

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, October 16, 2023 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Chris Wright, Mayor Pro Tem, Council Member Place 3
Patrick Souter, Council Member Place 2
Billie Wallace, Council Member Place 4
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
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. Mayor Hill led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Brett Roberts, 5089 April Lane, Waxahachie, Texas, encouraged City Council to develop a plan that allows and regulates short-term rentals in Waxahachie.

Arlene Hahn, 110 Oak Tree Drive, Waxahachie, Texas, expressed support for prohibiting short-term rentals in residential neighborhoods.

5. Consent Agenda

- a. Minutes of the City Council meeting of October 2, 2023
- b. Minutes of the City Council briefing of October 2, 2023
- c. Event application for Community Tree Lighting and Lighted Night Parade to be held November 28, 2023
- d. Consider proposed Ordinance approving a request by Butcher-Robnett Realty, LLC, for a Petition for ETJ Release for approximately 15.320 acres, located directly west of 104 Berkshire Lane (Property ID 191155) – Owner: Butcher-Robnett Realty, LLC (ETJ-PTN-130-2023)
- e. Consider proposed Ordinance approving a request by Turnerville Holdings, LLC, for a Petition for ETJ Release for approximately 28.064 acres, located directly east of 1105 East Sharpshire Drive (Property ID 289911) – Owner: Turnerville Holdings LLC (ETJ-PTN-132-2023)

- f. Consider proposed Ordinance approving a request by OSGN Capital Investment Group, for a Petition for ETJ Release for approximately 99.170 acres, located north of 1091 East Sharpshire Drive – Owner: OSGN Capital Investment Group, Navito Development, LLC, LMC Homes, LLC, Barbara and Maxwell Wilson, and Tyler Koch and Sarah Bowman (ETJ-PTN-142-2023)
- g. Consider proposed Ordinance approving a request by Catarina Abigail Threadgold, for a Petition for ETJ Release for approximately 4.7 acres, located at 1600 Broadhead Road (Property ID 148092) – Owner: Catarina Abigail Threadgold (ETJ-PTN-145-2023)
- h. Consider proposed Ordinance approving a request by GRBK Edgewood, LLC, for a Petition for ETJ Release for approximately 1513.86 acres, located directly east of 1661 Gibson Road (Property ID 191369, 192086, 192087, 192094, 192097, 192098, 194358, 224198, 236821, and 294441) – Owner: GRBK Edgewood, LLC (ETJ-PTN-146-2023)
- i. Consider proposed Ordinance approving a request by Grandscape Land Developers, LLC, for a Petition for ETJ Release for approximately 97.746 acres, located north of 129 Corral Road (Property ID 181006) – Owner: Grandscape Land Developers, LLC (ETJ-PTN-149-2023)
- j. Consider proposed Ordinance approving a request by AGC Custom Homes Inc., for a Petition for ETJ Release for approximately 89.915 acres, located at directly north of 101 Boyce Road (Property ID 296968) – Owner: AGC Custom Homes Inc. (ETJ-PTN-152-2023)
- k. Consider proposed Ordinance approving a request by LRCA Investments, LLC, for a Petition for ETJ Release for approximately 18.706 acres, located east of 229 Cimarron Meadows Drive (Property ID 295056) – Owner: LRCA Investments, LLC (ETJ-PTN- 153-2023)
- l. Consider proposed Ordinance approving a request by Stella Rose Homes, LLC, for a Petition for ETJ Release for approximately 16 acres, located directly west of 3010 FM 878 (Property ID 277733) – Owner: Stella Rose Homes, LLC (ETJ-PTN-157-2023)
- m. Consider acceptance of a Victims of Crime Act (V.O.C.A.) Grant Awarded to the City of Waxahachie to provide for a Mental Health Program for First Responders and their families
- n. Consider authorizing funding from the Tax Increment Reinvestment Zone No. 1 (TIRZ) fund for improvements at 221A S. Highway 77
- o. Consider authorizing funding from the Waxahachie Community Development Corporation (WCDC) unrestricted reserve fund balance for site lighting at Oak Lawn Park
- p. Adoption of the City of Waxahachie 2024 Holiday Schedule
- q. Consider proposed Resolution accepting and supporting the Runway Rehabilitation and Marking Project for Mid-Way Regional Airport
- r. Consider proposed Resolution accepting and supporting the Automated Weather Observing System (AWOS) Project for Mid-Way Regional Airport and \$20,000 supplemental appropriation

ORDINANCE NO. 3405

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 15.32 ACRE TRACT OF LAND, LOCATED DIRECTLY WEST OF 104 BERKSHIRE LANE, KNOWN AS PROPERTY ID 191155, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3406

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 28.06 ACRE TRACT OF LAND, LOCATED DIRECTLY EAST OF 1105 EAST SHARPSHIRE DRIVE, KNOWN AS PROPERTY ID 289911, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3407

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 99.17 ACRE TRACT OF LAND, LOCATED NORTH OF 1091 EAST SHARPSHIRE DRIVE, KNOWN AS ESTATES OF HIDDEN CREEK RECORDED IN INSTRUMENT NUMBER 2120072, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3408

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 4.7 ACRE TRACT OF LAND, LOCATED AT 1600 BROADHEAD ROAD, KNOWN AS PROPERTY ID 148092, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3409

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 1,513.86 ACRE TRACT OF LAND, LOCATED DIRECTLY EAST OF 1661 GIBSON ROAD, KNOWN AS PROPERTY ID 191369, 192086, 192087, 192094, 192097, 192098, 194358, 224198, 236821, AND 294441, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3410

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 97.74 ACRE TRACT OF LAND, LOCATED AT 129 CORRAL ROAD, KNOWN AS PROPERTY ID 181006, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3411

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 89.91 ACRE TRACT OF LAND, LOCATED DIRECTLY NORTH OF 101 BOYCE ROAD, KNOWN AS PROPERTY ID 296968, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3412

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 18.70 ACRE TRACT OF LAND, LOCATED EAST OF 229 CIMARRON MEADOWS DRIVE, KNOWN AS PROPERTY ID 295056, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3413

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 16.0 ACRE TRACT OF LAND, LOCATED DIRECTLY WEST OF 3010 FM 878, KNOWN AS PROPERTY ID 277733, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

RESOLUTION NO. 1352

RESOLUTION ACCEPTING AND SUPPORTING THE RUNWAY REHABILITATION AND MARKING PROJECT FOR MID-WAY REGIONAL AIRPORT

RESOLUTION NO. 1353

RESOLUTION ACCEPTING AND SUPPORTING THE AUTOMATED WEATHER OBSERVING SYSTEM (AWOS) PROJECT FOR MID-WAY REGIONAL AIRPORT

Action:

Billie Wallace moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Travis Smith and carried unanimously (5-0).

6. Introduce Honorary Council Member

Council Member Patrick Souter presented Zac Barrington with a Certificate of Appreciation for serving 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. Recognize outgoing Board and Commission members with more than 10 years of service

City Council recognized and thanked the following outgoing Board and Commission members:

Glinda Felty, 23 years of service on Heritage Preservation Commission
Becky Kauffman, 23 years of service on Heritage Preservation Commission
Betty Square Coleman, 25 years of service Planning & Zoning Commission

8. Present Proclamation recognizing October 23, 2023 as “African-American Cotton Pickers Day (Cotton Monday)”

Mayor Hill presented a Proclamation recognizing October 23, 2023 as “African-American Cotton Pickers Day (Cotton Monday).” City Council recognized the attendance of Frank “Chipo” Bailey, African-American Cotton Picker for 2023, and Professor Clarence Glover, Jr.

9. Present Proclamation recognizing October 2023 as “National Community Planning Month”

Mayor Hill presented a Proclamation recognizing October 2023 as “National Community Planning Month.”

10. Continue Public Hearing on a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to create Short-Term Rental Definitions, and use regulations, Section 3.27 and Use Regulations, Section 4.03 Use Charts, (ZTA-92-2023) to address Short Term Rental (STR) uses

The Item was presented by Senior Planning Director Jennifer Pruitt. Mayor Pro Tem Chris Wright presented an alternate ordinance allowing short-term rentals with the approval of a Specific Use Permit (SUP) and a 500-foot area of notification to adjacent property owners.

Mayor Hill opened the Public Hearing at approximately 7:42 p.m.

Those who spoke in support of allowing short-term rentals in single-family neighborhoods:

Sheila Hood, 3841 Black Champ, Waxahachie, Texas
Shannon Almon, 1015 W. Main, Waxahachie, Texas
Cindy Roberts, 1036 Woodridge Road, Waxahachie, Texas
Rocky Stones, 305 E. University, Waxahachie, Texas
Alan Fox, 327 University, Waxahachie, Texas
Stacie Seabolt, 606 Royal, Waxahachie, Texas
Brad Yates, 626 Kaufman, Waxahachie, Texas
Brett Roberts, 5089 April Lane, Waxahachie, Texas
Rebecca Vera, 511 W. 2nd Street, Waxahachie, Texas

Those who spoke in opposition of short-term rentals in single-family neighborhoods:

Arlene Hahn, 110 Oak Tree Drive, Waxahachie, Texas
Louvain Guimard, Waxahachie, Texas
Michael McCorkle, 171 Willow Run, Waxahachie, Texas
James Parks, 102 Post Oak Lane, Waxahachie, Texas
Kim Wells, 101 Ash Drive, Waxahachie, Texas
Jennifer Weir, Howard Road, Waxahachie, Texas

There being no others to speak for or against ZTA-92-2023, Mayor Hill closed the Public Hearing at approximately 9:08 p.m.

11. Consider proposed Ordinance approving ZTA-92-2023

ORDINANCE NO. 3414

AN ORDINANCE AUTHORIZING A TEXTUAL AMENDMENT TO THE CITY ZONING ORDINANCE, ORDINANCE NO. 3020, TO CREATE SHORT-TERM RENTAL DEFINITIONS, USE REGULATIONS, AND REGISTRATION FEE, SECTION 3.27, SECTION 4.03 USE CHARTS RELATED TO SHORT-TERM RENTAL USES, PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND SETTING AN EFFECTIVE DATE.

Action:

Chris Wright moved to approve Exhibit B, an alternate ordinance for ZTA-92-2023, authorizing a textual amendment to the City Zoning Ordinance No. 3020 to create Short-Term Rental Definitions, Use Regulations, Registration Fee and amending Section 4.03 Use Charts related to Short-Term Rental uses and authorize the Mayor to sign the associated documents accordingly.

Mayor Pro Tem Wright specified the amended change allows short-term rentals with the approval of a Specific Use Permit.

Motion was seconded by Travis Smith.

Billie Wallace moved to amend the motion by reducing the late fee from three (3) times the established fee to one and one-half (1.5) times the established fee, referenced in Section 3.27 (l) (ii). Chris Wright accepted the amendment to the motion. Motion was seconded by Travis Smith.

Ms. Pruitt explained Section 3.7 (q) (i) (1) is in conflict to the amended Ordinance as it references prohibited zoning districts.

Chris Wright moved to approve Exhibit B, an alternate ordinance for ZTA-92-2023, authorizing a textual amendment to the City Zoning Ordinance No. 3020 to create Short-Term Rental Definitions, Use Regulations, Registration Fee, amending Section 4.03 Use Charts related to Short-Term Rental uses, reducing the late from three (3) times the established fee to one and one-half (1.5) times the established fee in Section 3.27 (l) (ii), striking the prohibited zoning districts in Section 3.7 (q) (i) (1), and authorize the Mayor to sign the associated documents accordingly. Motion was seconded by Travis Smith and carried (3-2), with David Hill and Patrick Souter voting in opposition.

- 12. Consider proposed Ordinance amending Chapter 11 Building and Community Services Fee Schedule, Ordinance No. 3376 Section 11-2 Subdivision and Development Fee Schedule of the Code of Ordinances of the City of Waxahachie; to add the Short-term Rental Registration Fee; and setting an effective date**

The Item was presented by Ms. Pruitt.

ORDINANCE NO. 3415

AN ORDINANCE AMENDING CHAPTER 11 BUILDING AND COMMUNITY SERVICES FEE SCHEDULE, ORDINANCE NO. 3376 SECTION 11-2 SUBDIVISION AND DEVELOPMENT FEE SCHEDULE OF THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE; TO ADD THE SHORT-TERM RENTAL REGISTRATION FEE; AND SETTING AN EFFECTIVE DATE.

Action:

Mayor Pro Tem Chris Wright moved to approve an ordinance amending Ordinance No. 3376 to add the short-term rental registration fee and authorize the Mayor to execute all required documents. Motion was seconded by David Hill and carried (3-2), with Billie Wallace and Patrick Souter voting in opposition.

City Council discussed decreasing the annual registration fee.

Action:

Chris Wright moved to rescind the motion for approval. Motion was seconded by Billie Wallace and carried unanimously (5-0).

Action:

Billie Wallace moved to approve an ordinance amending Ordinance No. 3376 to add the short-term rental registration fee of \$300 annually and authorize the Mayor to execute all required documents. Motion was seconded by Chris Wright and carried (4-1), with Travis Smith voting in opposition.

13. Continue Public Hearing on a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article VI Performance Standards, Section 6.03 Lighting and Glare Standards (ZTA-113-2023)

The Item was presented by Ms. Pruitt.

Mayor Hill opened the Public Hearing at approximately 9:50 p.m.

There being no others to speak for or against ZTA-113-2023, Mayor Hill closed the Public Hearing at approximately 9:51 p.m.

14. Consider proposed Ordinance approving ZTA-113-2023

ORDINANCE NO. 3416

AN ORDINANCE AUTHORIZING A TEXTUAL AMENDMENT TO THE CITY ZONING ORDINANCE, ORDINANCE NO. 3020, TO ARTICLE VI PERFORMANCE STANDARDS, REPEALING AND REPLACING, SECTION 6.03 LIGHTING AND GLARE STANDARDS; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND SETTING AN EFFECTIVE DATE.

Action:

Billie Wallace moved to approve an ordinance for ZTA-113-2023, a textual amendment to the City Zoning Ordinance No. 3020, repealing and replacing Section 6.03 Lighting and Glare Standards and authorize the Mayor to execute all required documents. Motion was seconded by Travis Smith and carried unanimously (5-0).

15. Continue 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)

{City Council recessed at 9:55 p.m. and reconvened at 10:01 p.m.}

The Item was presented by Ms. Pruitt. Construction Manager Sameer Mohammed, Community Outreach Marketing Manager Allie Sandoval, Developer Jags Patel, Factory Representative Jimmy Williams, and Investor Greg Miller requested approval.

Mayor Hill opened the Public Hearing at approximately 10:24 p.m.

Those who spoke in favor:

Joe Rust, 440 Gingerbread Lane, Waxahachie, Texas
Lance Rust, 707 Amherst, Waxahachie, Texas
Erik Kiper, 120 Stallion Street, Waxahachie, Texas

Those who spoke in opposition:

Melinda Nelson, 409 Lakewood, Waxahachie, Texas
Mohamed Sharaf, 105 YMCA Drive, Waxahachie, Texas
Michelle Campbell, 400 Gardenia Lane, Waxahachie, Texas

There being no others to speak for or against ZDC-100-2023, Mayor Hill closed the Public Hearing at approximately 11:00 p.m.

City Council expressed concerns with the request being the highest and best use for the site.

16. Consider proposed Ordinance approving ZDC-100-2023

Action:

Billie Wallace moved to deny ZDC-100-2023. Motion was seconded by Patrick Souter and carried unanimously (5-0).

17. Consider Development Agreement for ZDC-100-2023

No action taken.

18. Consider a request by Tim Jackson, TRCS, LLC, for a Replat of Block 10, Lot 1AR of the Original Town of Waxahachie Addition, 1 lot, being 0.980 acres, located at 216 North College Street (Property ID 217175 – Owner: City of Waxahachie (SUB-84-2023))

The Item was presented by Ms. Pruitt.

Action:

Billie Wallace moved to approve SUB-84-2023 for a Replat of Block 10, Lot 1AR of the Original Town of Waxahachie Addition, subject to the condition of the staff report and authorize the Mayor to sign the associated documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (5-0).

- 19. Public Hearing on a request by Jordan Cogburn, Cogburn Contracting, for a Specific Use Permit (SUP) for an Accessory Structure over 700 square feet use within a Planned Development Single-Family Dwelling-1 (PD-SF-1) zoning district located at 144 Homestead Lane (Property ID 269669) - Owner: Mason Tucker (ZDC-125-2023)**

The Item was presented by Ms. Pruitt.

Mayor Hill opened the Public Hearing at approximately 11:05 p.m.

Those who spoke in support:

Sarah Cogburn, 2840 Brads Way, Midlothian, Texas

There being no others to speak for or against ZDC-125-2023, Mayor Hill closed the Public Hearing at approximately 11:06 p.m.

- 20. Consider proposed Ordinance approving ZDC-125-2023**

ORDINANCE NO. 3417

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY STRUCTURE GREATER THAN 700 SQUARE FEET USE WITHIN A PLANNED DEVELOPMENT - SINGLE-FAMILY DWELLING-1 (PD-SF-1) ZONING DISTRICT AT 144 HOMESTEAD LANE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.000 ACRES KNOWN AS PROPERTY ID 269669, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Billie Wallace moved to approve an ordinance for ZDC-125-2023, a Specific Use Permit for an Accessory Structure over 700 Square Feet subject to the conditions of the staff report. Motion was seconded by Patrick Souter and carried unanimously (5-0).

- 21. Public Hearing on a request by Kevin Kosoris, 1020 Group LLC, for a Specific Use Permit (SUP) for a Self-Storage Facility use within a Commercial (C) zoning district located at 308 N College Street (Property ID: 170654) – Owner: Hachie Properties, LLC ETAL (ZDC-54-2023)**

The Item was presented by Ms. Pruitt. Owner Kevin Kosoris requested approval.

Mayor Hill opened the Public Hearing at approximately 11:38 p.m.

There being no others to speak for or against ZDC-54-2023, Mayor Hill closed the Public Hearing at approximately 11:39 p.m.

22. Consider proposed Ordinance approving ZDC-54-2023

ORDINANCE NO. 3418

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SELF-STORAGE FACILITY USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 308 N COLLEGE STREET, BEING PROPERTY ID 170654, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOTS 3B, 4, 5, 6, AND 7, BLOCK 8 OF THE TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Billie Wallace moved to approve an ordinance for ZDC-54-2023, a Specific Use Permit request for a Self-Storage Facility at 308 N College Street, subject to the conditions of the staff report. Motion was seconded by Travis Smith and carried (4-1), with Patrick Souter voting in opposition.

23. Consider approval of a supplemental appropriation for funds to provide for contribution to The Heights, Ellis County Family Resources

The Item was presented by Police Chief Joe Wiser and Jennifer Salzman, The Heights Executive Director.

Action:

Billie Wallace moved to approve a supplemental appropriation in the amount of \$50,000 to provide funding for The Heights, Ellis County Family Resources and authorize the City Manager and/or Mayor to sign the associated Memorandum of Understanding and any other necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).

24. Consider authorizing an Engineering Services Agreement Amendment No. 1 to the Distribution Line – Lofland and Ovilla Road Loop Phase 2 Project

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

Action:

Chris Wright moved to authorize Engineering Services Agreement Amendment No. 1 with Birkhoff, Hendricks, and Carter L.L.P. for the Distribution Line – Lofland and Ovilla Road Loop Phase 2 Project in an amount not to exceed \$63,100 and authorize the City Manager to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).

25. Convene into Executive Session for:

- **Consultation with City Attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code**
- **Consultation with City Attorney to seek legal advice regarding a proposed contract for emergency services as permitted under Section 551.071, Texas Government Code**
- **Review Performance Evaluation for City Manager as permitted under Section 551.074, Texas Government Code**

Mayor Hill announced at 11:47 p.m. the City Council would convene into Executive Session for:

- Consultation with City Attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code
- Consultation with City Attorney to seek legal advice regarding a proposed contract for emergency services as permitted under Section 551.071, Texas Government Code
- Review Performance Evaluation for City Manager as permitted under Section 551.074, Texas Government Code

26. Reconvene and take any necessary action

The meeting reconvened on October 17, 2023 at 1:45 a.m.

Action:

Billie Wallace moved to approve the contract with City Manager Michael Scott as amended and extend his contract as discussed in Executive Session. Motion was seconded by Patrick Souter and carried (4-1), with Travis Smith voting in opposition.

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

Mayor Pro Tem Chris Wright thanked the outgoing Board Members for their long-standing service.

Council Member Billie Wallace thanked City staff for staying through the long meeting.

28. Adjourn

There being no further business, the meeting adjourned on October 17, 2023 at 1:47 a.m.

Respectfully submitted,

Amber Villarreal
City Secretary