

City Council
April 21, 2025

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, April 21, 2025 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
Travis Smith, Council Member Place 5

Council Member Absent: Patrick Souter, Council Member Place 2

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

Rusty Ballard gave the invocation. Mayor Wallace 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 April 7, 2025
- b. Minutes of the City Council Work Session of April 15, 2025
- c. Proposed Ordinance approving a request by Aurora Reyes, for a Petition for ETJ Release for approximately 5.418 acres, located at 2562 S US Highway 77 (Property ID 217424) – Owner: Aurora Reyes (ETJ-PTN-11-2025)
- d. Proposed Ordinance approving a request by Nallely Lara, for a Petition for ETJ Release for approximately 6.17 acres, located at 781 Youngblood Road (Property ID 284707) – Owner: Nallely Lara (ETJ-PTN-25-2025)
- e. Proposed Ordinance approving a request by Erik Barnard, for a Petition for ETJ Release for approximately 2.066 acres, located at 431 S Ring Road (Property ID 274664) – Owner: Barnard Family Trust (ETJ-PTN-51-2025)
- f. Proposed Ordinance approving a request by Kyle Beller, for a Petition for ETJ Release for approximately 1.837 acres, located at 411 S Ring Road (Property ID 274663) – Owner: Kyle Beller & Jennifer Beller (ETJ-PTN-52-2025)
- g. Supplemental appropriation from the Waxahachie Community Development Corporation for Tulipalooza
- h. Supplemental appropriation for Chautauqua Lighting Repairs

ORDINANCE NO. 3612

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 5.418 ACRE TRACT OF LAND, LOCATED AT 2562 S US HIGHWAY 77 KNOWN AS PROPERTY ID 217424, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3613

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 6.17 ACRE TRACT OF LAND, LOCATED AT 781 YOUNG BLOOD ROAD KNOWN AS PROPERTY ID 284707, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3614

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 2.066 ACRE TRACT OF LAND, LOCATED AT 431 S RING ROAD KNOWN AS PROPERTY ID 274664, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3615

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 1.837 ACRE TRACT OF LAND, LOCATED AT 411 S RING ROAD KNOWN AS PROPERTY ID 274663, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve all items on the Consent Agenda. Motion was seconded by Travis Smith and carried unanimously (4-0).

6. Introduce Honorary Council Member

There was not an Honorary Council Member in attendance.

7. Present Keep Waxahachie Beautiful Committee Pride in Neighborhood (PIN) Award

Kyle Cooper, Senior Director of Parks and Recreation, announced the Martinez family, who reside at 273 Atlas Drive, have been awarded the Keep Waxahachie Beautiful Pride in Neighborhood

(PIN) Award, which celebrates homeowners and businesses that contribute to the beauty and character of their neighborhoods.

As part of their recognition, the Martinez family was presented with a \$50 gift card to a local business and a yard sign acknowledging their achievement, which will remain on display this month. Mayor Wallace expressed appreciation for the Martinez Family's contributions to uplifting the neighborhood.

8. Present Tree City USA Recognition

Chris Seale, Horticulturist, announced that the city has received recognition from the Arbor Day Foundation and has been honored with the Tree City USA designation. To qualify as a Tree City USA, the city had to meet four core standards: maintain a tree board or department, have a community tree ordinance, spend at least \$2 per capita on urban forestry, and host an Arbor Day celebration. The city was officially recognized on March 10th and received a plaque and two street signs. The signs will be placed on the south side of town on Highway 287 and on the north side along I-35.

9. Public Hearing on a request by Steven Chambers & Cheryl Chambers for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet, use within a Single Family-3 (SF-3) zoning district located at 711 College Street (Property ID 172399) – Owner: Steven Chambers & Cheryl Chambers (ZDC-27-2025)

Trenton Robertson, Senior Director of Planning, presented the Item and applicant Michael Evans requested approval. The applicant proposes a Specific Use Permit (SUP) to construct a 1,975-square-foot accessory structure at 711 South College Street. The primary structure on the subject property is approximately 2,490 square feet. The property does have an existing accessory structure. The applicant is proposing to remove the existing structure prior to constructing the proposed accessory structure. The applicant has provided a Site Plan for the accessory structure that verifies all setback requirements established by the Waxahachie Zoning Ordinance have been met.

The applicant proposes to utilize the structure for a personal garage to park vehicles. The structure will be used for the storage of personal vehicles and household materials. The proposed accessory structure is comprised of metal R-panel. The applicant proposes to extend a 15' wide concrete driveway from the edge of the existing gravel driveway to the proposed accessory structure. The applicant requests not to replace the existing gravel with concrete at this time. The applicant will not be extending the water or electrical services to the proposed accessory structure.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, twenty-six (26) 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. Staff has received zero (0) letters of opposition and zero (0) letters of support for the SUP request.

Mayor Wallace opened the Public Hearing at approximately 7:17 p.m.

There being no others to speak for or against ZDC-27-2025, Mayor Wallace closed the Public Hearing at approximately 7:18 p.m.

10. Consider proposed Ordinance approving ZDC-27-2025

ORDINANCE NO. 3616

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY STRUCTURE EXCEEDING SEVEN-HUNDERED SQUARE FEET USE WITHIN A SINGLE FAMILY-3 (SF-3) LOCATED AT 711 SOUTH COLLEGE STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.344 ACRES KNOWN AS PROPERTY ID 172399, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve ZDC-27-2025, a Specific Use Permit for an Accessory Structure exceeding 700 square feet, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (4-0).

11. Public Hearing on a request by Alfredo Rojas for a Specific Use Permit (SUP) for an Accessory Dwelling Unit (ADU) use within a Single Family-2 (SF-2) zoning district located at 303 McKenzie Street (Property ID 172575) – Owner: Alfredo Rojas (ZDC-34-2025)

Mr. Robertson presented the Item. The applicant proposes a Specific Use Permit (SUP) to construct an approximately 630-square-foot accessory dwelling unit (ADU) at 303 McKenzie Street. The primary structure on the subject property is approximately 1,587 square feet. The proposed ADU is existing and was not properly permitted prior to construction.

The applicant received approval for an accessory structure (shed) that was approximately 496 square feet in size in October of 2022. However, the permitted structure is not the same structure that was then built by the applicant. Staff received a complaint that led to a code enforcement visit to the property. Staff identified unpermitted construction activity had taken place that included electrical and plumbing work intended to make the structure into a dwelling unit. Once this was identified, the property owner was instructed to submit a SUP application to seek zoning level approval for an ADU before continuing through the building permitting process.

As part of this SUP application, the applicant has provided a Site Plan for the subject property. The Site Plan does not appear to show that the accessory dwelling unit meets the 5' setback requirement of Waxahachie Zoning Ordinance. Additionally, the Site Plan does not identify the correct size, shape, or dimensions of the existing structure. The proposed accessory dwelling unit is constructed of wood siding. The applicant proposes to utilize the structure for familial use as an accessory dwelling unit. The structure is specifically proposed to be used for the applicant's father.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, twenty-six (26) notices were mailed to property owners within 200

feet of the request. Staff has received two (2) letters of opposition and one (1) letter of support for the proposed SUP.

Mr. Robertson confirmed that the ADU does not comply with standard zoning regulations, the City of Waxahachie Code of Ordinances, or applicable building codes. She also noted that a tenant answered the door during a City visit, despite the property being listed as a homestead with the Ellis County Appraisal District.

Mayor Wallace opened the Public Hearing at approximately 7:22 p.m.

There being no others to speak for or against ZDC-34-2025, Mayor Wallace closed the Public Hearing at approximately 7:23 p.m.

Alfredo Rojas, 303 McKenzie Street, Waxahachie, Texas, stated that he purchased the home in 2020. He noted that he resides at the property approximately half of the year, as he also lives part-time in Duncanville. Mr. Rojas explained that he was unaware a new permit was required for the recent structure, as he had previously obtained a permit for another structure on the property. He stated that the ADU complies with setback requirements, as his measurements meet the 5-foot minimum. While no one has lived in the ADU to date, he indicated that it is intended for use by his family in the future.

Mayor Pro Tem Chris Wright asked if the Homestead Exemption has been addressed and Mr. Rojas stated he has contacted the Appraisal District with some additional questions.

Council Member Travis Smith expressed concerns with the building causing issues to the neighbor's fence and impact to drainage along the property lines.

Council Member Atkins inquired about the size of the structure and staff noted the applicant submitted a building permit for a 496 sq. ft. accessory structure, but after construction, it was found to be approximately 630 sq. ft. The structure was built larger than what was originally approved. The City has not received updated site plans showing proper setbacks or code compliance, despite multiple requests. There are concerns about the structure's proximity to a neighbor's fence, life safety issues (e.g., fire access, wiring, water heater), and whether the unit complies with building and fire codes.

The Council discussed whether to deny the request, enforce demolition, or allow the owner to bring the structure into compliance with inspections, fines, and updated documentation. The owner, who bought the property in late 2020, admitted to not always residing there and may have rented parts of the property to family. Questions about homestead eligibility and permit violations were raised. The Council emphasized that breaking city ordinances, knowingly or not, requires accountability and possible financial penalties to avoid setting a precedent.

12. Consider proposed Ordinance approving ZDC-34-2025

Action:

Chris Wright moved to deny ZDC-34-2025, a Specific Use Permit for an Accessory Dwelling Unit use within a Single Family-2 zoning district. Motion was seconded by Billie Wallace and carried 3-1 with Travis Smith voting in opposition.

13. Public Hearing on a request by Richard Shinpaugh, Ellis County Bail Bonds, to consider revoking a Specific Use Permit (Ordinance 3495) which allows for the use of a Bail Bond Agency located at 216 South Jackson Street (Property ID 170438) – Owner: Richard Shinpaugh (ZDC-35-2025)

Mr. Robertson presented the Item. The applicant requests the revocation of an approved SUP (Ordinance 3495) for a Bail Bond Agency use (Ellis County Bail Bonds) within the Central Area (CA) zoning district located at 216 South Jackson Street.

The property owner, Richard Shinpaugh, received approval of a two-year SUP for a Bail Bond Agency (ZDC-58-2023) at 104 North Jackson Street on June 19, 2023. The temporary SUP was requested because he planned to build a new building for his Bail Bond Agency at the subject property (216 South Jackson Street). Mr. Shinpaugh proposed to move his business from 104 North Jackson Street to 216 South Jackson Street when the new building was completed. Mr. Shinpaugh received approval of a SUP for a Bail Bond Agency (ZDC-112-2023) for the subject property on May 20, 2024.

Mr. Shinpaugh no longer wishes to operate a Bail Bond Agency at the subject property and submitted a new SUP application (ZDC-6-2025) to continue to operate a Bail Bond Agency at 104 North Jackson Street. If the SUP application (ZDC-6-2025) was approved, he requested to have the current SUP (ZDC-112-2023) at 216 South Jackson Street revoked. The SUP application (ZDC-6-2025) was approved with the condition that Mr. Shinpaugh is allowed to operate Ellis County Bail Bonds for five (5) years from the approval date. Mr. Shinpaugh would like to proceed with the process of having his SUP (ZDC-112-2023) at 216 South Jackson Street to be revoked since he no longer wishes to operate a Bail Bond Agency at the subject property. Mr. Shinpaugh is aware that he will have to submit a SUP application for the Bail Bond Agency use should he choose to move his business to 216 South Jackson Street in the future.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 25 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 on the property. Staff has received no letters in support and opposition for the SUP request.

Mayor Wallace opened the Public Hearing at approximately 7:45 p.m.

There being no others to speak for or against ZDC-35-2025, Mayor Wallace closed the Public Hearing at approximately 7:45 p.m.

14. Consider proposed Ordinance approving ZDC-35-2025

ORDINANCE NO. 3617

AN ORDINANCE REPEALLING SPECIFIC USE PERMIT (SUP) NO. ZDC-112-2023 AND ASSOCIATED ORDINANCE NO. 3495, BEING A BAIL BOND AGENCY USE WITHIN A CENTRAL AREA (CA) ZONING DISTRICT, LOCATED AT 216 SOUTH JACKSON STREET, WITH AN ELLIS APPRAISAL DISTRICT PROPERTY IDENTIFICATION NUMBER OF 170438, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 5B-R, BLOCK 14 IN THE ORIGINAL TOWN OF

WAXAHACHIE ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve ZDC-35-2025, revoking the Specific Use Permit Ordinance 3495 for the use of a Bail Bond Agency and authorize the Mayor and/or City Manager to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (4-0).

15. Public Hearing on a request by Ben Williams, QuikTrip South, LLC for a Specific Use Permit (SUP) for a Convenience Store & Gasoline Sales uses within a Light Industrial-1 zoning district located east of 1000 Solon Road (Property ID 291997) - Owner: Round Top Assets, LLC (ZDC-17-2025)

Mr. Robertson announced the applicant is requesting a continuance for a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales uses (QuikTrip).

Mayor Wallace opened the Public Hearing at approximately 7:47 p.m.

There being no others to speak for or against ZDC-17-2025, Mayor Wallace closed the Public Hearing at approximately 7:49 p.m.

Ben Williams, 4217 Foxborough Trail, Arlington, Texas, requested to continue the Item. He explained some staff concerns have been addressed and resubmitted to the City.

Mr. Robertson confirmed that staff has not yet completed the review of the resubmittal due to the limited time between its submission and the Council meeting.

The Council and developers discussed the QT project and the need to address the incomplete connection from Lofland Road to the service road, which is currently inadequate for regular use. While TxDOT is expected to handle major infrastructure improvements, the timeline for this work remains uncertain. The developers indicated they won't open the store until most of TxDOT's work is complete, though they could not commit to funding the remaining connection if TxDOT does not. Council Members stressed the importance of multiple access points and asked for clarity on whether the developer would cover the gap in infrastructure. The developers requested an extension to allow staff more time to review recent submittals and to finalize outstanding agency approvals.

Council Members discussed whether the project should return to the Planning and Zoning Commission, with some suggesting it could reduce the Council's voting threshold from a supermajority to a simple majority.

Tommy Vilbig, 1700 Alma Drive, Suite 375, Plano, Texas, requested that the matter be returned to the Planning and Zoning Commission for further review and approval.

16. Consider proposed Ordinance approving ZDC-17-2025

Action:

Travis Smith moved to remand ZDC-17-2025, a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales uses, back to the Planning and Zoning Commission for consideration at a later date as set by the applicant and agreed to by staff. Motion was seconded by Tres Atkins and carried unanimously (4-0).

17. Consider Development Agreement for ZDC-17-2025

No action taken.

18. Public Hearing on a request by Joey Scott, Stephens Engineering, for a Specific Use Permit (SUP) for a Self-Storage Facility use within a General Retail zoning district located at 51 Indian Drive (Property ID 295119) - Owner: Buffalo Creek Plaza, LLC (ZDC-231-2024)

Mr. Robertson presented the Item and applicant Brad Tidwell requested approval. The applicant requests a SUP for a Self-Storage Facility use (Oak View Self-Storage) within the General Retail (GR) zoning district located at 51 Indian Drive. A Self-Storage Facility Land Use requires a SUP to be approved by City Council per the City of Waxahachie Zoning Ordinance. Staff received the SUP application on December 18, 2024. Staff reviewed the application and provided comments to the applicant on December 31, 2024. Staff provided comments to the applicant within five (5) business days of each of the three (3) resubmittals provided by the applicant.

Oak View Capital Partners, LLC (the business owner of Oak View Self-Storage) is a Dallas-based development firm who focuses on developing multi-story climate-controlled self-storage facilities with locations within the Dallas-Fort Worth metroplex and Kansas City area. This location will consist of a primary structure of approximately 97,800 square feet with the total height of 46' -10 ½". The proposed facility is staffed by one employee during the hours of operation of 6:00 a.m. to 10 p.m., every day.

The proposed project does meet the minimum parking requirements and minimum landscape requirements per the City of Waxahachie Zoning Ordinance. The applicant is not requesting any deviations from the City's Code of Ordinances.

Typically, a six-foot (6') masonry screening wall is required for all proposed non-residential developments located adjacent to a residential zoning district or residential use property per Section 5.03 of the City of Waxahachie Zoning Ordinance. The adjacent properties located to the south and west are within a residential zoning district; however, it is undeveloped. The applicant is proposing to install a combination of canopy trees and ornamental trees along the southern property boundary to provide live screening in the event that the adjacent property develops; which is an appropriate alternative in this context.

The applicant has provided two sets of architectural elevations. Both elevations have the same building design and exterior finishes except the color scheme for each option is different. Staff recommends Option 1 because the color scheme offers earthy tones that are more compatible with the adjacent ClearSky Rehabilitation Hospital, whereas Option 2 offers a red undertone.

The applicant proposes to mount shielded wall packs on the proposed building, along with a twenty-foot light pole to be located at the parking lot located on the western side of the property. The applicant has provided a photometric plan that meets Section 6.03 of the City of Waxahachie Zoning Ordinance, along with the lighting specifications of the proposed lighting fixtures

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 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. Staff has received five (5) letters in support and no letters in opposition for the SUP request.

Although the photometric plan meets Section 6.03 of the City of Waxahachie Zoning Ordinance, Staff has a concern that the proposed fixtures may cause a glare issue. The applicant shall provide a shield for each lighting fixtures at the time of building permitting to prevent any glare issues.

At the Planning and Zoning Commission meeting held on April 15, 2025, the Commission voted 4-0 to recommend approval of case number ZDC-231-2024, with Elevation Option 2 and the additional condition that the applicant add additional landscaping to the property.

Mayor Wallace opened the Public Hearing at approximately 8:12 p.m.

There being no others to speak for or against ZDC-231-2024, Mayor Wallace closed the Public Hearing at approximately 8:12 p.m.

19. Consider proposed Ordinance approving ZDC-231-2024

ORDINANCE NO. 3618

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SELF-STORAGE FACILITY USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED 51 INDIAN DRIVE, BEING PROPERTY ID 295119, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING PART OF LOT 9, BLOCK A IN THE BUFFALO CREEK ADDITION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve ZDC-231-2024, a Specific Use Permit for a Self-Storage Facility use, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (4-0).

20. Consider Development Agreement for ZDC-231-2024

Action:

Tres Atkins moved to approve the Development Agreement for ZDC-231-2024. Motion was seconded by Chris Wright and carried unanimously (4-0).

21. Consider proposed Ordinance amending repealing existing Chapter 31, "Taxicabs," of the City of Waxahachie Code of Ordinances by replacing it with a new Chapter 31, "Taxicabs and Limousines"

City Attorney Terry Welch presented the Item. At the March 3rd meeting, it was requested that the City's taxicab ordinance be reviewed and amended to provide for background checks on licensed drivers. Upon review of the existing taxicab ordinance, it was apparent that a significant number of amendments were necessary. The current ordinance was adopted in 1947, and the last amendment to it occurred in the mid-1970s. For example, Section 31-10 prohibited the transport of "any criminal, narcotic peddler, prostitute [or] bootlegger" and Section 31-11 prohibited taxicab owners or drives from acting "in any manner as a panderer or pimp for prostitutes." The current ordinance provided no background checks, and the insurance requirements for drivers and operators were wildly out of date. For example, Section 31-S0(a)(l) and (2) required a \$10,000 insurance policy for injury or death of a person in an accident, with a maximum liability for any accident capped at \$20,000. With the input of staff, it was determined that the taxicab ordinance required significant amendments. Consequently, the proposed ordinance repeals existing Chapter 31, "Taxicabs," in its entirety and replaces it with a new Chapter 31, "Taxicabs and Limousines."

The new ordinance generally provides as follows:

- Addresses both taxis and limousine services includes but is not limited to a facility from which the service is operated (§ 31-3); and
- Provides for definitions in interpreting the ordinance (§ 31-3) and exceptions (§ 31-2); and
- Prohibits "cruising" around the City to solicit passengers (§ 31-4); and
- Requires a permit to operate a taxi or limousine, with requirements for the issuance of a permit, the terms and conditions of permits, permit fees and required insurance (§ 31-6 through § 31-11); and
- Drivers must have a license and to qualify, an applicant must (1) be at least 19 years old;
- (2) be a legal U.S. resident; (3) possess a valid Texas drivers license; (4) must be able to communicate in English; (4) can have no disease or disability that prevents him/her from exercising reasonable control over a vehicle; (5) cannot have more than four moving traffic violations or be involved in more than two at-fault accidents during preceding 36 months; and (6) cannot have a conviction for prostitution or related offense, DWI, driving under the influence of drugs, or have any felony or offense involving moral turpitude (§ 31-17); and
- The Police Department will investigate each applicant and prepare a report about each applicant's qualifications (§ 31-19); and
- If an applicant is denied a license, he/she may appeal to the City Manager within 10 days. The City Manager holds a hearing where the applicant can present evidence why a license should be granted. The City Manager's determination is final (§ 31-23).

The following matters have not been included in the proposed ordinance:

- The fixing of rates and fares by the City Council (§ 31-5) (It is presumed that the free market would dictate the appropriate rates to be set by the taxicab or limousine service, without City Council intervention);
- Municipal citations issued for intent to defraud by refusing to pay the driver or licensee

- (§31-7) (it would be virtually impossible to prove beyond a reasonable doubt an intent to defraud in a Class C misdemeanor case); and
- Transportation of criminals (§ 31-10), acting on behalf of prostitutes or unlawful establishments (§ 31-11), consumption of alcoholic beverages in vehicles (§ 31-12), and sale of alcoholic beverages in vehicles (§ 31-13) (enforcement of these provisions would be very problematic in municipal court); and
- The City's right to examine and audit the books of owners to determine gross income (§ 31-34)

The Council discussed updates to a draft ordinance concerning vehicle-for-hire licensing. One key addition proposed by Mayor Wallace was a clause disqualifying applicants who had received deferred adjudication for certain offenses within the past five years. Concerns were raised about the scope of automatic disqualifiers, with some Council Members requesting more stringent rules—such as extending the disqualification period to 10 years for felonies, and permanently banning applicants convicted of violent crimes, sexual offenses, or crimes involving children or weapons.

The discussion also touched on whether party buses fall under the current limousine definition in the ordinance. Mr. Welch indicated language can be added to include such vehicles if necessary but noted enforcement could be difficult if operators are not based in the city.

Ultimately, Mr. Welch agreed to revise the ordinance further and return at the next meeting with an expanded list of offenses that would disqualify applicants from receiving a license. Council agreed to postpone approval until those updates are made.

Action:

Travis Smith moved to table the review of the Ordinance repealing existing Chapter 31, “Taxicabs” by replacing it with Chapter 31 “Taxicabs and Limousines” to the May 5, 2025 meeting. Motion was seconded by Tres Atkins and carried unanimously (4-0).

22. Consider Contract with SSC Signs & Lighting LLC for Park Identification Signage and Threshold Gateway Sign at Bynum Plaza

Mr. Cooper presented the Item. The project includes the fabrication and installation of 21 double-sided park identification signs and a gateway threshold sign at Bynum Plaza. Staff issued a Request for Proposals from January 8, 2025 through February 5, 2025 and notified local vendors of the opportunity. A total of 11 proposals were received.

In collaboration with the design consultant, FD2S, staff evaluated each submission based on cost, relevant experience, approach to service delivery, and the qualifications of the proposed project manager. Following the initial review, three vendors were selected to provide physical samples and of those selected, SSC Signs & Lighting LLC and Stratus Unlimited LLC submitted samples for evaluation. After a thorough review, staff and FD2S determined that SSC Signs & Lighting LLC submitted a sample that best aligned with the project’s expectations in terms of quality and design and offered the best value for the project while adequately meeting all the other proposal criteria and qualifications. Based on this assessment, staff recommends awarding the contract to SSC Signs & Lighting LLC.

The Park Identification Signage and Threshold Gateway Sign Project is in the approved FY24-25 budget and the \$192,302.16 cost is well under the \$275,000 in the approved budget.

Action:

Tres Atkins moved to approve the contract with the SSC Signs and Lighting, LLC in the amount of \$192,302.16 for the production and installation of park signage and a gateway threshold sign at Bynum Plaza and authorize the City Manager to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (4-0).

23. Discuss and consider removal of Park Board Members in accordance with Ordinance No. 3353, Section (c) Attendance Requirements

The City Council discussed the attendance of three Parks Board members: Ann Marie Kornman, Joe Tolbert, and Marques Cameron, due to ongoing issues with meeting quorum. Ms. Kornman provided valid reasons for missing meetings (e.g., wedding, illness, prior commitments) and it was noted she doesn't anticipate future conflicts. She's also been consistently communicating her absences.

It was noted that Mr. Tolbert, a police officer, and Mr. Cameron, a school teacher, likely face scheduling conflicts, making it difficult for them to attend the afternoon meetings. Despite efforts to adjust meeting times, there was no interest from the board in changing the schedule.

The Council agreed they have discretion to remove members based on attendance. There was a general consensus to keep Ms. Kornman on the board and replace the other two due to their attendance issues.

Action:

Chris Wright moved to remove Joe Tolbert from the Park Board. Motion was seconded by Tres Atkins and carried unanimously (4-0).

Action:

Chris Wright moved to remove Marques Cameron from the Park Board. Motion was seconded by Tres Atkins and carried unanimously (4-0).

24. Convene into Executive Session to:

- Consult with City Attorney about pending or contemplated litigation as permitted by Section 551.071 of the Texas Government Code
- Review Performance Evaluation for City Secretary as permitted by Section 551.074 of the Texas Government Code

Mayor Wallace announced at 8:35 p.m. the City Council would convene into Executive Session to Consult with City Attorney about pending or contemplated litigation as permitted by Section 551.071 of the Texas Government Code and review Performance Evaluation for City Secretary as permitted by Section 551.074 of the Texas Government Code

25. Reconvene and take any necessary action

The meeting reconvened at 10:59 p.m.

Action:

Travis Smith moved to authorize the Mayor to extend the City Secretary's contract, per the terms discussed during the closed session, and execute all documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (4-0).

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

Mayor Pro Tem Chris Wright congratulated the Martinez family for winning the PIN Award and commended their pride in maintaining their property. He also thanked the City Council for attending a busy week of meetings. Additionally, he acknowledged David Smith, Waxahachie's Cowboy Poet Lariat, who sent irises, the city flower, to display at the meeting.

27. Adjourn

There being no further business, the meeting adjourned at 11:00 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary