

City Council
May 5, 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, May 5, 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
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

Bonnie Bond, Ellis County Christian Women's Job Corp, gave the invocation. Mayor Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Michelle Haye, President of Historic Waxahachie, 411 E. Marvin, Waxahachie, Texas, thanked City staff for their support during a recent architectural stroll held in Waxahachie, Texas. The event, the first of its kind, was a success, drawing two-thirds of its attendees from out of town.

Alex Freeman, 321 Lakeshore Drive, Waxahachie, Texas, introduced himself and conveyed his interest in serving on a board and engaging in community involvement.

Dominik Lange, 2567 Bells Chapel Road, Waxahachie TX, 75165, member of the Waxahachie Skate Park Initiative, expressed his support for a skatepark in Waxahachie, highlighting the positive impact it would have on both the local community and surrounding areas.

Alex Lohmann, 801 W Main Street, Waxahachie, TX 75165, echoed the comments of Dominik Lange and voiced his support for the development of a skate park in Waxahachie. He also endorsed Alex Freeman for service on a City board, commission, or committee.

5. Consent Agenda

- a. Minutes of the City Council meeting of April 21, 2025
- b. Minutes of the City Council work session of April 21, 2025
- c. Event application for the Oaks Young Adults Pop Up Service to be held May 12, 2025 at Railyard Park

- d. Event application for Fall for Hachie – Benny and Boneless Storybook Adventure Walkthrough to be held in Downtown Waxahachie October 4, 11, 18, 19, 25, 26, and 31st
- e. Event application for the Navarro College PTA Program 5k Run to be held October 25, 2025 at Getzendaner Park
- f. Proposed Ordinance approving a request by Edmund Zamorano, for a Petition for ETJ Release for approximately 8.6 acres, located at 3838 S US Highway 287 (Property ID 303112, 303113, 303114, 303115, 303116, 303117) – Owner: Del Z Enterprise (ETJ-PTN-55-2025)
- g. Proposed Ordinance approving a request by Jonathan Markert, for a Petition for ETJ Release for approximately 1.849 acres, located at 451 S Ring Road (Property ID 274665) – Owner: Jonathan Markert & Lindsay Markert (ETJ-PTN-56-2025)
- h. Proposed Ordinance approving a request by Nathan Petty, for a Petition for ETJ Release for approximately 32.899 acres, located directly west of 1832 FM 66 (Property ID 182189) – Owner: HRB Global LTD (ETJ-PTN-57-2025)
- i. Appointment to fill unexpired terms on the Park Board
- j. Budget transfer to East Ross and Kaufman Street Reconstruction Project
- k. Contract for replacement of a pump motor at Raw Water Pump Station Number 2 and supplemental appropriation

ORDINANCE NO. 3619

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF AN APPROXIMATELY 8.6 ACRE TRACT OF LAND, LOCATED AT 3838 S US HIGHWAY 287, KNOWN AS PROPERTY ID 303112, 303113, 303114, 303115, 303116 303117, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3620

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 1.849 ACRE TRACT OF LAND, LOCATED AT 451 S RING ROAD KNOWN AS PROPERTY ID 274665, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3621

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF AN APPROXIMATELY 32.899 ACRE TRACT OF LAND, LOCATED DIRECTLY WEST OF 1832 FM 66, KNOWN AS PROPERTY ID 182189, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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 Council Member

There was not an Honorary Council Member in attendance.

7. Recognize Donna Insixiegnmay for earning the Certified Emergency Manager designation

Thomas Griffith, Emergency Management Coordinator, recognized Donna Insixiegnmay for earning the Certified Emergency Manager designation. She was approved by the Certification Commission during the February 2025 review meeting to receive the Certified Emergency Manager (CEM®) credential. The CEM® designation is the highest honor of professional achievement available from the International Association of Emergency Managers (IAEM), which has in its membership more than 6,000 emergency managers representing professionals whose goals are saving lives and protecting property and the environment during emergencies and disasters. The new class of CEM's join the 4,447 other emergency managers who were approved for the designation since January 1993 bringing the total number of Certified Emergency Managers to 4,470.

