

City Council  
October 2, 2023

A regular meeting of the Mayor and City Council of the City of Waxahachie was held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, October 2, 2023 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1  
Patrick Souter, Council Member Place 2  
Travis Smith, Council Member Place 5

Council Members Absent: Chris Wright, Mayor Pro Tem, Council Member Place 3  
Billie Wallace, Council Member Place 4

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 Patrick Souter led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

None.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of September 18, 2023
- b. Minutes of the City Council briefing of September 18, 2023
- c. Event application for Strut Your Mutt 2024 to be held May 18, 2024 at Getzendaner Park
- d. Event application for Trunk o' Treat at Railyard Park to be held October 21, 2023
- e. Event application for Hallo-Screening with Hot 93.3 to be held October 21, 2023 at Railyard Park
- f. Event application for Dedication of Bessie Coleman Memorial Bridge to be held October 21, 2023
- g. Professional Services Agreement for Waxahachie Municipal Court Prosecutor

**Action:**

*Patrick Souter moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all documents as necessary. Motion was seconded by Travis Smith and carried unanimously (3-0).*

**6. Introduce Honorary Council Member**

Council Member Patrick Souter introduced Zac Barrington as the Honorary Councilmember for October 2023. Zac is 11 years old and a sixth-grade honor student at St. Joseph Catholic School. He is the son of Craig and Jennifer Barrington, and has an older sister, Rachel, a freshman, and member of the band at Waxahachie High School. Zac enjoys playing soccer, running cross-country and track, throwing the discus, and playing the trumpet. His favorite subjects are science and history and plans to one day be a meteorologist.

On weekends, Zac enjoys kayaking, skipping rocks, playing video games with his friends, walking his cats, and catching Texas Spiny Lizards (and trying to train them as pets.) Some of his favorites include the color orange, penguins, and the movie Wall-E.

Zac has enjoyed attending recent City Council meetings with family regarding a concern in his neighborhood. He has learned about the parts of a meeting agenda, consent calendar, council member elections, and how each citizen has a voice in our local government. Zac and his family thank Council Member Souter, along with the entire City Council, for the opportunity to serve as Honorary Council Member.

**7. Present Proclamation proclaiming October 5, 2023 as “Waxahachie Teachers’ Day”**

Mayor Hill presented a Proclamation proclaiming October 5, 2023 as “Waxahachie Teachers’ Day.”

**8. Public Hearing on a request by Yomi Fayiga, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a General Retail (GR) zoning district located at 200 N US Highway 77 (Property ID: 227579) – Owner: Crux Investments LP (ZDC-73-2023)**

The Item was presented by Executive Director of Development Services Shon Brooks.

Mayor Hill opened the Public Hearing at approximately 7:14 p.m.

There being no others to speak for or against ZDC-73-2023, Mayor Hill closed the Public Hearing at approximately 7:15 p.m.

**9. Consider proposed Ordinance approving Zoning Change No. ZDC-73-2023**

**ORDINANCE NO. 3403**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC MESSAGE SIGN USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED AT 200 N US HIGHWAY 77, BEING PROPERTY ID 227579, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK 1 OF THE KWIK ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Patrick Souter moved to approve an Ordinance for ZDC-73-2023, a Specific Use Permit (SUP) request for an Electronic Message Sign use within a General Retail zoning district, subject to the conditions of the staff report, and authorize the Mayor to sign the associated documents. Motion was seconded by Travis Smith and carried unanimously (3-0).*

**10. Public Hearing on a request by Mahendra Kandepu, Lillian Custom Homes, for an Amendment to Ordinance No. 3105, to allow for a revised site plan and development standards within an approved Planned Development located at the intersection of Vermont Street and Parks School House Road (Property ID: 226116) – Owner: Falcon’s Landing A Series of EIS Development II LLC (ZDC-118-2023)**

The Item was presented by Mr. Brooks and applicant Brett Hess requested approval. Mr. Hess confirmed the owner agrees to Council’s request for 100% brick masonry on rear of Building D and removal of the monument sign.

Mayor Hill opened the Public Hearing at approximately 7:18 p.m.

There being no others to speak for or against ZDC-118-2023, Mayor Hill closed the Public Hearing at approximately 7:27 p.m.

**11. Consider proposed Ordinance approving ZDC-118-2023**

**ORDINANCE NO. 3404**

**AN AMENDMENT TO ORDINANCE 3105 AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT WITH SINGLE FAMILY-ATTACHED (SF-A) TO PLANNED DEVELOPMENT WITH SINGLE FAMILY-ATTACHED (SF-A) WITH AMENDED DEVELOPMENT STANDARDS, DETAILED SITE PLAN, ELEVATION/FACADE PLAN, LANDSCAPE PLAN, AND FENCING & SIGNAGE DETAILS, LOCATED AT NORTHWEST CORNER OF PETERS STREET AND PARKS SCHOOL HOUSE BOULEVARD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 2.662 ACRES KNOWN AS PROPERTY ID 226116 AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Travis Smith moved to approve ZDC-118-2023, amending Ordinance 3105, subject to the conditions of the staff report, adding 100% brick masonry to the rear of Building D, removing monument sign, and authorizing the Mayor to sign the associated documents. Motion was seconded by Patrick Souter and carried unanimously (3-0).*

**12. Consider Development Agreement for ZDC-118-2023**

**Action:**

*Patrick Souter moved to approve a Development Agreement for ZDC-118-2023. Motion was seconded by Travis Smith and carried unanimously (3-0).*

- 13. Public Hearing on a request by Viran Nana. Developer, for a Specific Use Permit (SUP) for a car wash use within a General Retail (GR) zoning district located on the southeast corner of Indian Drive and Brown Street (Property ID 295113) - Owner: Buffalo Creek Plaza LLC (ZDC-100-2023)**

Mayor Hill announced the applicant requested to continue the Public Hearing to the October 16, 2023 City Council meeting.

**Action:**

*Patrick Souter moved to continue the Public Hearing for ZDC-100-2023, to the October 16, 2023 City Council meeting. Motion was seconded by Travis Smith and carried unanimously (3-0).*

- 14. Consider proposed Ordinance approving ZDC-100-2023**

*No action taken.*

- 15. Consider Development Agreement for ZDC-100-2023**

*No action taken.*

- 16. Consider a request by Ric Choate for a Site Plan for the Rialto Restaurant & Holding Cell Live Music Venue, located at 216 N College St. (Property ID: 217175) – Owner: City of Waxahachie (SP-104-2023)**

The Item was presented by Mr. Brooks and applicant Ric Choate requested approval.

**Action:**

*Patrick Souter moved to approve SP-104-2023, a Site Plan for the Rialto Restaurant & Holding Cell Live Music Venue. Motion was seconded by Travis Smith and carried unanimously (3-0).*

- 17. Consider appointments to fill unexpired terms on the Waxahachie Housing Authority Board and Keep Waxahachie Beautiful Committee**

The Item was presented by Mr. Scott.

**WAXAHACHIE HOUSING AUTHORITY (2-year term)**

Melissa Ballard, (filling unexpired term of Rosemarie Cameron until September 2024)

**KEEP WAXAHACHIE BEAUTIFUL COMMITTEE (3-year term)**

Ron Cox (filling unexpired term of Ginger Cole until September 2024)

**Action:**

*Travis Smith moved to approve the appointments to fill the unexpired terms, as presented. Motion was seconded by Patrick Souter and carried unanimously (3-0).*

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

Mayor, City Council, City Attorney, and staff expressed their appreciation to Communications and Marketing Director Amy Borders for her service to the City of Waxahachie and wished her well on her new position with the City of Weatherford.

City Manager Michael Scott announced City Council and Planning & Zoning Commission meetings will be held at the Waxahachie Civic Center while City Hall is being renovated.

Council Member Patrick Souter recognized Anita Simpson's service as Downtown Development Director and wished her well in retirement. Mr. Souter announced the Cowboy Poet event at the Chautauqua was a success and he expressed his appreciation to Zac Barrington for participating as Honorary Council Member.

Communications and Marketing Director Amy Borders expressed her appreciation for the kind words and stated she is proud of the work accomplished during her tenure, noting it was a team effort.

Mayor David Hill noted he is proud of Honorary Council Member Zac Barrington. He thanked the Waxahachie Fire Department and Waxahachie Police Department for their work as first responders.

**19. Adjourn**

There being no further business, the meeting adjourned at 7:40 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary