

City Council  
September 16, 2024

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, September 16, 2024 at 7:00 p.m.

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

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Terry Welch, City Attorney  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Billie Wallace 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**

None.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of September 9, 2024
- b. Event application for Oddfest 2024 to be held October 5, 2024 at Singleton Plaza
- c. Event application for Walk to End Alzheimer's to be held October 19, 2024 in Downtown Waxahachie
- d. Event application for 1<sup>st</sup> Annual Waxahachie Trunk-o-Palooza to be held October 19, 2024 at Railyard Park
- e. Event application for Crossroads of Texas Country Festival to be held October 26, 2024 in Downtown Waxahachie
- f. Event application for Good Friday Service/Choir Easter Program to be held April 18, 2025 at Railyard Park
- g. Event application for National Day of Prayer to be held May 1, 2025 at Railyard Park
- h. Proposed Resolution authorizing the City of Waxahachie to execute an agreement with the Texas Department of Transportation for grant funds for the Routine Airport Maintenance Program
- i. Engineering Professional Services Agreement for the Waxahachie – Midlothian Regional Trail Project

- j. Construction contract for the Police Parking Expansion Project
- k. Construction contract for the Sagebrush Lane Roadway Improvements Project
- l. Budget transfer and award of construction contract for the IH-35E Water Transmission Main (Lofland Road to Butcher Road) Project
- m. Contracts for miscellaneous pavement repairs
- n. Contracts for Water and Wastewater Treatment Plants chemical supplies
- o. Award of construction contract for the 2022 Water and Sanitary Sewer Replacement Project
- p. Change order for planned replacement of brine tank at Sokoll Water Plant
- q. Contract for brush grinding services
- r. Construction contract for the relocating of the City Hall building generator to the Charles Beatty Municipal Services Building

### **RESOLUTION NO. 1369**

**A RESOLUTION OF THE CITY OF MIDLOTHIAN AND CITY OF WAXAHACHIE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM; PROVIDING AN EFFECTIVE DATE.**

**Action:**

*Chris Wright 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 Patrick Souter and carried unanimously (5-0).*

### **6. Introduce Honorary Councilmember**

Council Member Patrick Souter introduced the September Honorary Council Member Ron Finch. Ron Finch, and his wife Emily, chose to relocate from Dallas to Waxahachie in 2014 when a home designed by a well-known Dallas architect was offered for sale. Ron retired from business in 2016 and enjoys home restoration projects and pursuing historical research. In 2017 the Finches achieved Recorded Texas Historic Landmark designation for their home on Sycamore Street and later received a restoration award from Historic Waxahachie, Inc. (HWI). This past December, the Finches supported Waxahachie historical tourism by opening their home to 1,600 of their best friends during the 2023 Christmas Tour of Homes.

Through hours of volunteering at the Ellis County Museum and historical research of homes and notable citizens on numerous Gingerbread Trail, Christmas Tour, and Saving Places projects, Ron has come to know Waxahachie's history in a brief time as well as some who have lived here for generations. He is also now known as the "go-to" for historical genealogy projects that he does for the benefit of not only Waxahachie but Ellis County and its organizations and citizens.

Ron could not pass up an opportunity to join former Mayor David Hill and a group of Patriotic Ellis County citizens in a new local chapter of the Sons of the American Revolution, where he hopes to apply his interest in genealogy to help applicants qualify to join.

At the end of this month, the City of Waxahachie Parks Department will erect a sign memorializing a wading pool that once operated at Getzendaner Park. Ron spearheaded this effort by assisting the City and HWI in researching the history of the pool, city employees, and private citizens that were associated with the history of the pool.

**7. Present Proclamation proclaiming September 17-23, 2024 as “Constitution Week”**

Mayor Wallace presented a Proclamation recognizing September 17-23, 2024 as “Constitution Week.” Patricia Hernandez, Rebecca Boyce Chapter of the Daughters of the American Revolution, accepted the Proclamation and thanked City Council for their support. She acknowledged the local chapter of the Sons of the American Revolution were also in attendance.

**8. Public Hearing on a request by Matthew Smith, Darwood Partners, for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales use within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234) – Owner: WP Legacy LTD (ZDC-139-2024)**

Mayor Wallace announced the applicant requested to continue the Public Hearing to the October 21, 2024 City Council meeting, to evaluate the public comments and meet with neighboring properties.

**Action:**

*Chris Wright moved to continue the Public Hearing for ZDC-139-2024 to the October 21, 2024 City Council meeting. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**9. Consider proposed Ordinance approving ZDC-139-2024**

No action taken.

**10. Public Hearing on a request by Katrina Walker Aulson, for a Specific Use Permit (SUP) for an Accessory Structure over 700 Square Feet use within a Single-Family-1 (SF-1) zoning district located at 611 North Grand Avenue (Property ID 176844) – Owner(s): Katrina Walker Aulson (ZDC-180-2023)**

Mayor Wallace announced at the request of staff, due to a noticing error, the applicant has requested to continue the Public Hearing to the October 21, 2024 City Council meeting.

**Action:**

*Patrick Souter moved to continue the Public Hearing for ZDC-180-2023 to the October 21, 2024 City Council meeting. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**11. Consider proposed Ordinance approving ZDC-180-2023**

No action taken.

**12. Public Hearing on a request by the City of Waxahachie for an Amendment to the City Zoning Ordinance, Appendix C, Section 2.4 (c.) 25 (vi) k. Timing of Public Improvements, adding language related to timing of public improvements (ZTA-175-2024)**

Senior Director of Planning Jennifer Pruitt presented the Item. The City of Waxahachie seeks to add clarifying language regarding vested rights to the City's infrastructure capacity, clarify the length of time that engineering permits remain valid, and close inactive permit applications that are not progressing toward completion.

Current City ordinances are unclear regarding the point in which permitted and platted projects are vested into the street, drainage, water, and wastewater capacity of City infrastructure. There is also a lack of clarity regarding how long permitted engineering projects are considered valid for construction.

Additionally, many engineering permit applications have been made that have become inactive without reaching completion. After receiving the application, staff members reviewed it and responded with comments and additional requirements. Following the response, the applicant has failed to remain engaged with the application. This has led to a list of project applications, many of which are several years old, that are dormant and not progressing toward completion.

Additional language is proposed that clarifies that rights to City infrastructure are made with the approval of the plat. It further clarifies that if the plat expires, then vested rights to infrastructure also expire. Finally, it adds language that would close permit applications that have been dormant for over six months without any progress toward completion.

Mayor Wallace opened the Public Hearing at approximately 7:20 p.m.

There being no others to speak for or against ZTA-175-2024, Mayor Wallace closed the Public Hearing at approximately 7:20 p.m.

Council Member Travis Smith asked if the change would retroact filed applications and Ms. Pruitt confirmed it would.

**13. Consider proposed Ordinance approving ZTA-175-2024**

**ORDINANCE NO. 3561**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING SUBSECTION (K), "TIMING OF PUBLIC IMPROVEMENTS," OF SECTION 2.4, "PLATS (INFORMATION AND FORMAT REQUIREMENTS)," OF APPENDIX C, "SUBDIVISIONS," TO THE CITY'S CODE OF ORDINANCES BY ADDING NEW SUBPARTS (3) THROUGH (5) RELATIVE TO THE EXPIRATION OF DORMANT ENGINEERING PERMITS AND PLANS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**Action:**

*Travis Smith moved to recommend approval of ZTA-175-2024, a request by the City of Waxahachie for an Amendment to the City of Waxahachie Code of Ordinances, Appendix C, Section 2.4 (c.) 25 (vi) k. Timing of Public Improvements, and authorize the Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**14. Public Hearing on a request by Demi Oyerokun for a Specific Use Permit (SUP) for a Minor Auto Repair Shop use within a General Retail (GR) zoning district located at 1011 North US Highway 77 (Property ID 173186) – Owner: Marline Six, LLC (ZDC-170-2024)**

Ms. Pruitt presented the Item. The applicant requests a Specific Use Permit for an Auto Repair, Minor or Automotive Center use (Glass Doctor Auto). The business has been operating on-site as an Auto Repair, Minor, or Automotive Center use since 2022 without an approved certificate of occupancy (CO) for repairs on-site. The applicant submitted a Certificate of Occupancy request on May 15, 2024, for an Auto Repair, Minor or Automotive Center use. Per the City of Waxahachie Zoning Ordinance, the use of an Auto Repair, Minor or Automotive Center, requires a Specific Use Permit to be approved by the City Council within the General Retail (GR) zoning district.