8. Recognize Waxahachie's "Keep Texas Beautiful Silver Affiliate" status

Kyle Cooper, Senior Director of Parks and Recreation, recognized Waxahachie's "Keep Texas Beautiful Silver Affiliate" status. Keep Waxahachie Beautiful (KWB) has achieved the Silver Star Affiliate status from Keep Texas Beautiful (KTB), recognizing the city's outstanding commitment to environmental stewardship and community enhancement. This designation, awarded to only a select number of KTB affiliates, acknowledges KWB's proactive efforts in areas such as litter prevention, recycling, beautification, and waste reduction. To attain this status, KWB demonstrated active community engagement, effective program implementation, and consistent participation in KTB-endorsed activities. The Silver Star recognition highlights Waxahachie's dedication to fostering a cleaner, greener, and more vibrant community through collaborative initiatives and volunteer involvement.

9. Recognize Becky Kauffman for receiving the Ruth Lester Award from the Texas Historical Commission

Mayor Wallace recognized Becky Kauffman for receiving the Ruth Lester Lifetime Achievement Award from the Texas Historical Commission, presented by the Texas Historical Commission. The award is given to just one person in Texas each year for outstanding work in historic preservation.

Ms. Kauffman has spent over 40 years protecting Waxahachie's history. She founded Historic Waxahachie Inc., served on the Heritage Preservation Commission for over 20 years, and authored the policies that preserve and protect our historic resources. Through her advocacy, knowledge, and passion, Ms. Kauffman has changed this city for the better.

10. Present Proclamation recognizing May as “National Preservation Month”

Council Member Patrick Souter read a proclamation recognizing May as “National Preservation Month.”

11. Hear presentation of Insurance Service Office (ISO) 1 classification

Fire Chief Ricky Boyd and State Fire Marshal Debra Knight recognized the City of Waxahachie for achieving an ISO Class 1 rating which denotes that a fire department has attained the highest level of fire protection, placing it among the top 1% of fire departments nationwide. This prestigious designation is awarded by the Insurance Services Office (ISO) based on a comprehensive evaluation of a community's fire protection capabilities. The assessment considers several critical factors: emergency communications, fire department, water supply, and community risk reduction. Achieving a Class 1 rating reflects a community's commitment to safety and preparedness.

Mayor Pro Tem Chris Wright noted this recognition can lead to lower insurance premiums for homeowners and businesses, as insurers often use ISO ratings to determine coverage costs. However, it's important to note that actual premium reductions depend on individual insurance carriers and policies.

An ISO Class 1 rating serves as a testament to a fire department's excellence in providing fire protection and emergency services to its community.

12. Public Hearing on a request by Ray Porter for a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined area use within a Commercial (C) zoning district located at 105 Lucas Street (Property ID 189027) – Owner(s): Ray Porter & Wanda Porter (ZDC-133-2024)

Trenton Robertson, Senior Director of Planning, presented the Item. The applicant is requesting a Specific Use Permit (SUP) to construct accessory structures exceeding 1,000 square feet in combined floor area at 105 Lucas Street. The subject property has three existing accessory structures totaling approximately 2,155 square feet in size located at the rear of the property. The applicant is proposing to keep all existing accessory structures in addition to the carport accessory structure requested with this SUP application.

According to the Ellis County Appraisal District, the existing primary structure is approximately 1,782 square feet, and the proposed accessory structure is approximately 576 square feet. The applicant has noted that the carport is desired at this time to shield personal vehicles from fallen tree debris, as there is no garage for the home. The accessory structure is proposed to be comprised of either wooden beams or 4” steel posts and a bronze metal roof. The applicant is proposing to expand the existing gravel driveway to access the accessory structure as opposed to installing a new concrete driveway.

With this application, the property owner is requesting deviations from the Waxahachie Zoning Ordinance to allow the structure to encroach within the typical front setback requirement of 25’. The site plan shows the proposed to be located approximately 12’ from the front property line, but the applicant has confirmed that the structure will be a minimum of 15’ from the property line

when constructed, if this SUP is approved. This confirmation has addressed a previous staff concern that the structure may conflict with a future 15' Utility Easement established at the time of platting. The property owner requests to utilize a "Survey Plat" of the property for building permitting purposes as opposed to the typical requirement for a Plat for the property. The Planning & Zoning Commission provided a recommendation of approval for the SUP request, with the condition that the property is replatted. The elimination of the requirement for the property to be replatted would result in a 15' Utility Easement not being established at this time. If City Council opts to permit the use of a "Survey Plat" for building permitting purposes, the motion to approve the SUP request will need to specifically revise recommended condition 3 below.

1. The accessory structure shall not be used for commercial purposes.
2. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
3. The applicant shall replat the subject property prior to the issuance of a building permit for the accessory structure.
4. The applicant shall obtain all necessary permits for construction and demolition from the City of Waxahachie Building Department prior to the construction of the accessory structure.

Mayor Wallace opened the Public Hearing at approximately 7:40 p.m.

There being no others to speak for or against ZDC-133-2024, Mayor Wallace closed the Public Hearing at approximately 7:40 p.m.

13. Consider proposed Ordinance approving ZDC-133-2024

ORDINANCE NO. 3622

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT ACCESSORY STRUCTURES EXCEEDING 1,000 SQUARE FEET IN COMBINED FLOOR AREA USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 105 LUCAS STREET, BEING PROPERTY ID 189027, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-133-2024, a Specific Use Permit (SUP), subject to the conditions of the staff report, changing staff condition number 3 to allow the owner to submit the existing survey in lieu of replatting the property, and authorizing the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Travis Smith and carried unanimously (5-0).

14. Public Hearing on a request by Robert Morgan, Robert Morgan Construction for a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use within a Future Development (FD) zoning district located at 3349 Howard Road (Property ID 176528) – Owner(s): Robert & Kristy Pennock (ZDC-39-2025)

Mr. Robertson presented the Item. The applicant requested a Specific Use Permit (SUP) for an accessory structure exceeding 1,000 square feet in combined floor area use at 3349 Howard Road. The subject property has two existing accessory structures used for storing lawncare items and a boat. Per the City of Waxahachie Zoning Ordinance, accessory structures exceeding 1,000 square feet in combined floor area use requires a SUP to be approved by the City Council.

According to the Ellis County Appraisal District, the subject property currently has an existing primary structure of approximately 3,528 square feet, and the proposed accessory structure has 698 square feet of air-conditioned space with a covered porch of 318 square feet, totaling 1,016 square feet. The accessory structure features an exterior façade and roof that provides a modern element to the existing home, while complimenting the characteristics of the existing home. The proposed accessory structure will be utilized as a pool house for their grandchildren so that they will not have to walk to the primary structure. The location of the proposed accessory structure meets the typical setback requirements of the City of Waxahachie Zoning Ordinance. It is also important to note that there are several existing accessory structures of comparable size within 0.5 miles of the subject property. Plumbing and electrical work are proposed for the accessory structure; however, the property owners are aware that the accessory structure shall not be separately metered. The property owners have confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be separately sold or leased from the existing primary structure.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 12 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 two (2) letters of support and two (2) letters of opposition and noted the two (2) letters of opposition were received from the same household.

Mayor Wallace opened the Public Hearing at approximately 7:43 p.m.

There being no others to speak for or against ZDC-39-2025, Mayor Wallace closed the Public Hearing at approximately 7:43 p.m.

15. Consider proposed Ordinance approving ZDC-39-2025

ORDINANCE NO. 3623

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT ACCESSORY STRUCTURES EXCEEDING 1,000 SQUARE FEET IN COMBINED FLOOR AREA USE WITHIN A FUTURE DEVELOPMENT (FD) ZONING DISTRICT, LOCATED AT 3349 HOWARD ROAD, BEING PROPERTY ID 176528, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 7 OF THE WAXAHACHIE LAKE ESTATES SECTION ONE ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve ZDC-39-2025, a Specific Use Permit (SUP), subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Travis Smith and carried unanimously (5-0).

16. Consider proposed Ordinance 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. He reviewed the proposed amendments to the city’s taxicab ordinance that would prohibit individuals from obtaining a license if they have, within the past 10 years, been convicted or received deferred adjudication for driving while intoxicated or under the influence of drugs. The amendments also bar applicants who have ever been convicted or received deferred adjudication for a range of serious offenses, including kidnapping, unlawful restraint, human smuggling, reckless discharge of a firearm, human trafficking, various prostitution- and child-related sex crimes, aggravated assault, sexual assault, aggravated sexual assault, certain types of disorderly conduct, or any felony or offense involving moral turpitude, as defined in the Texas Penal Code.

ORDINANCE NO. 3624

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, REPEALING EXISTING CHAPTER 31, “TAXICABS,” OF THE OF CITY OF WAXAHACHIE CODE OF ORDINANCES BY REPLACING IT WITH A NEW CHAPTER 31, “TAXICABS AND LIMOUSINES”; MAKING FINDINGS; PROVIDING CUMULATIVE/REPEALER CLAUSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Action:

Patrick Souter moved to approve an ordinance repealing existing Chapter 31, “Taxicabs” and replacing it with Chapter 31 “Taxicabs and Limousines” as presented. Motion was seconded by Travis Smith and carried unanimously (5-0).

17. Consider closing lake parks during summer holiday weekends

Gumaro Martinez, Executive Director of Parks and Leisure Services, presented the Item. During holiday weekends, the lake parks become overcrowded, leading to unsafe conditions, verbal/physical altercations, parking issues, and significant litter accumulation. These situations have generated numerous complaints from Waxahachie residents. The Waxahachie Police Department has also expressed concerns about the inability to manage the large crowds and maintain public safety.

After thorough consideration, staff feel that closing the lake parks for the summer holiday weekends is the most effective solution. Last year, members of the Council and Waxahachie Community Development Corporation supported closing the lake parks for Labor Day Weekend. This action would help prevent accidents and altercations, as well as minimize the impact to the local residents during peak holiday usage. Moreover, it would alleviate the operational strain on city staff and law enforcement, who would otherwise be managing the large crowds and dealing with the aftermath of the holiday weekend. Closing the lake parks for these holiday weekends is expected to save an estimated \$19,500 in additional staffing costs.

Council Members confirmed that the closure will impact only public access to the lake parks. They expressed support for the closure request, citing safety concerns, and discussed the possibility of exploring a long-term solution that could allow city residents access during holiday weekends.

Action:

Chris Wright moved to approve the closing of Boat Dock Park, Jetty Park, and Spring Park May 23, 2025 – May 26, 2025, July 4, 2025 – July 6, 2025, and August 29, 2025 – September 1, 2025. Motion was seconded by Patrick Souter and carried unanimously (5-0).

18. Consider contract for replacement of cranes at Jefferson Lift Station

Kumar Gali, Senior Director of Utilities, presented the Item. The Jefferson Lift Station is one of the largest lift stations of the City's wastewater collection system and houses seven large pumps that pump the City's wastewater flows into the Howard Road Wastewater Treatment Plant. The current crane and steel support structure providing access to Pumps No.1 through No.5 has exceeded its service life and the crane and steel support structure for Pumps No.8 and No.9 was damaged from a recent grass fire. To ensure continued accessibility for maintenance of the seven pumps, staff proposes replacement of two steel structures and hoist cranes at the lift station. The scope of the agreement includes all necessary materials, labor, and equipment required for the installation of the new steel structures and hoist cranes.

The replacement of the steel structures and hoist cranes is an approved project in the Utility Department's FY 2025 Operations and Maintenance Budget for \$300,000. The contract with Staples Construction Company is \$227,675 and staff is requesting a construction contingency of \$20,000, for a total of \$247,675.

Council Member Patrick Souter expressed concerns regarding the contingency amount. City Manager Michael Scott responded by noting that all change orders are thoroughly reviewed by staff. Mayor Pro Tem Wright requested a review of past contracts that included contingency funds, along with information on how often those funds were utilized.

Action:

Tres Atkins moved to approve a contract with Staples Construction Company, Inc. in the amount of \$227,675 and an additional contingency of \$20,000 for the replacement of two steel structures and hoist cranes at Jefferson Lift Station and authorize the City Manager to execute all the necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

19. Consider Professional Services Agreement for Northeast Trunk Sewer Expansion Project

Mr. Gali presented the Item. This project consists of design and engineering of wastewater infrastructure improvements from Jefferson Lift Station to Grove Creek Lift Station to provide additional wastewater capacity for future growth and development in Grove Creek, Cole Creek and Lower Mustang Creek wastewater basins. The professional services agreement includes survey, engineering, right-of-way acquisitions, and bidding phase services for the proposed 48-inch parallel wastewater interceptor from the Jefferson Street Lift Station to intersection of Parks School House Road and Whitewater Drive.

This project is an approved Capital Improvement Project and the \$1,900,000 design services agreement will be funded through the 2023 and 2024 Wastewater Bond Sales.

Action:

Chris Wright moved to approve a professional services agreement in the amount of \$1,900,000 with Halff Associates for the design services of the first three phases of the Northeast Trunk Sewer Expansion project and authorize the City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

20. Consider contract for replacement of outdoor lighting at Howard Road Wastewater Treatment Plant

Mr. Gali presented the Item. The outdoor lighting infrastructure at the Wastewater Treatment Plant was installed in 2005 and has deteriorated due to age. Staff recommends replacing 53 existing light poles and fixtures at the plant to enhance the safety of personnel working in operational areas, particularly during night shifts and low-light conditions. The scope of the agreement includes all materials, labor, and equipment necessary to replace the 53 existing light poles and fixtures.

The replacement of the outdoor lighting infrastructure is an approved project in the FY 2025 Wastewater Treatment Operations and Maintenance budget for the amount of \$100,000. The additional \$25,189 will be funded from the \$72,325 savings realized from the purchase of Jefferson Lift Station cranes included in FY 2025 Wastewater Treatment Operations and Maintenance budget.

Action:

Tres Atkins moved to approve a contract with Facility Solutions Group, Inc. in the amount of \$125,189 for the replacement of outdoor lighting infrastructure at the Howard Road Wastewater Treatment Plant and authorize the City Manager to execute all the necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

21. 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

City Council did not convene into Executive Session.

22. Reconvene and take any necessary action

No action taken.

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

City Council and City Management commended staff for their efforts and contributions to the success of the Cinco de Mayo Festival held this past weekend.

Council Member Travis Smith congratulated the Convention and Visitors Bureau for its efforts in helping Waxahachie secure sponsorship for the 2025 Crossroads of Texas GO TEXAN Country Festival, by the Texas Department of Agriculture.

Council Member Tres Atkins recognized the hard work and dedication of Donna Insixiegnmay and Becky Kauffman, and acknowledged the significant impact the sponsorship by the Texas Department of Agriculture will have on the community.

Council Member Patrick Souter thanked Alex Freeman for introducing himself, and expressed appreciation to the Keep Waxahachie Beautiful Committee for their service. He also commended Fire Chief Ricky Boyd, the Fire Department, Emergency Communications, and the Utilities Department for their efforts in helping the City achieve an ISO 1 rating. Additionally, he recognized Becky Kauffman for her dedication and expertise in historic preservation.

Mayor Pro Tem Chris Wright echoed the comments shared by fellow Council Members. He thanked Dominik Lange for his attendance and expressed appreciation to the Fire Department for their high school program at Waxahachie High School.

Mayor Billie Wallace echoed the Council's remarks, noting that the Cinco de Mayo celebration was a great event and commending staff and first responders for a job well done. She also extended congratulations to all individuals recognized by the City Council.

24. Adjourn

There being no further business, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary