Annual Collection Costs	\$19,000	\$18,000
<i>Subtotal - Phase One</i>	<i>\$138,297</i>	<i>\$134,783</i>
<b>Phase Two</b>		
Principal	\$6,000	\$5,000
Interest	\$40,750	\$49,786
Annual Collection Costs	\$14,000	\$14,000
<i>Subtotal - Phase Two</i>	<i>\$60,750</i>	<i>\$68,786</i>
<b>Phase Three</b>		
Principal	\$1,000	\$1,000
Interest	\$110,970	\$111,046
Annual Collection Costs	\$20,000	\$20,000
<i>Subtotal - Phase Three</i>	<i>\$131,970</i>	<i>\$132,046</i>
<b>Total Annual Installments</b>	<b>\$331,017</b>	<b>\$335,615</b>

### 3. 2022-23 Annual Installments per Lot Type

Phase	2022-23 Annual Installment	2021-22 Annual Installment
<b>Phase One</b>		
Lot Type One	\$811	\$790
Lot Type Two	\$681	\$664
Lot Type Three	\$608	\$593
<b>Phase Two</b>		
Lot Type One	\$648	\$734
Lot Type Two	\$545	\$617
Lot Type Three	\$486	\$551
<b>Phase Three</b>		
Lot Type One	-	-
Lot Type Two	-	-
Lot Type Three	\$522	\$522

### 4. Changes to Assessment Methodology

- a. No changes to assessment methodology.

### 5. Parcel Subdivision Summary

- a. The Parcels within the Phase One, Phase Two and Phase Three of the District have been fully subdivided.

### 6. Prepayment Summary

#### a. Phase One

- i. Four Lot Type 2 Parcels and two Lot Type 3 Parcels were prepaid in full within Phase One of the PID.

#### b. Phase Two

- i. One Lot Type 1 Parcel, One Lot Type 2 Parcel, and three Lot Type 3 Parcels were prepaid in full within Phase Two of the PID.

#### c. Phase Three

- i. No prepayments as of the date of this report.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF WAXAHACHIE APPROVING THE ANNUAL UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL[S] FOR THE WAXAHACHIE PUBLIC IMPROVEMENT DISTRICT NO. 1 IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §372.013, AS AMENDED; CONTAINING A CUMMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on April 16, 2007, the City Council of the City of Waxahachie, Texas (“City”) approved Resolution No. 1087 establishing the Waxahachie Public Improvement District No. 1 (“the PID”) in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the “Public Improvement District Assessment Act” or “the PID Act”); and

**WHEREAS**, the City has heretofore levied assessments against property within Phase #1 of the PID, pursuant to Ordinance No. 2413 which ordinance also approved the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll related to Phase #1, dated as of June 18, 2007 (the “Service and Assessment Plan and Phase #1 Assessment Roll”); and

**WHEREAS**, the City has also heretofore levied assessments against property within Phase #2 of the PID, which approved the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll related to Phase #2, dated as of April 13, 2016 (the “Service and Assessment Plan and Phase #2 Assessment Roll”) and, together with the Service and Assessment Plan and Phase #1 Assessment Roll, (the “Service and Assessment Plan and Assessment Rolls”); and

**WHEREAS**, the City has also heretofore levied assessments against property within Phase #3 of the PID, which also approved the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll related to Phase #3, dated as of June 7, 2021 (the “Service and Assessment Plan and Phase #3 Assessment Roll”) and, together with the Service and Assessment Plan and Phase #1 Assessment Roll and Phase #2 Assessment Roll, (the “Service and Assessment Plan and Assessment Rolls”); and

**WHEREAS**, the Service and Assessment Plan and Assessment Roll[s] is required to be reviewed and updated annually as described in Sections 372.013 and 372.014 of the PID Act (the “Annual Service Plan Update”); and

**WHEREAS**, the Annual Service Plan Update, attached hereto as Exhibit A, including the Phase #1 Assessment Roll, Phase #2 Assessment Roll, and Phase #3 Assessment Roll attached thereto, update the Service and Assessment Plan and Assessment Roll[s] to reflect prepayments, property divisions and changes to the budget allocation for the PID that occur during the year, if any; and

**WHEREAS**, the City Council desires and finds it to be in the public interest to adopt this Ordinance approving and adopting the Annual Service Plan Update and the updated Assessment Roll attached thereto, in compliance with the PID Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, THAT:**

**SECTION 1.** All matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 2.** The Waxahachie Public Improvement District No. 1 Annual Service Plan Update, attached hereto as Exhibit A and incorporated herein by reference, inclusive of the updated Phase #1 Assessment Roll, Phase #2 Assessment Roll, and Phase #3 Assessment Roll contained therein and made a part thereof, are hereby accepted and approved.

**SECTION 3.** The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

**SECTION 4.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** This Ordinance shall take effect immediately after its passage and the publication of the caption, as the law and charter in such case provide. The City Secretary shall cause this Ordinance to be filed with the county clerk in each county in which all or a part of the PID is located not later than seven (7) days after the date the governing body of the City approves this Annual Service Plan Update.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ON THE 6<sup>TH</sup> OF SEPTEMBER 2022.**

ATTEST:

APPROVED:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

# MUNICAP, INC.

PUBLIC FINANCE

## North Grove PID

### Summary of Annual Service Plan Update

Presented for City Council consideration on September 6, 2022

#### 1. Authorized Improvement Budgets

- a. Improvement Area #1 improvements are complete and accepted by the City
- b. Improvement Area #2 improvements are complete and accepted by the City
- c. Improvement Area #3

Authorized Improvements	Total
Water Distribution System	\$731,075
Sanitary Sewer Collection System	\$361,719
Storm Drainage Improvements	\$1,461,737
Roadway Improvements	\$1,161,043
Other Soft and Miscellaneous Costs	\$445,869
<b>Total Authorized Improvements</b>	<b>\$4,161,444</b>

#### 2. 2022-23 Annual Budget

Phase	2022-23 Budget	2021-22 Budget
<b>Improvement Area #1</b>		
Principal	\$125,000	\$125,000
Interest	\$398,125	\$406,250
Annual Collection Costs	\$41,000	\$32,506 <sup>1</sup>
<b>Subtotal - Improv. Area #1</b>	<b>\$564,125</b>	<b>\$563,756</b>
<b>Improvement Area #2</b>		
Principal	\$12,000	-
Interest	\$127,768	-
Annual Collection Costs	\$13,100	-
<b>Subtotal - Improv. Area #2</b>	<b>\$152,868</b>	<b>\$0</b>
<b>Improvement Area #3</b>		
Principal	\$26,000	-
Interest	\$270,226	-
Annual Collection Costs	\$27,800	-
<b>Subtotal - Improv. Area #3</b>	<b>\$324,026</b>	<b>\$0</b>
<b>Total Annual Installments</b>	<b>\$1,041,019</b>	<b>\$563,756</b>

<sup>1</sup> – Annual Collection Costs for 2021-22 included a \$10,000 credit based on available administrative funds. The gross annual collection costs for 2021-22 were \$42,506.

(10)

### 3. Parcel Subdivision Summary

Phase	No. of Lots	
Cove - Phase #1A	83	
Cove - Phase #1B	75	
Cove - Phase #2	94	
Cove - Phase #3	89	
Enclave - Phase #1	63	
Enclave - Phase #2	59	
Estates of North Grove - Phase #1	190	
Estates of North Grove - Phase #2	72	
The Haven - Phase #1	101	
The Haven - Phase #2	100	<--Newly subdivided for 2022-23
Oasis - Phase #1	88	<--Newly subdivided for 2022-23
<b>Total</b>	<b>1,014</b>	

### 4. Prepayment Summary

- a. Improvement Area #1
  - i. No prepayments as of July 31, 2022
- b. Improvement Area #2
  - i. No prepayments as of July 31, 2022
- c. Improvement Area #3
  - i. No prepayments as of July 31, 2022

### 5. Changes to Assessment Methodology

- a. No changes to assessment methodology

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF WAXAHACHIE APPROVING THE ANNUAL UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL[S] FOR THE NORTH GROVE PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §372.013, AS AMENDED; CONTAINING A CUMMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on September 15, 2014, the City Council of the City of Waxahachie, Texas (“City”) approved Resolution No. 1189 establishing the North Grove Public Improvement District (“the PID”) in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the “Public Improvement District Assessment Act” or “the PID Act”); and

**WHEREAS**, the City has heretofore levied assessments against property within Improvement Area #1 of the PID, pursuant to Ordinance No. 2782 which ordinance also approved the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll related to Improvement Area #1, dated as of February 26, 2015 (the “Service and Assessment Plan and Improvement Area #1 Assessment Roll”); and

**WHEREAS**, the City has also heretofore levied assessments against property within Improvement Area #2 of the PID, pursuant to Ordinance No. 3266 which ordinance also approved the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll related to Improvement Area #2, dated as of April 20, 2021 (the “Service and Assessment Plan and Improvement Area #2 Assessment Roll”) and, together with the Service and Assessment Plan and Improvement Area #1 Assessment Roll, (the “Service and Assessment Plan and Assessment Rolls”); and

**WHEREAS**, the City has also heretofore levied assessments against property within Improvement Area #3 of the PID, pursuant to Ordinance No. 3326 which ordinance also approved the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll related to Improvement Area #3, dated as of May 16, 2022 (the “Service and Assessment Plan and Improvement Area #3 Assessment Roll”) and, together with the Service and Assessment Plan and Improvement Area #1 Assessment Roll and Improvement Area #2 Assessment Roll, (the “Service and Assessment Plan and Assessment Rolls”); and

**WHEREAS**, the Service and Assessment Plan and Assessment Roll[s] is required to be reviewed and updated annually as described in Sections 372.013 and 372.014 of the PID Act (the “Annual Service Plan Update”); and

**WHEREAS**, the Annual Service Plan Update, attached hereto as Exhibit A, including the Improvement Area #1 Assessment Roll, Improvement Area #2 Assessment Roll, and Improvement Area #3 Assessment Roll attached thereto, update the Service and Assessment Plan and Assessment Roll[s] to reflect prepayments, property divisions and changes to the budget allocation for the PID that occur during the year, if any; and

**WHEREAS**, the City Council desires and finds it to be in the public interest to adopt this Ordinance approving and adopting the Annual Service Plan Update and the updated Assessment Roll attached thereto, in compliance with the PID Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, THAT:**

**SECTION 1.** All matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 2.** The North Grove Public Improvement District Annual Service Plan Update, attached hereto as Exhibit A and incorporated herein by reference, inclusive of the updated Improvement Area #1 Assessment Roll, Improvement Area #2 Assessment Roll, and Improvement Area #3 Assessment Roll contained therein and made a part thereof, are hereby accepted and approved.

**SECTION 3.** The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

**SECTION 4.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** This Ordinance shall take effect immediately after its passage and the publication of the caption, as the law and charter in such case provide. The City Secretary shall cause this Ordinance to be filed with the county clerk in each county in which all or a part of the PID is located not later than seven (7) days after the date the governing body of the City approves this Annual Service Plan Update.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS,  
ON THE 6<sup>th</sup> OF SEPTEMBER 2022.**

(10)

ATTEST:

APPROVED:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

(17)



## Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager

Date: September 2, 2022

Re: Consider Proposed Ordinance Approving Revised Budget Figures For Fiscal Year 2021-2022 And Approving The Budget For Fiscal Year 2022-2023

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This agenda item is for the City Council to consider the approval of revised budget figures for Fiscal Year 2021-2022 and the proposed budget for Fiscal year 2022-2023. The proposed budget represents the City's funding plan for the next fiscal year, beginning October 1.

The process of developing the annual budget is a comprehensive effort that involves input from the Mayor and City Council, and all City departments. The process also provides residents an opportunity to speak on the budget during a public hearing held before budget adoption.

On April 25, staff held a work session with the City Council on the preliminary Capital Improvement and Debt Management Plan. On June 30, a budget work session was held to provide City Council an overview of the preliminary budget, including all major funds, proposed five-year operating and capital plans, major revenue sources, as well as an opportunity to discuss the proposed tax rate. On August 4, staff provided a budget update, including changes to the draft budget presented at the work session. The City held a public hearing on the proposed budget on August 30.

Staff recommends approval of this item.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2021-2022, FUNDS APPROPRIATED FOR STREET MAINTENANCE AND PROFESSIONAL SERVICES WILL BE USED FOR THAT PURPOSE, EITHER BY ENCUMBRANCE OR BY TRANSFER TO CAPITAL PROJECT FUND FOR STREETS; APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND TERMINATING SEPTEMBER 30, 2023, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City Manager of the City of Waxahachie, Texas (hereinafter referred to as the “City”) has caused to be filed with the City Secretary a budget to cover all proposed expenditures of the government of the City for the fiscal year beginning October 1, 2022, and ending September 30, 2023, (hereinafter referred to as the “Budget”); and

**WHEREAS**, public notice of the public hearing on the proposed annual budget, stating the date, time, place and subject matter of said public hearing, was given as required by the Charter of the City of Waxahachie and the laws of the State of Texas; and

**WHEREAS**, such public hearing was held on August 30, 2022, prior approval of such date being hereby ratified and confirmed by the City Council, and all those wishing to speak on the Budget were heard; and

**WHEREAS**, the City Council has studied the Budget and listened to the comments of the taxpayers at the public hearing therefore and has determined that the Budget attached hereto is in the best interest of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**Section 1.** That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**Section 2.** That the revised budget figures, prepared and submitted by the City Manager for the 2021-2022 budget, be, and the same are hereby, in all things, approved and appropriated, and any necessary transfers between accounts and departments are hereby authorized, approved, and appropriated.

**Section 3.** That the Budget attached hereto and incorporated herein for all purposes is adopted for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023; and there is hereby appropriated from the funds indicated such projects, operations, activities, purchases and other expenditures as proposed in the Budget.

**Section 4.** That the City Manager shall file or cause to be filed a true and correct copy of the approved Budget, along with this ordinance, with the City Secretary and in the office of the County Clerk of Ellis County, Texas, as required by State Law.

**Section 5.** That the distribution and division of the above-named appropriations are made at the departmental level in all budgeted funds for the payment of operating expenses and capital outlay as set out in the municipal budget.

**Section 6.** That at any time during the fiscal year, the City Manager may transfer part or all of any unencumbered appropriation balance among or between general classifications within a department. The City Manager may not authorize transfer of part of all of any unencumbered appropriation balance among or between departments or funds of the City. The City Manager may recommend such transfer to the City Council. The City Council may, at the recommendation of the City Manager or on its own volition, transfer part or all of any unencumbered appropriation balance from one department or fund to another department or fund by resolution.

**Section 7.** That any and all ordinances, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of conflict herewith.

**Section 8.** That if any section, article, paragraph, sentence, clause, phrase or word in the Ordinance, or application thereto my person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction such holding shall not affect the validity of the remaining portions of the Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**Section 9.** That the necessity of adopting and approving a proposed budget for the next fiscal year as required by the laws of the State of Texas requires that this Ordinance shall take effect immediately from and after its passage, and it is accordingly so ordained.

PASSED, APPROVED AND ADOPTED on this the 6<sup>th</sup> day of September, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

(17)

## CITY OF WAXAHACHIE EXPENDITURES BY DEPARTMENT

GENERAL FUND	ORIGINAL BUDGET FY2022	RVSD/ YE ESTIMATE FY2022	PRPOSED BUDGET FY2023
<b>Total Revenues &amp; Transfers In</b>	52,757,490	54,721,306	56,973,270
<b>Expenditures</b>			
<b>General Government</b>			
General Administration	1,715,179	1,825,905	1,998,015
Finance	1,310,557	1,364,802	1,677,325
City Attorney	145,000	240,000	190,000
General Items	7,284,951	14,661,586	7,319,749
Facility Maintenance	473,641	418,671	364,215
Human Resources	753,569	730,726	888,219
Information Technology	811,435	842,565	843,962
Economic Development	1,645,195	2,139,555	2,239,610
Downtown Development	278,697	278,270	326,567
Planning	788,978	891,878	876,890
Airport Operations	0	0	0
<b>Total General Government</b>	15,207,202	23,393,958	16,724,552
<b>Public Safety</b>			
Police Department	12,399,519	12,636,378	15,309,538
Emergency Management	301,147	398,809	505,004
Fire Department	9,559,176	13,352,564	10,877,968
Building Services	1,251,574	1,061,375	1,517,325
Municipal Court	358,523	363,008	521,844
City Marshall	204,817	211,497	234,965
<b>Total Public Safety</b>	24,074,756	28,023,631	28,966,644
<b>Public Works</b>			
Street Department	6,617,210	8,263,995	6,448,167
Central Garage	320,923	326,244	351,833
Engineering	1,346,106	1,320,288	1,490,130
City Engineer	0	0	0
Community Services	399,914	377,246	473,022
Animal Control	321,997	345,956	518,662
<b>Total Public Works</b>	9,006,150	10,633,729	9,281,814
<b>Culture &amp; Recreation</b>			
Parks & Recreation	2,259,023	2,341,930	2,842,564
Chautauqua Auditorium	50,175	50,320	46,281
Waxahachie Rodeo	15,155	13,587	14,538
Penn Park Pool	82,822	222,995	101,570
Optimist Pool	41,857	41,857	42,300
Amphitheater	102,191	102,183	124,249
Sims Library Tax Transfer	1,108,055	1,305,505	1,150,000
Senior Citizen Center	789,739	770,831	794,058
<b>Total Culture &amp; Recreation</b>	4,449,017	4,849,208	5,115,560
<b>Total Expenditures</b>	52,737,125	66,900,526	60,088,570
<b>Transfers Out</b>			
Transfer to Main Street Prog Grant	0	0	0
<b>Total Transfers Out</b>	0	0	0
<b>Total Expenditures &amp; Transfers Out</b>	52,737,125	66,900,526	60,088,570
<b>Revenues &amp; Transfers In less Expenditures</b>	20,365	(12,179,220)	(3,115,300)

**CITY OF WAXAHACHIE  
EXPENDITURES BY DEPARTMENT**

	ORIGINAL BUDGET FY2022	RVSD/ YE ESTIMATE FY2022	PROPOSED BUDGET FY2023
<b>WASTEWATER FUND</b>			
Non Departmental	4,513,268	4,513,586	4,246,092
Wastewater Utility Administration	499,567	607,410	731,998
Wastewater Collection	1,643,404	1,569,982	2,269,120
Wastewater Treatment	2,867,021	2,801,371	3,391,386
Wastewater Utility Billing	417,855	437,163	530,033
Transfers Out	1,693,956	1,682,756	1,689,600
Total Expenditures	11,635,071	11,612,268	12,858,229
<b>WATER FUND</b>			
Non Departmental	5,135,862	5,615,063	6,176,235
Water Utility Administration	935,574	1,363,640	1,480,575
Meters	568,075	658,209	867,756
Water Production	1,730,617	1,451,387	1,731,675
Water Distribution	4,325,766	4,398,373	5,329,416
Water Utility Billing	508,450	516,353	627,236
Transfers Out	2,551,360	2,590,360	2,698,400
Total Expenditures	15,755,704	16,593,385	18,911,293
<b>SOKOLL FUND</b>			
Non Departmental	2,766,560	2,766,560	2,758,310
Sokoll Operations	2,558,765	2,783,413	3,345,639
Transfers Out	397,730	397,730	615,860
Total Expenditures	5,723,055	5,947,703	6,719,809
<b>WCDC FUND</b>			
Non Departmental	12,775	736,693	23,016
Civic Center	1,524,949	1,623,866	1,667,545
Sports Complex	2,021,778	2,244,632	2,628,196
Community Beautification	535,879	562,089	625,686
Debt Service Transfer	1,743,771	1,743,771	1,738,641
Transfers Out	65,800	68,122	66,166
Total Expenditures	5,904,952	6,979,173	6,749,250
<b>HOTEL MOTEL FUND</b>			
Non Departmental	202,500	256,750	243,000
Convention/Visitors Bureau	642,601	642,093	700,461
Transfers Out	15,000	15,000	20,000
Total Expenditures	860,101	913,843	963,461
<b>REFUSE SERVICES FUND</b>			
Convenience Station	367,060	366,012	409,182
Contracted Refuse Service	1,146,600	1,146,600	1,206,244
Transfers Out	71,070	71,070	318,500
Total Expenditures	1,584,730	1,583,682	1,933,926
<b>GENERAL DEBT SERVICE FUND</b>			
General Debt Service	7,461,530	7,455,848	11,601,250
Total Expenditures	7,461,530	7,455,848	11,601,250
<b>MID-WAY REGIONAL AIRPORT FUND</b>			
Airport Operations	490,212	479,740	504,765
Total Expenditures	490,212	479,740	504,765
<b>CEMETERY FUND</b>			
Cemetery	199,852	200,532	309,734
Total Expenditures	199,852	200,532	309,734

(18)



## Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager

Date: September 2, 2022

Re: Consider ordinance setting Water and Wastewater rates and fees and setting an effective date of October 1, 2022

---

This item is for the City Council to approve the water and wastewater rates and fees included as part of the Proposed Budget for Fiscal Year 2022-2023.

The water and wastewater funds provide for the administration, operation and maintenance of all City water services including distribution, wastewater collection, water and wastewater treatment activities, meter management, and billing services. Revenue to support these operations is generated primarily through water and sewer usage rates, as outlined in City ordinance.

As part of the budget process, city staff recommends that City Council vote to affirm these rates annually and amend the rates and fees when necessary. The Fiscal Year 2021-2022 Budget includes a rate increase of four percent to water and wastewater rates and fees. The proposed ordinance includes a Sokoll rate fee of 1.61 per 1,000 gallons. Updated annually, this rate is charged to the City and Rocket SUD to recover each entity's proportional cost to operate and maintain the Sokoll Water plant.

Staff recommends approval of this item.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE SETTING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE OF OCTOBER 1, 2022 AND DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE TEXAS:

That Section 33 of the Code of Ordinances, City of Waxahachie, is hereby amended to read as follows:

**SECTION 33-33. Deposits required.**

**Residential:** A deposit of ninety-six dollars (\$96.00) is required for regular residential service. A deposit of seventy-two dollars (\$72.00) is required for accounts with wastewater and trash collection service. A deposit of forty-five dollars (\$45.00) is required for trash collection service only. The billing department may adjust the amount of deposit based on payment history.

**Residential New Construction:** A deposit of one hundred sixty-five dollars (\$165.00) is required for each new construction residential account.

**Apartments, Commercial, and Industrial:** The billing department may require higher amounts; however, deposits are generally based on meter size as follows:

up to 1" water meter	\$248.00
1 1/2" water meter	\$371.00
2" water meter	\$618.00
3" water meter	\$1,234.00
4" water meter	\$2,468.00
6" water meter	\$3,701.00
8" water meter	\$7,402.00
10" water meter or larger	\$12,335.00
Fire Hydrant meter with RPZ *	\$2,233.00

\*Customer will be responsible for the cost of any damages incurred while meter is in their possession.

No interest shall be paid on deposits. No deposit is required for other government entities. The billing department may waive the deposit for separate irrigation meters.

That Section 33-36 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-36. Water and Wastewater Rates.

(A) Water inside city: From and after the effective date of this ordinance, uniform monthly water rates which shall prevail to all City of Waxahachie water customers are:

MONTHLY WATER RATES:

(1) Minimum water bill for the first fifteen hundred (1,500) gallons of usage (all accounts):

up to 1" water meter	\$20.50
1 1/2" water meter	\$45.78
2" water meter	\$67.19
3" water meter	\$130.64
4" water meter	\$270.28
6" water meter	\$525.62
8" water meter	\$909.38
10" water meter or larger	\$1,421.70
Fire Hydrant meter	\$225.06

(2) The amount shown for the first fifteen hundred gallons of consumption in the above schedule shall constitute a minimum bill for each customer. Billing shall be made in hundreds of gallons. Irrigation meters using less than 200 gallons per month will not be charged.

(3) Residential and sprinkler system meters will be subject to the following rates:

1,501 - 10,000	\$5.40
10,001 - 20,000	\$6.26
20,001 - 30,000	\$7.09
30,001 - 40,000	\$7.86
40,001 & above	\$8.90

Non-irrigation apartment meters, and commercial/industrial meters will be charged at a rate of \$5.40 per thousand gallons for all monthly usage above 1,500 gallons.

(B) Wastewater inside city: From and after the effective date of this ordinance, sewer charges to apply to each dwelling unit for all single family and duplex residential connections all mobile home parks or apartment complexes, and all commercial and industrial customers shall be as follows:

## Monthly Wastewater Rates

Water Usage	Apartments, Mobile Home, Single-Family and Duplex Residence (Per Dwelling Unit)
First 1,500 gallons	\$25.88 (minimum charge)
Over 1,500 to 11,000 gallons	\$4.56 per 1,000 gallons
All over 11,000 gallons, maximum billing per dwelling	\$69.17

When there is a single billing for more than one (1) residence, each unit is to receive a one thousand five hundred-gallon credit before additional charges are made, not to exceed eleven thousand (11,000) gallons per unit.

Water Usage	Commercial	Industrial	Industrial Cost Recovery Per 1,000 Gallons
First 1,500 gallons	\$25.88 (minimum charge)	\$25.88 (minimum charge)	\$0.22 (minimum charge)
All usage over 1,500 gallons	\$4.56 per 1,000 gallons	\$4.56 per 1,000 gallons	\$0.22 per 1,000 gallons

That Section 33-40 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-40. Late charges; service restored upon payment of bill; fee for returned checks; fee for replacement of cut-off valve; fire hydrant meter set fee; broken curb stop fee; cut lock fee; reread meter service charge; tampering penalty.

(a) Late Fee. Payment for utility service shall be due fourteen (14) days after the billing date. Any account with a balance due fourteen (14) days after the due date shall be assessed a penalty of \$10.00. If such date falls on the weekend or legal holiday, then payment is due the next business day.

(b) Disconnection for Nonpayment: Any account with a balance due greater than \$135.00, twenty-one (21) days after the billing date, shall be subject to disconnection. The past due amount plus a reconnect fee of \$43.00 (\$77.00 after regular office hours) must be paid prior to reconnection of services.

(c) Return Connection Fee: Customers are encouraged but not required to be present (or have a representative present) anytime service is reestablished (This is recommended in order to prevent flooding and water damage that could result from interior faucets being left in the "on" position, hanging toilets floats, leaks and other conditions that could arise subsequent to the disconnection.) In the event the customer or a designated representative (a) cannot be located on-site when the service is reconnected and (b) the meter registers usage after the service has been reestablished and thus presents the risk of water damage, the service will be turned back off and the customer will be notified of the problem and asked to reschedule the reconnection. Subsequent trips to reestablish service will be subject to a Return Reconnection Fee of \$43.00 each if performed during

working hours or \$77.00 if performed after working hours. This fee is applicable when service has been disconnected for nonpayment; when service to a new account is established or when service has been disconnected at the request of the customer.

(d) Return Check Fee. In the event the bank does not honor a customer's check for any service or good provided by the City, a \$36.00 fee will be charged.

(e) Replacement of Cut-off Valve. In the event a customer has damaged a cut-off valve or curb stop to the point the valve must be replaced, then, the customer shall be billed a \$77.00 replacement fee, plus the actual cost of materials to replace the damaged item. In the event a customer has broken a cut-off valve for the purpose of removing a lock, an additional tampering penalty of \$158.00 (see "(j)" below) must be paid before service is restored.

(f) Fire hydrant meter set fee: \$40.00

(g) Meter Box Replacement Fee: \$66.00 plus actual materials cost

(h) Cut lock fee: \$158.00

(i) Reread meter service charge: \$19.00

(j) Tampering penalty: \$158.00

(k) New account fee: \$19.00

(l) Sokoll Rate fee: \$1.61 per 1,000 gallons

(m) Solid Waste fee: \$11.80 (\*excluding sales tax)

PASSED, APPROVED AND ADOPTED this the 6<sup>th</sup> day of September, 2022.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

(19)



## Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager

Date: September 2, 2022

Re: Consider a Motion to Ratify the Property Tax Revenue Increase  
Reflected in the Fiscal Year 2022-2023 Budget In Accordance With the  
Texas Local Government Code

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The Texas Local Government Code requires that "adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget."

The increase in the budget provides for continued and additional funding for essential city services such as public safety; street and sidewalk installation and maintenance; parks and trail maintenance and improvements; and continued support of the City's capital improvements program.

Staff recommends approval of this item.

(20)



## Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager *MS*

Date: September 2, 2022

Re: Consider Proposed Ordinance Adopting the Tax Rate for Fiscal Year 2022-2023

---

This agenda item is for the City Council to consider the proposed Property Tax rate included in the Fiscal Year 2022-2023 Budget. In accordance with the Tax Code, a public hearing on the property tax rate was held on August 30, 2022. The proposed rate of \$0.630000 is above the no-new-revenue rate of \$0.540834 and lower than the voter-approval rate of \$0.630350.

The increase in the budget provides for continued and additional funding for essential city services such as public safety; street and sidewalk installation and maintenance; parks and trail maintenance and improvements; and continued support of the City's capital improvements program.

Staff recommends approval of this item.

(20)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE LEVYING FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF WAXAHACHIE, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR FISCAL YEAR 2023 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE.**

Be it ordained by the City Council of the City of Waxahachie, Texas, that section 30-2 of the Code of Ordinances, City of Waxahachie, is hereby amended to read as follows:

Sec. 30-2. Tax Levy. There is hereby levied and there shall be assessed and collected for the Maintenance and Operation of the municipal government of the City of Waxahachie, Texas, and to meet Interest and Sinking requirements for fiscal year 2023, upon all property, real, personal and mixed within the corporate limits of the City subject to taxation, a total tax of \$0.63000 on each one hundred dollars (\$100.00) of assessed valuation based on 100% of market value of said property, said tax being so levied and apportioned to the specific purpose herein set forth.

- a. For the maintenance and operation of the general government including current expenses and for general improvements of the City and its property, known as the General Fund, \$0.38550 on each one hundred dollars (\$100.00) of assessed valuation of all taxable property, and
- b. For the maintenance and operation of a public library within the City, known as Sims Library, \$0.02100 on each one hundred dollars (\$100.00) of assessed valuation of all taxable property, and
- c. For the purpose of paying interest and principal for the redemption of bonds, warrants, and other long-term obligations heretofore legally issued by the City, known as the Interest and Sinking Fund, \$0.22350 on each one hundred dollars (\$100.00) of assessed valuation of all taxable property.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.42 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$13.44.**

All Taxes as set out above shall be payable as set out by existing city ordinances and statutes of the State of Texas.

In order to provide for the efficient, usual daily operation of the City by immediately levying the tax rates for the current fiscal year, an emergency is hereby declared to exist and this ordinance shall take effect immediately from and after its passage.

PASSED, APPROVED AND ADOPTED on this the 6<sup>th</sup> day of September, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

(21)

ORDINANCE NO. \_\_\_\_\_

**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.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

SECTION 1. The classified positions under Civil Service in the Fire Department shall be as follows:

Assistant Fire Chief	1
Fire Marshal	1
Fire Battalion Chief	5
Fire Captain	12
Fire Lieutenant	3
Fire Pumper Engineer	15
Firefighter	36

SECTION 2. The classified positions under Civil Service in the Police Department shall be as follows:

Assistant Police Chief	2
Police Lieutenant	5
Sergeants	8
Corporal	4
Police Patrol Officer	63

SECTION 3. The annual/monthly base rate pay for each of the above captioned classified positions shall be determined by each year's budget.

SECTION 4. The positions of Assistant Fire Chief and Assistant Police Chief shall be appointed positions, appointed by the head of the department.

SECTION 5. That all ordinances of the City of Waxahachie heretofore adopted which are in conflict with the provisions of this ordinance be, and the same are hereby repealed.

SECTION 6. That this ordinance shall take effect thirty days after passage and all requirements under Chapter 143 of the Local Government Code have been satisfied.

PASSED, APPROVED, AND ADOPTED this 6<sup>th</sup> day of September, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

(22)



## Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, P.E., CFM, CPM Director of Public Works and Engineering

Thru: Michael Scott, City Manager

Date: September 06, 2022

Re: Consider the Approval of an Engineering Professional Services Agreement with Freese and Nichols, Inc. for the Drainage Master Plan Phase 3.

---

**Item Description:** Consider approval of the professional services agreement with Freese and Nichols, Inc. for design and construction engineering services associated with of Drainage Master Plan Phase 3.

**Item Summary:** This project is one of the FY2021-2022 Operating projects. The proposed project includes detailed hydraulic analysis of storm drain and open channel systems in Phase 3 in order to develop a Stormwater Capital Improvement Program.

**Fiscal Impact:** The total amount of the professional engineering services agreement is \$60,000. Funding for this project is available in the Operating Fund.

(23)



## Memorandum

To: Honorable Mayor and City Council  
From: James Gaertner, P.E., CFM, CPM Director of Public Works and Engineering  
Thru: Michael Scott, City Manager  
Date: September 6, 2022  
Re: Consider the Approval of an Engineering Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Charlotte Avenue Reconstruction Project.

---

**Item Description:** Consider approval of the professional services agreement with Kimley-Horn and Associates, Inc. for design and construction engineering services associated with the Charlotte Avenue Reconstruction Project.

**Item Summary:** This project consists of preparing engineered construction plans for the reconstruction of the roadway, water, sanitary sewer, and surface drainage design for Charlotte Avenue. In addition, parkway features such as ADA compliant sidewalks and streetlights will be included in the design. The limits of construction are within the right of way of Charlotte Avenue from the intersection of Richmond Lane to the intersection of Monticello Drive which is approximately 1,450 linear feet. The limits of construction also consist of approximately 400-500 linear feet of Chiles Street from halfway between Wilmington Avenue and Charlotte Avenue to approximately halfway between Pensacola Avenue and Charlotte Avenue.

**Fiscal Impact:** The total amount of the professional engineering services agreement is \$290,000. This is a planned project and funding is available in the FY22-23 Bond Fund.

(24)



## Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, P.E., CFM, CFM Director of Public Works and Engineering

Thru: Michael Scott, City Manager

Date: September 06, 2022

Re: Consider the Approval of an Engineering Professional Services Agreement with BGE, Inc. for the Farley Street Conceptual Improvement Plan.

---

**Item Description:** Consider approval of the professional services agreement with BGE, Inc. for engineering services associated with Farley Street Conceptual Improvement Plan project.

**Item Summary:** This scope of services is for preliminary engineering to reconstruct Farley Street from E Ross Street to US 287 Southbound Frontage Road, a length of approximately 4,750 linear feet. Preliminary Engineering to evaluate the feasibility of reconstructing the existing 2-lane ditch section to a 4-lane divided urban curb and gutter arterial (Type C Major Thoroughfare 2-12' Lanes, 16' median, and 12' parkway widths). This conceptual plan will also determine the Right-of-Way (R.O.W) needs for a proposed 90' R.O.W and phasing based on available funds from the Roadway Impact Free Service Area 4.

**Fiscal Impact:** The total amount of the professional engineering services agreement is \$135,265. Funding for this project is available in Service Area 4 Impact Fees.

(25)



## Memorandum

To: Honorable Mayor and City Council  
From: James Gaertner, P.E., CFM, CPM Director of Public Works and Engineering  
Thru: Michael Scott, City Manager   
Date: September 06, 2022  
Re: Consider the Approval of a Revisions of the Code of Ordinance Chapter 32 – Traffic.

---

**Item Description:** Consider approval of the revision to the Code of Ordinance Chapter 32 – Traffic. This revision is to update the definition of “Commercial Vehicle” and adding a section to specify which streets in the city prohibit truck traffic.

**Item Summary:** The Ordinance revision is to revise the description of “Commercial Vehicle” which is associated with the word “Truck”. This will update the “Commercial Vehicle” definition by revising the hauling weight from 1,500 lbs to 6,000 lbs.

It is also proposed to specify the streets the city wants to enforce prohibited truck traffic. Currently there are No Truck Traffic signs placed along Patrick Road and Spring Creek Drive. However, these signs are not enforceable without having the street names specified in the ordinance.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING CHAPTER 32, "TRAFFIC," OF THE CODE OF ORDINANCES BY AMENDING SECTION 32-1, "DEFINITIONS," AND ADDING SECTION 32-248, "PROHIBITED TRUCK TRAFFIC"; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Waxahachie, Texas ("City"), is a Home-Rule Municipality located in Ellis County created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the legislation of the State of Texas; and

**WHEREAS**, the City of Waxahachie City Council ("City Council") has determined that it is in the best interests of the City and its residents to update and amend the definition of "Commercial Vehicle," which is associated with the definition of "Truck," by updating and amending the hauling weight associated with a commercial vehicle; and

**WHEREAS**, the City Council has further determined that it is in the best interests of the City and its residents to designate certain streets in the City as streets where truck traffic shall be restricted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WAXAHACHIE, TEXAS, THAT:**

**SECTION 1.** That Chapter 32, "Traffic," of the City's Code of Ordinances is hereby amended as follows:

A. By amending the definition of "Commercial vehicle," in Section 32-1, to read as follows:

*Commercial vehicle:* Every vehicle designed, maintained or used primarily for the transportation of property with a weight in excess of six thousand (6,000) pounds.

B. By adding Section 32-248, "Prohibited Truck Traffic," which shall read as follows:

Thru truck traffic is prohibited on the following streets:

**Street Name:**

**Extent:**

Patrick Road

From Thornhill Drive to Marshall Road

Spring Creek Drive

From FM 813 (Brown Street) to FM 813

Exception: This section does not apply to vehicles owned and controlled by the city.

(25)

**SECTION 2.** That all provisions of the Ordinances of the City of Waxahachie, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

**SECTION 4.** That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Waxahachie, Texas, this the 6<sup>th</sup> day of September, 2022.

CITY OF WAXAHACHIE, TEXAS

\_\_\_\_\_  
DAVID HILL, MAYOR

ATTEST:

\_\_\_\_\_  
AMBER VILLARREAL, CITY SECRETARY

APPROVED AS TO FORM

\_\_\_\_\_  
ROBERT F. BROWN, CITY ATTORNEY

(26)



## Memorandum

To: Honorable Mayor and City Council  
From: David Bailey, Senior Director of Utilities  
Thru: Michael Scott, City Manager  
Date: September 6, 2022  
Re: Consider the Approval of an Engineering Professional Service Agreement with Freese and Nichols, Inc. for the Cole Creek/Little Mustang Creek Sewer Basin analysis and the Water and Wastewater Master Plan

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**Item Description:** Consider approval of the professional services agreement with Freese and Nichols, Inc. for engineering services associated with Cole Creek/Little Mustang Creek Sewer Basin capacity analysis and the water distribution and wastewater collection system master plan in the amount of \$650,000.

**Item Summary:** This project will develop wastewater flow projections for the Cole Creek and Little Mustang Creek Sewer Basin from the City's current wastewater model. The wastewater system will be evaluated under peak wet weather conditions to determine system response for potential surcharging and over flow events. Off-site improvement recommendations will be provided to serve proposed developments within the two wastewater basins.

The water distribution and wastewater collection system master plans portion of the project will include importing GIS from the City of Waxahachie's current system into the respective models. Four scenarios will be developed including; existing conditions, 5-year, 10-year and buildout planning periods. Water and wastewater plants will be evaluated for expansion needs and future plant locations for each phase of the model. CIP projects, costs and schedules will be based on model output and estimated future construction costs.

**Fiscal Impact:** The total amount of the professional engineering services agreement is \$650,000. This project is proposed to be funded by water impact fees in the amount of \$300,000 and wastewater impact fees in the amount of \$350,000. Staff recommends approval of this engineering services agreement in the total amount of \$650,000.

(27)



## Memorandum

To: Honorable Mayor and City Council  
From: David Bailey, Senior Director of Utilities  
Thru: Michael Scott, City Manager *[Signature]*  
Date: September 6, 2022  
Re: Food Grade Salt Bid Award

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**Item Description:** On Tuesday, September 6, 2022 an item will appear before the City Council for consideration of a bid award for food grade salt with Morton Salt Inc.

**Item Summary:** Food grade salt is used at the Robert W. Sokoll Water Treatment Plant for onsite generation of Sodium Hypochlorite which is the primary water treatment disinfectant chemical. Sealed bids were received and opened on August 11, 2022 and staff recommends awarding the lowest qualified responsive bidder. The City received four bids for this service, with Morton Salt Inc, being the lowest responsive bidder. Morton Salt Inc. is the City's current vendor for food grade salt and has performed satisfactorily, but current utilization due to increased water demands, has reached a threshold for the need to formally advertise this service.

**Fiscal Impact:** The contract period for the bid award would be through September 30, 2023. There is an option in the contract terms for one (1) additional one-year period at the city's sole discretion. The City anticipates it will purchase approximately 722,400 pounds of food grade salt from Morton. The proposed FY 2022-2023 operating budget has funds budgeted to cover the costs of this bid award. Staff recommends awarding the bid to Morton Salt Inc.

(28)



# Memorandum

To: Honorable Mayor and City Council  
From: Amber Villarreal, City Secretary  
Thru: Michael Scott, City Manager  
Date: September 6, 2022  
Re: Appointments to Boards and Commissions

---

Please consider the following appointments to various Boards and Commissions:

**AIRPORT BOARD (3-year term)**  
Alex Smith

**BUILDING STANDARDS COMMISSION (2-year term)**  
Diane Johnson Collard  
Jennifer Rodriguez

**CEMETERY BOARD (2-year term)**  
Marion Reynolds  
Robin Dukes

**ECONOMIC DEVELOPMENT COMMISSION (No Term Limit)**  
Travis Villanueva  
Tamika Ayers

**ELECTRICAL ADVISORY BOARD (2-year term)**  
Gary Estes  
Harold DeBorde

**ELLIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 1**  
(2-year term)

(28)

KaNequa Blackwell  
Wayne Eiland  
Brian Ford

**HERITAGE PRESERVATION (2-year term)**

Becky Kauffman  
Curtiss Thompson  
Jacqueline Montejano

**KEEP WAXAHACHIE BEAUTIFUL COMMITTEE (3-year term)**

Julie Mendenhall (filling unexpired term of Scott Poarch until September 2023)  
Tremayne Myles (filling unexpired term of Christy Waters until September 2023)

**PARK BOARD (3-year term)**

Jenny Bridges  
Andrew Henderson (filling unexpired term of Jon Garrett until September 2024)

**PLANNING AND ZONING COMMISSION (2-year term)**

Bonney Ramsey  
Erik Test  
Ron Ansell

**SENIOR CENTER ADVISORY COMMITTEE (2-year term)**

Theresa Taylor  
Jane Vineyard  
Tiki Smith

**TAX INCREMENT REINVESTMENT ZONE (2-year term)**

Brad Yates  
Randy Vineyard  
Al Mack  
Brett Hess (filling unexpired term of Chris Wright until September 2023)

**WAXAHACHIE COMMUNITY DEVELOPMENT CORPORATION (2-year term)**

Daniel Morton  
Bob Lynn  
Jim Phillips (filling unexpired term of Judy Demoney until September 2023)

**WAXAHACHIE HOUSING AUTHORITY (2-year term)**

Jane Vineyard  
Rosemarie Cameron  
Charlie McCullough II

**ZONING BOARD OF ADJUSTMENTS (2-year term)**

Marion Reynolds  
Diane Johnson Collard  
Ron Finch