The applicant submitted a previous zoning case, ZDC-124-2024, for an Auto Repair, Minor, or Automotive Center use on June 14, 2024. On July 23, 2024, the Planning & Zoning Commission recommended approval. However, on August 5, 2024, the City Council denied the SUP request. As a result of the City Council denial, on August 5, 2024, the applicant requested a new CO application for “office use only” on-site, which was approved by city staff on August 19, 2024. Staff received two (2) letters of opposition.

Ms. Pruitt confirmed with the operator that the business is no longer at this location.

Mayor Wallace opened the Public Hearing at approximately 7:24 p.m.

There being no others to speak for or against ZDC-170-2024, Mayor Wallace closed the Public Hearing at approximately 7:24 p.m.

**15. Consider proposed Ordinance approving ZDC-170-2024**

**Action:**

*Travis Smith moved to deny ZDC-170-2024, a Specific Use Permit (SUP) for a Minor Auto Repair Shop use at 1011 North US Highway 77. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**16. Public Hearing on a request by Karla Marroquin for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Planned Development - Single Family-1 (PD-SF-1) zoning district located at 100 Dollar Court (Property ID 174535) – Owner: Karla Marroquin (ZDC-159-2024)**

Ms. Pruitt presented the Item. The applicant is requesting a Specific Use Permit (SUP) to construct an accessory structure that exceeds one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures at 100 Dollar Court. One of the existing accessory structures is being utilized as a carport and is approximately 1,200 square feet. The second existing accessory structure is being utilized as a greenhouse of approximately 644 square feet; therefore, the total square footage of existing and proposed accessory structures exceeds 1,000 square feet and requires a SUP to be approved by City Council.

According to the Ellis County Appraisal District, the existing primary structure is approximately 1,279 square feet, and the proposed accessory structure is approximately 384 square feet. The accessory structure is comprised of metal panels and is proposed to be used for the storage of household equipment. The applicant has noted that the structure will not be used to store cars or heavy machinery, and will not have any plumbing and electrical work done. The applicant has also confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be metered, sold, or leased separately from the existing primary structure. Staff received four (4) letters of support.

Mayor Wallace opened the Public Hearing at approximately 7:26 p.m.

There being no others to speak for or against ZDC-159-2024, Mayor Wallace closed the Public Hearing at approximately 7:26 p.m.

**17. Consider proposed Ordinance approving ZDC-159-2024**

**ORDINANCE NO. 3562**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING ONE-THOUSAND (1,000) SQUARE FEET IN COMBINED FLOOR AREA FOR MORE THAN TWO (2) EXISTING ACCESSORY STRUCTURES USE WITHIN A PLANNED DEVELOPMENT-SINGLE FAMILY-1 (PD-SF-1) ZONING DISTRICT, LOCATED AT 100 DOLLAR COURT, BEING PROPERTY ID 174535, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 14 OF THE LAKE NORTH SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Patrick Souter moved to approve ZDC-159-2024, Specific Use Permit (SUP) for an Accessory Structure exceeding one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Single Family-1(SF-1) zoning district, subject to the conditions of the staff report, and authorize the Mayor and/or City Manager to execute any necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**18. Public Hearing on a request by Shelly Hines for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structure use within a Single Family-1 (SF-1) zoning district located at 2385 Marshall Road, (Property ID 203842) – Owner: Shelly Hines (ZDC-162-2024)**

Ms. Pruitt presented the Item. The applicant is requesting a Specific Use Permit (SUP) to construct an accessory structure in which exceeds one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures at 2385 Marshall Road. One of the existing accessory structures is being utilized as a barn and is approximately 7,508 square feet. The second existing accessory structure is being utilized as a shed of approximately 1,014 square feet; therefore, the total square footage of existing and proposed accessory structures exceeds 1,000 square feet and requires a SUP to be approved by City Council.

According to the Ellis County Appraisal District, the existing primary structure is approximately 3,470 square feet, and the proposed unenclosed accessory structure is approximately 594 square feet. The proposed accessory structure is comprised of wood. There will be new plumbing and electrical work to be done. Staff received one (1) letter of support.

Mayor Wallace opened the Public Hearing at approximately 7:29 p.m.

There being no others to speak for or against ZDC-162-2024, Mayor Wallace closed the Public Hearing at approximately 7:29 p.m.

**19. Consider proposed Ordinance approving ZDC-162-2024**

**ORDINANCE NO. 3563**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING ONE-THOUSAND (1,000) SQUARE FEET IN COMBINED FLOOR AREA FOR MORE THAN TWO (2) EXISTING ACCESSORY STRUCTURES USE WITHIN A SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED AT 2385 MARSHALL ROAD, BEING PROPERTY ID 203842, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4 OF THE MARSHALL ROAD ESTATES, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Patrick Souter moved to approve ZDC-162-2024, Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Single Family-1(SF-1) zoning district, subject to the conditions of the staff report, and authorize the Mayor and/or City Manager to execute any necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**20. Public Hearing on a request by Kevin Patel, Triangle Engineering, for a Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned Development-General Retail (PD-GR) zoning district located at 2932 N US Highway 77 (Property ID 189379) - Owner: Vaquero Highway 77 Waxahachie Partners LP (ZDC-103-2024)**

Mayor Wallace announced the applicant requested to continue the Public Hearing to the October 21, 2024 City Council meeting to allow the development team additional time to assess the SUP Ordinance for the property.

**Action:**

*Patrick Souter moved to continue the Public Hearing for ZDC-103-2024 to the October 21, 2024 City Council meeting. Motion was seconded by Chris Wright and carried unanimously (5-0).*

**21. Consider proposed Ordinance approving ZDC-103-2024**

No action taken.

**22. Public Hearing on a request by Erik Test, Ellis County, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a General Retail (GR) and Commercial (C) zoning district located at 302 N Monroe Street (Property ID 289705) - Owner: Ellis County, Texas (ZDC-105-2024)**

Ms. Pruitt presented the Item. The applicant proposes a Specific Use Permit (SUP) to allow for the construction of an electronic message sign for the Ellis County Central Building. An existing pole sign currently exists on the subject property along N Elm Street (US Highway 77). The applicant proposes to remove this pole sign and provide signage for the property with a new monument sign that will include an electronic message component. The proposed monument sign is 15' in height and a total of 150 square feet in size. The electronic message board will constitute approximately 40 square feet of the sign.

Monument signs are typically required to be situated outside of all easements. However, there are multiple large existing easements that extend between 25' and 40' into the subject property along N Elm Street (US Highway 77). Due to this, the applicant is unable to locate the monument sign outside of all existing utility easements. The applicant has worked with staff from the Utilities Department to ensure the monument sign is at least 7.5' from existing utility infrastructure. The Utilities Department has noted that the placement of the monument sign with the existing utility easements on the property is acceptable if a setback of 7.5' from existing utility infrastructure is maintained.

Electronic Message Signs shall be restricted to the form of monument signs. Per Section 5.08 of the Waxahachie Zoning Ordinance, Monuments signs shall have a low profile and must be made of stone, concrete, brick or other similar materials. A monument sign shall be solid from the ground up and all pole(s) or supports shall be concealed. Single-tenant Monument Signs are restricted to maximum height of 8' and a maximum size of 80 square feet.

The proposed electronic message sign will be incorporated into a monument sign. However, the monument sign proposed by the applicant is 15' in height and 150 square feet in size.

Mayor Wallace opened the Public Hearing at approximately 7:33 p.m.

There being no others to speak for or against ZDC-105-2024, Mayor Wallace closed the Public Hearing at approximately 7:33 p.m.

Council Member Patrick Souter explained at the Planning & Zoning meeting, Commissioner Erik Test abstained from discussion and voting to avoid any possible conflicts of interest.

**23. Consider proposed Ordinance approving ZDC-105-2024**

**ORDINANCE NO. 3564**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC MESSAGE SIGN USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT AND COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 302 N MONROE STREET, BEING PROPERTY ID 289705, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK 1 OF THE CATHEDRAL ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Chris Wright moved to approve ZDC-105-2024, a Specific Use Permit (SUP) request for an Electronic Message Sign use at 302 N Monroe, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to execute any necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**24. Public Hearing on a request by Brian Wade, RLG Consulting Engineers, for a Replat of Block 29, 96, and 97 of the Official Town Map of Waxahachie, to create Lot 1, Block 29B of the City Hall addition, 1 lot, being 1.3453 acres, located at 401 S Rogers Street, (Property ID 193895) – Owner: City of Waxahachie (SUB-173-2024)**

Ms. Pruitt presented the Item. The applicant proposes to replat the subject property to combine multiple existing lots into a single non-residential lot to facilitate the upcoming remodel of Waxahachie City Hall. The proposed replat adheres to the lot size and dimension requirements of the Light Industrial-2 zoning district.

As part of the review of the Replat application, staff identified multiple technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to the filing of the Replat.

Section 3.3.a of the Waxahachie Subdivision Ordinance, requires the dedication of a 15' Utility Easement adjacent to all public right-of-way (ROW) at the time of platting or replatting. The applicant has requested a Petition for Relief Waiver (variance) to not dedicate a 15' Utility Easement along S Rogers Street or W Madison Street. This Petition for Relief is requested due to the fact that the existing building and retaining walls on the site are situated on the property line along S Rogers Street and W Madison Street. The portions of the building and the existing retaining walls in question will not be removed as part of the upcoming City Hall remodel, so an easement cannot be dedicated at this time.

Staff is supportive of the Petition for Relief Waiver due to the fact that sufficient public and franchise utility infrastructure for the property is already in place within the ROW of S Rogers Street and W Madison Street. Ms. Pruitt noted the surveyor has addressed staff comments and resubmitted the plat.

Mayor Wallace opened the Public Hearing at approximately 7:36 p.m.

There being no others to speak for or against SUB-173-2024, Mayor Wallace closed the Public Hearing at approximately 7:36 p.m.

**25. Consider approval of SUB-173-2024**

**Action:**

*Patrick Souter moved to approve SUB-173-2024, a Replat for the City Hall addition, and the associated Petition for Relief Waiver, subject to the conditions of the staff report, and authorize the City Manager and/or Mayor to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**26. Public Hearing on a request by Rob Myers, Kimley-Horn, for a Plat of the Waxahachie North Addition, Lot 1, Block A, being 3.316 acres, located directly east of 984 W US Highway 287 Bypass, situated in the Robert Parks Survey, Abstract 851 and the Robert Russell Survey, Abstract 911, an addition to the City of Waxahachie (Property ID 189338 & 189991) – Owner: Oncor Electric Delivery Company (SUB-154-2024)**

Ms. Pruitt presented the Item. The applicant proposes to plat the subject property into one (1) non-residential lot for the expansion of an existing Oncor sub-station. The proposed plat adheres to the lot size and dimension requirements for the subject property, based on the current zoning of the site.

As part of the review of the plat application, staff identified multiple technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to the filing of the plat.

Section 3.5.a of the Waxahachie Subdivision Ordinance, requires all non-residential developments to install a 6' sidewalk adjacent to public right-of-way (ROW). The applicant has requested a Petition for Relief Waiver (variance) to not install the 6' sidewalk. The applicant has noted that the purpose of the plat is to facilitate the expansion of an existing Oncor substation and that there is not an existing sidewalk on the, or adjacent to, the subject property. Staff is supportive of the Petition for Relief Waiver due to the fact that the Oncor substation is a restricted, unmanned facility. Ms. Pruitt noted the applicant has addressed staff comments.

Mayor Wallace opened the Public Hearing at approximately 7:39 p.m.

There being no others to speak for or against SUB-154-2024, Mayor Wallace closed the Public Hearing at approximately 7:39 p.m.

**27. Consider approval of SUB-154-2024**

**Action:**

*Chris Wright moved to approve SUB-154-2024, a Plat of the Waxahachie North Addition, Lot 1, Block A, and the associated Petition for Relief Waiver, subject to the conditions of the staff report, and authorize the City Manager and/or Mayor to sign the associated documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**28. Consider and act upon an ordinance of the City of Waxahachie, Texas, approving the 2024-2025 annual service plan update to the Service and Assessment Plan for the Waxahachie Public Improvement District No. 1 and providing an effective date**

City Manager Michael Scott introduced Alexis Montalvo, Municap, Inc., who presented the annual update to the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll.

- No changes to Assessment Methodology that was previously approved in the updated Service and Assessment Plan (SAP).
- No additional parcel subdivisions or consolidations to be reported in the 2024-25 Annual SAP update.
- No prepayments for Phase One, Phase Two, and Phase Three have been received since the 2023-24 SAP update report.

**ORDINANCE NO. 3565**

**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 CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**Action:**

*Chris Wright moved to approve an Ordinance of the City of Waxahachie, approving the annual update of the Service and Assessment Plan for the Waxahachie Public Improvement District No. 1 and providing an effective date. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**29. Consider and act upon an ordinance of the City of Waxahachie, Texas, approving the 2024-2025 annual service plan update to the Service and Assessment Plan for the North Grove Public Improvement District and providing an effective date**

Ms. Montalvo presented the annual update to the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll.

- No changes to Assessment Methodology that was previously approved in the updated Service and Assessment Plan (SAP).
- Parcel subdivisions and consolidations: Improvement Area #1; Commercial Development and Residential Development.
- Parcel subdivisions and consolidations: Improvement Area #2; Recognition of subdivision of all 184 residential lots in assessment roll.
- Parcel subdivisions and consolidations: Improvement Area #3; Recognition of Dove Hollow – Phase II plat; Of the 618 residential lots proposed to be developed in Improvement Area #3, an estimated 171 lots remain to be developed and subdivided.

- Improvement Area #1: As of July 31, 2024, one parcel has prepaid their Special Assessment in full.
- Improvement Area #2: As of July 31, 2024, there have been no prepayments for parcels.
- Improvement Area #3: As of July 31, 2024, two parcels have prepaid their Special Assessment in full.

Mayor Pro Tem Chris Wright asked if the assessment fees decrease, are there reimbursements made to those owners who prepaid and Ms. Montalvo noted they are not reimbursed.

### **ORDINANCE NO. 3566**

**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 CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**Action:**

*Chris Wright moved to approve an Ordinance of the City of Waxahachie, approving the annual update of the Service and Assessment Plan for the North Grove Public Improvement District and providing an effective date. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**30. Consider temporary road closure of a portion of Grove Creek Road**

The Item was presented by Senior Director of Public Works and Engineering Justin Stoker. The contractor constructing the Grove Creek Sewer Trunk Main has requested the temporary road closure of Grove Creek Road between Country Drive and Sunny Lane for up to seven days to facilitate the installation of a sewer crossing. The start date will be planned to avoid inclement weather.

The Ellis County Engineer and WISD staff have been notified of the proposed closure. Proper signage will be installed to indicate detour routes as part of the closure. Electronic message boards will be used to provide advanced notice to travelers in the impacted area.

Council Member Smith asked who will ensure the construction doesn't increase flooding issues in the area and Mr. Scott explained the project will be monitored by City inspectors.

**Action:**

*Patrick Souter moved to approve the temporary road closure on Grove Creek Road, between Country Drive and Sunny Lane, for a period up to seven days. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**31. Consider proposed Resolution for Candidate Nominations for the Ellis Appraisal District Board of Directors for the Year 2025**

Mr. Scott requested nominations from City Council for the Ellis Appraisal District Board of Directors. Nominations must be adopted by Resolution and submitted to ECAD before October 15<sup>th</sup>. Once all entity nominations are received by ECAD, Council will adopt a Resolution allocating votes.

Debbie Hurdle, 206 Harbin, Waxahachie, Texas, requested clarification on the nomination process and bios on the current board and nominees. Mr. Scott suggested contacting the Ellis Appraisal District for the nominee information after October 15<sup>th</sup>.

Council Member Smith explained the nominees and votes are divided amongst all of the taxing entities in Ellis County.

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

Council Member Patrick Souter thanked Ron Finch for his participation as Honorary Council Member and his service to the community.

Mayor Pro Tem Chris Wright thanked Congressman Jake Ellzey for nominating Sims Library for a national award. Mr. Wright also thanked the Sims Library staff for their work.

City Manager Michael Scott commended City Council for their work and thanked them for their support of staff. Mr. Scott announced the passing of retired City employee Joel Otts and asked to keep his family in prayer.

Mayor Billie Wallace thanked Ron Finch for his service to the community. Mayor Wallace commended City Manager Michael Scott and the Waxahachie Police Department for their swift effort on addressing school traffic and safety concerns on Broadhead Road.

**33. Adjourn**

There being no further business, the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary