

City Council
November 18, 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, November 18, 2024 at 7:00 p.m.

Council Members Present: 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

Council Member Absent: Billie Wallace, Mayor, Council Member Place 4

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

1. Call to Order

Mayor Pro Tem Chris Wright called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Josh Morgan, Connect4Life Church, gave the invocation. Council Member Patrick Souter led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Darlene Miller, 240 Parks School House Road, Waxahachie, Texas, provided an update on the Pet Coalition of Ellis County and requested collaboration from Waxahachie, Midlothian, Ennis, and Ellis County on an animal shelter.

Alan Orcutt, South Dallas Pickleball Club, 154 Aria Drive, Waxahachie, Texas, requested more pickleball courts for community use.

5. Consent Agenda

- a. Minutes of the City Council meeting of November 4, 2024
- b. Event application for 2024 Waxahachie Open to be held December 7, 2024 at Brown Singleton Park
- c. Event application for Southern Roots Christmas Market to be held December 14, 2024 near 421 S. College Street
- d. Proposed Ordinance approving a request by Kathleen Bowen, for a Petition for ETJ Release for approximately 53.8 acres, located at Wilson Road (Property ID 239810) – Owner: Kathleen Bowen (ETJ-PTN-190-2024)
- e. Budget amendment- TML reimbursement for repairs to a police patrol vehicle
- f. Consider supplemental appropriation to fund Senior Center dances
- g. Award for annual contracts for City Uniforms and Apparel Items

- h. Proposed budgeted costs for Phase 1 of the Haven Ranch Public Improvement District (PID)

ORDINANCE NO. 3577

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 53.8-ACRE TRACT OF LAND, LOCATED AT WILSON ROAD, KNOWN AS PROPERTY ID 239810 AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve all items on the Consent Agenda, excluding Item g., as presented, and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Tres Atkins and carried unanimously (4-0).

Chad Tustison, Senior Director of Finance, presented Item 5g. On September 24, 2024 the City solicited a citywide Request for Proposal (RFP) #2024-09-20 to procure city uniforms and apparel items. The sealed proposals were opened on October 15, 2024. The objective of this process was to award multiple vendors within each category to provide high-quality, durable, and professionally designed uniforms that adhere to the City standards and branding guide provided. The vendors recommended for award were determined to be responsive, responsible, and submitted the most advantageous proposals for the City's needs. The proposed contract is for a period of two years, with an option to renew for three (3) additional one-year terms to qualified vendors for city uniform and apparel items.

Staff has reviewed the recommended vendor's qualifications, quality of work, and recommends awarding the following vendors for each category:

Award Recommendation List:

Vendor Name	Category
Already Gear, LLC	Citywide- Standard Uniforms and Apparel
Brown & Bigelow, INC	Citywide- Standard Uniforms and Apparel
Chaney's Designs LLC	Citywide- Standard Uniforms and Apparel
Got You Covered Uniforms	Citywide- Standard Uniforms and Apparel
Galls, LLC	Public Safety- Custom Uniforms & Accessories and Citywide- Standard Uniforms and Apparel
Star City Uniform	Public Safety- Custom Uniforms & Accessories and Police Department - Body Armor

Council Member Travis Smith reached out to three local businesses, and they reported that they were unaware of the solicitation for bids. He requested that the City put more effort into informing local businesses about bidding opportunities, particularly through social media posts.

Mr. Tustison explained that the City adhered to purchasing laws by publicizing the bid notice in The Waxahachie Sun. Additionally, the Purchasing team used a Google search to invite local vendors to submit bids.

City Manager Michael Scott confirmed that procurement laws were followed during the bid process, and staff made a good-faith effort to contact vendors.

Council Member Patrick Souter respectfully disagreed with Council Member Smith, stating that the City complied with the law, and that expecting staff to contact every local business in Waxahachie and Ellis County to ensure they are aware of bids could set a problematic precedent.

Council Member Smith reiterated his request for the City to use social media to notify local businesses about bid proposals.

Council Member Tres Atkins expressed understanding of Council Member Smith's concerns but sought clarification on whether he was advocating for social media to be used for public bid notices.

Mayor Pro Tem Wright shared his view that it should not be the City's responsibility to contact businesses directly; instead, businesses should take responsibility for staying informed about opportunities that are legally and publicly advertised. He suggested holding a Work Session to review and potentially revise the City's purchasing policy and Council Members agreed with this approach.

Action:

Travis Smith moved to continue Item g. to the January 6, 2025 City Council meeting to allow Council time for further discussion, to host a workshop on the bid process, and take action at that time.

Council Member Atkins inquired about the City's impact for delaying the action until January. Mr. Tustison recommended postponing the order until after Council approval to ensure compliance with procurement laws for purchases exceeding the \$50,000 threshold, whether it's a single purchase or multiple purchases combined.

Fire Chief Ricky Boyd explained Council approval would further delay uniform purchases for staff.

Police Chief Joe Wiser explained that police apparel is highly specialized, and local vendors have struggled in the past to compete with pricing and supply shortages. He emphasized that it has always been their practice to seek products from local businesses whenever possible.

Action:

Travis Smith amended his motion and moved to approve the contracts for the two public safety vendors, so not to further delay their processes, table the four vendors and contracts until January 6, 2025, unless otherwise agreed by City Council during a Work Session so that we can have further discussion and potentially send back out for Request for Proposals.

Motion failed due to lack of second.

Action:

Patrick Souter moved to award the contracts set forth under Item g under the consent agenda for city uniform and apparel items and authorize the City Manager to execute all necessary documents.

Action:

Patrick Souter moved to amend his motion to add that City Council will schedule a meeting to further review and modify, as deemed necessary by Council, additional aspects of the bidding process in excess of what is required under State law and City ordinance. Motion was seconded by Tres Atkins and carried 3-1 with Travis Smith voting in opposition.

6. Introduce Honorary Council Member

Mayor Pro Tem Wright announced there is no Honorary Council Member in attendance.

7. Present Proclamation proclaiming November 20, 2024 as “GIS Day”

Mayor Pro Tem Wright read a Proclamation recognizing November 20, 2024 as “GISD Day.”

8. Recognize Madeline Bracken as the Keep Waxahachie Beautiful Advocate of the Year and receive a presentation on the Keep Waxahachie Beautiful program

Kyle Cooper, Senior Director of Parks and Recreation, recognized Madeline Bracken as the Parks Advocate of the Year for her work on the Keep Waxahachie Beautiful Committee. Ms. Bracken presented a year-end review of the Keep Waxahachie Beautiful program.

City Council thanked Ms. Bracken and the Keep Waxahachie Beautiful Committee for their clean-up efforts and community engagement.

9. Public Hearing on a request by Claudio Segovia, Johnson Volk Consulting, for a Plat of Oasis at North Grove Phase 2, 130 residential lots and 2 open space/common area lots, being 34.590 acres, located west of 2004 Vista Way, situated in the Henry Sange Survey, Abstract 1009, an addition to the City of Waxahachie (Property ID 179059) – Owner: Bloomfield Homes LP (SUB-205-2024)

Senior Director of Planning Jennifer Pruitt presented the Item. With this plat application, the property owner proposes to plat the subject property into 130 residential lots as part of the Oasis at North Grove Phase 2 subdivision. The subject property is currently zoned as part of the North Grove Planned Development District, which allows for the development of single-family homes on lots ranging from 6,000 square feet to 11,000 square feet in this area. The design of the proposed subdivision adheres to the lot size, lot dimension, and lot distribution requirements of the Planned Development zoning district. As part of this Plat, the applicant is providing right-of-way (ROW) dedication for Hedgewood Drive that will complete a direct connection from Vista Way to Highway 77.

As part of the review of the plat application, staff identified a few technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical items must be corrected prior to the filing of the plat. The correction of each item has been identified as a condition of approval in the staff recommendation.

The City of Waxahachie Thoroughfare Plan identifies Hedgewood Drive as a 60' wide ROW. Due to this, the applicant is required to dedicate 60' of ROW for Hedgewood Drive. The applicant requests to dedicate 54' of ROW in lieu of this requirement for consistency with adjacent platted property. A ROW width of 54' for Hedgewood Drive was approved by the City Council with the Plat for Vista Way in February of 2022. Due to Hedgewood Drive already having been established as a 54' ROW at the intersection of Vista Way, staff supports this Petition for Relief Waiver request.

Mayor Pro Tem Wright opened the Public Hearing at approximately 8:01 p.m.

There being no others to speak for or against SUB-205-2024, Mayor Pro Tem Wright closed the Public Hearing at approximately 8:01 p.m.

10. Consider approval of SUB-205-2024

Action:

Patrick Souter moved to approve SUB-205-2024, a Plat of Oasis at North Grove Phase 2, and the associated Petition for Relief Waiver, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (4-0).

11. 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 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 Pro Tem Wright announced the applicant requested to continue the Public Hearing to the December 2, 2024 City Council meeting due to a scheduling conflict.

Action:

Tres Atkins moved to continue the Public Hearing for ZDC-139-2024 to the December 2, 2024 City Council meeting. Motion was seconded by Patrick Souter and carried unanimously (4-0).

12. Consider proposed Ordinance approving ZDC-139-2024

No action taken.

13. Public Hearing on a request by Rebeca Vera, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 513 West 2nd Street (Property ID 171958) – Owner(s): Becman Properties, LLC (ZDC-192-2024)

Ms. Pruitt presented the Item. The applicant requested a SUP for short-term rental use at 513 West 2nd Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,409 square feet, built in 1925 with two (2) bedrooms and one (1) bathroom and enough improved surface to accommodate for the maximum parking spaces of two (2) vehicles. The subject property is situated on an approximately 0.23 acres (10,018 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, the applicant has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on October 2, 2024.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property's current use in the past 12 months.

Currently, we have no pending, approved and/or registered short-term rentals within 500' of the subject property; however, we do have three (3) approved short-term rentals within 1,500' of the subject property. The closest approved and registered short-term rental is located at 511 West Parks Avenue, which is approximately 1,362 feet (0.25 miles) from the subject property. Of the three (3) short-term rentals that are approved, two (2) short-term rentals have completed the registration process required by Section 3.27 of the City's Zoning Ordinance. The applicant's local emergency contact is located adjacent to the subject property.

To comply with state law contained in Local Government Code Chapter 211 and the City's Public Hearing Notice Requirements, 43 notices were mailed to property owners within 500 feet of the as required in section 3.27 of the City's zoning ordinance. Staff received a total of five (5) letters opposing the project and seventeen (17) letters in support of the project.

Mayor Pro Tem Wright opened the Public Hearing at approximately 8:05 p.m.

There being no others to speak for or against ZDC-192-2024, Mayor Pro Tem Wright closed the Public Hearing at approximately 8:05 p.m.

Council Members requested a Work Session to review the short-term rental ordinance in regards to density and proximity to schools.

14. Consider proposed Ordinance approving ZDC-192-2024

ORDINANCE NO. 3578

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A PLANNED SINGLE FAMILY 2 (SF-2) ZONING DISTRICT, LOCATED AT 513 WEST 2ND STREET, BEING PROPERTY ID 171958 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK 352 OF THE TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Patrick Souter moved to approve ZDC-192-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (4-0).

15. Consider contract with Capco Telecom, LLC for fiber infrastructure enhancement projects

Chris Cunningham, IT Director, presented the Item. IT Management is proposing the construction and build-out of the private City fiber network to the City Cemetery and Getzendaner Park. Providing high-speed private infrastructure services to these locations provide enhancements as outlined below.

- Provide data and telecommunication services to the Parks and Rec maintenance facilities at both locations.
- Provide enhanced security connectivity for surveillance and alerting services for the Police Department to monitor and dispatch at certain access points around the cemetery and park. Will also provide fiber infrastructure for future security surveillance along Waxahachie trail.
- Provide connectivity as part of our ILA with Waxahachie ISD to Richards Park and will also build a more robust fiber count for the future expansion of Northwest Waxahachie in partnership with WISD.
- Provide data service options to the Waxahachie Chautauqua Auditorium for security and streaming services.
- Will continue to grow our goal of establishing a fiber ring that provides redundancy and expansion capabilities.

City staff has identified the following locations for the fiber infrastructure:

1. Getzendaner Park	\$165,089.12
2. City Cemetery	<u>\$219,460.87</u>
	\$384,549.99

These projects will be funded in full by the remaining Coronavirus Local Fiscal Recovery Funds (CLFRF) funding the City has received. No other funding is required.

Council Member Smith emphasized the importance of the City collaborating with Waxahachie ISD. He also inquired about the possibility of allowing service providers to add conduit to extend their services to residents. Mr. Scott replied that staff can contact providers to see if they are interested in expanding their network.

Action:

Patrick Souter moved to approve a contract with Capco Telecom, LLC in the amount of \$384,549.99 for the City of Waxahachie fiber infrastructure enhancement projects for Getzendaner Park, and the City Cemetery, and approve the use of Coronavirus Local Fiscal Recovery Funds to fund these projects, and authorize the City Manager to execute all documents as necessary. Motion was seconded by Travis Smith and carried unanimously (4-0).

16. Consider proposed Resolution of votes cast to elect Directors for the Ellis Appraisal District for the year 2025

Mr. Scott presented the Item. The City Council approved a Resolution on October 7, 2024 nominating Dani Muckleroy to continue serving on the Ellis Appraisal District Board of Directors. The chief appraiser has prepared a ballot listing the candidates. The governing body shall determine its vote by Resolution and submit to the chief appraiser before December 15th.

The City of Waxahachie voting entitlement (387 votes) may be cast for one candidate or distributed as the governing body chooses. It takes 834 votes to secure a position on the board. The chief appraiser will count the votes, declare the five candidates who received the largest cumulative vote totals elected, and submit the results before December 31st to each governing body.

Staff recommends allocating 387 votes from the City of Waxahachie to Dani Muckleroy.

RESOLUTION NO. 1371

RESOLUTION OF VOTES CAST TO ELECT DIRECTORS FOR THE ELLIS APPRAISAL DISTRICT FOR THE YEARS 2025

Action:

Tres Atkins moved to approve a Resolution of votes cast to elect Directors for the Ellis Appraisal District for the year 2025, as presented. Motion was seconded by Travis Smith and carried unanimously (4-0).

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

Council Member Travis Smith recognized the Christmas decorations being installed in Downtown. He announced the Christmas Tree Lighting and Parade will be held Tuesday, December 3rd at 6pm.

Council Member Patrick Souter recognized that the success of the Keep Waxahachie Beautiful program is attributed to the support from the City, staff, community partners, and the Keep Waxahachie Beautiful Committee. Mr. Souter also expressed his gratitude to Darlene Miller and other advocates for their dedication and efforts in finding solutions for the animals in our City.

City Manager Michael Scott commended staff for serving our community.

Mayor Pro Tem Chris Wright explained that Mayor Billie Wallace was absent due to a scheduling conflict related to her work, which she had informed staff about months in advance. He acknowledged the request for pickleball courts and mentioned that efforts are ongoing to collaborate with Waxahachie ISD. Mr. Wright also expressed gratitude to Police Chief Joe Wiser for providing data and statistics on Broadhead Road traffic and thanked the City Council for their support in funding the Senior Center dance.

18. Adjourn

There being no further business, the meeting adjourned at 8:26 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary