

City Council
December 15, 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, December 15, 2025 at 7:00 p.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Patrick Souter, Mayor Pro Tem, Council Member Place 2
Chris Wright, Council Member Place 3

Council Members Absent: Tres Atkins, Council Member Place 1
Travis Smith, Council Member Place 5

Others Present: Ricky Boyd, 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

Mayor Wallace gave the invocation, led the Pledge of Allegiance, and the Texas Pledge of Allegiance.

4. Announcements/Presentations

- a. Introduce Honorary Council Member
- b. Recognize Paul Box for completing and winning the seven-continent Great World Race

Mayor Wallace recognized Paul Box for his extraordinary achievement of completing seven marathons on seven continents in seven days, securing first place in the prestigious Great World Race. From November 15–21, 2025, Paul raced across South Africa, Antarctica, Australia, the United Arab Emirates, Portugal, Colombia, and the United States, demonstrating unparalleled endurance, courage, and dedication. His remarkable journey, marked by an average marathon time of 3:26:29 and a total winning time of 24:05:23, exemplifies excellence, resilience, and global fellowship, inspiring his community and family through a pursuit of adventure and achievement that spans the world. His extraordinary performance, competitive spirit, and representation of our city reflect the highest standards of excellence. The city of Waxahachie proudly celebrates Paul's achievement and extends its heartfelt congratulations.

5. Public Comments

None.

6. Consent Agenda

- a. Minutes of the City Council meeting of December 1, 2025
- b. Minutes of the City Council special meeting of December 8, 2025
- c. Event application for Hachie Gras to be held February 14, 2026 in Downtown Waxahachie
- d. Set City Council meeting date of January 20, 2026
- e. Proposed Resolution approving the City of Waxahachie Investment Policy as required by the Texas Public Funds Investment Act
- f. Proposed Ordinance approving a request by David Lankford, for a Petition for ETJ Release for approximately 182.87 acres, located directly west of 2055 Gibson Rd (Property IDs 192412, 259983) – Owner: Merrifield Family Investments LTD (ETJ-PTN-168-2025)
- g. Proposed budgeted costs for Phase 2 of the Haven Ranch Public Improvement District (PID)
- h. Professional Services Agreement with LJA Engineering, Inc. for the design of the Virginia Street Reconstruction Project in the amount of \$330,000
- i. Resolution to Decertify Water and Wastewater Certificates of Public Convenience and Necessity (CCN)
- j. Contract for Magistrate Services between the City of Waxahachie and Dan Cox, Attorney at Law.
- k. Renewal of the existing contract for Magistrate Services between the City of Waxahachie and Scott Kurth, Attorney at Law
- l. Purchase of Mobile Command Center from Farber Specialty Vehicles in the amount of \$1,179,692

RESOLUTION NO. 1395

A RESOLUTION APPROVING AND ADOPTING THE CITY OF WAXAHACHIE INVESTMENT POLICY, AND DECLARING AN EFFECTIVE DATE.

ORDINANCE NO. 3691

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 179.67 ACRE TRACT OF LAND, LOCATED DIRECTLY WEST OF 2055 GIBSON ROAD, KNOWN AS PROPERTY IDS 192421, 259983, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

RESOLUTION NO. 1396

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AUTHORIZING CITY STAFF TO SUBMIT AN APPLICATION TO THE TEXAS PUBLIC UTILITY COMMISSION TO AMEND A PORTION OF THE CITY'S CERTIFICATES OF CONVENIENCE AND NECESSITY FOR WATER AND WASTEWATER SERVICE FOR CERTAIN PROPERTY WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION

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 necessary documents. Motion was seconded by Patrick Souter and carried unanimously (3-0).

7. Public Hearing on a request by David Berryman, for a Specific Use Permit (SUP) for an Accessory Structure 700+ within a Single-Family 2 zoning district located at 303 Kirven Ave (Property ID 311319) - Owners: David Berryman and Barbara Schneider (ZDC-150-2025)

Trenton Robertson, Senior Director of Planning, presented the Item. The applicant proposes a Specific Use Permit (SUP) to construct an accessory structure which exceeds seven hundred (700) square feet at 303 Kirven Avenue. The City of Waxahachie Zoning ordinance requires City Council to approve a SUP to allow accessory structures over 700 square feet in size.

The applicant initially applied for a building permit to permit an interior remodel in 2024. The permit did not include the demolition or reconstruction of a detached garage. During a site visit in 2024, staff noticed that an unpermitted accessory structure was under construction. Staff issued a stop work order and directed the applicant to seek approval of a Specific Use Permit due to the structure's size prior to resuming work on the structure. Per the provided site plan, the accessory structure is shown to sit three (3) feet from the side property line and 6 feet from the rear property line. Due to the structure not being able to meet current setbacks as built, the structure is required to come into compliance with the 2021 International Building Code and the 2021 International Fire Code. This includes the southern wall of the accessory structure being redesigned to a fire-rated wall.

Additionally, the structure is built on top of 9-foot utility easement. Normally, structures are not permitted to be built in easements, however staff was able to confirm that there is no city infrastructure underneath the structure. An Amended Plat for the property would need to be approved and filed prior to the issuance of a building permit for the accessory structure and the resumption of work on the structure.

The applicant has confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be sold or leased separately 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, 24 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 (1) letter of opposition and two (2) letters of support for the SUP request. The Planning and Zoning Commission recommended denial at the December 8th meeting.

Mayor Wallace opened the Public Hearing at approximately 7:14 p.m.

Those who spoke in support:

Kevin Tidwell, 406 Commerce Street, Maypearl, Texas

There being no others to speak for or against ZDC-150-2025, Mayor Wallace closed the Public Hearing at approximately 7:15 p.m.

Councilman Chris Wright noted that the property is located within an infill area and that the proposed building is compatible with the surrounding neighborhood.

8. Consider proposed Ordinance approving ZDC-150-2025

ORDINANCE NO. 3692

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING SEVEN HUNDRED (700) SQUARE FEET USE WITHIN A SINGLE-FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 303 KIRVEN AVENUE, BEING PROPERTY ID 311319, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2R-1, BLOCK 6 OF THE TRINITY HEIGHTS ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-150-2025, a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet in use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (3-0).

9. Consider a request by Presbyterian Children's Homes and Services for an annexation agreement for approximately 204.94+/- acres situated off of Brookside Road in the Elijah Bellow Survey, Abstract Number 10, Ellis County, Texas

Mayor Wallace announced this Item would be considered after Item 12.

No action taken.

10. Public Hearing on a request by Dennis Church, Minto Communities Texas, LLC, for a Zoning Change from Planned Development-Mixed Use Residential (PD-MUR), Single Family-1 (SF-1), Future Development (FD), and General Retail (GR) zoning districts to a Planned Development (PD) zoning district, located at 300 Brookside Road (Property ID's 179468, 179534, 182520, 187960, 189323, 189326, 189333, 189336, 192306, 193815, 193822, 193823, 234203, 263786, 264568, 303651, 303652) – Owners: Walton Texas LP, United Presbyterian Homes, William & Leanne Kelley (ZDC-232-2024)

Richard Rozier requested a continuance to the January 20, 2026, City Council meeting to allow consideration by the full five-member council and to provide additional time to address outstanding items.

Mayor Wallace opened the Public Hearing at approximately 7:18 p.m.

Those who spoke in opposition:

Kathy Kacal, 405 Brookside Road, Waxahachie, Texas
Dean Settlemyer, 605 Brookside Road, Waxahachie, Texas
Heather Fagan, 1720 Lone Elm Road, Waxahachie, Texas
Terry Nay, 711 Brookside Road, Waxahachie, Texas
Geneva Alcalá, 411 Brookside Road, Waxahachie, Texas

There being no others to speak for or against ZDC-232-2024, Mayor Wallace closed the Public Hearing at approximately 7:38 p.m.

Council Members expressed concern about voting on the large Minto development without adequate time for review, discussion, and full council participation. They emphasized the need for a dedicated work session or special meeting to thoroughly review updated documents item by item. Council stressed fairness to citizens, staff, and the developer, and made clear they will not support the project unless staff is comfortable with it. Scheduling challenges around the holidays led to discussion of postponing decisions to allow proper vetting, potentially into late January with firm deadlines for submitting final materials.

City Manager Ricky Boyd emphasized that staff needs documentation submitted much earlier to allow proper review and comment. He criticized the repeated last-minute delivery of materials, including documents sent to individual council members instead of staff, which forces rushed reviews just before meetings. He stressed that this process is insufficient for understanding proposed changes and urges timely, coordinated submissions so staff and council can thoroughly evaluate the project.

Overall, City Council urged continued work, transparency, timely communication, and a structured process to ensure the project is done correctly before any vote.

Action:

Patrick Souter moved to postpone consideration of Items 9, 10, 11, and 12 to the January 5, 2026 City Council meeting. Motion was seconded by Chris Wright and carried unanimously (3-0).

11. Consider proposed Ordinance approving ZDC-232-2024

No action taken.

12. Consider Development Agreement for ZDC-232-2024

No action taken.

13. Consider proposed Ordinance amending the Code of Ordinances of the City of Waxahachie, Texas, by adding a new Article X, “Rules of Procedure,” to Chapter 2, “Administration”; making findings; providing cumulative/repealer clauses; providing a severability clause; declaring an emergency; and providing for an effective date

City Secretary Amber Villarreal presented the Item. At the request of City Council, the City Attorney drafted the proposed ordinance to establish a comprehensive set of Rules of Procedure governing the City Council and all boards, commissions, and committees.

This ordinance amends Chapter 2 of the City of Waxahachie Code of Ordinances to establish a new Article X, Rules of Procedure, governing meetings of the City Council and all City boards and commissions. The article formalizes procedures for conducting meetings, public comments, and public hearings, adopts Robert's Rules of Order as the default parliamentary authority, outlines requirements for appearance cards and speaking time limits, and establishes decorum standards for attendees. It also affirms the Council's authority to manage meetings, provides for advisory input from the City Attorney, and includes standard repealer, severability, and emergency-effectiveness clauses.

The new public comment rules will require people to sign up in advance to speak, with speaking time reduced from five minutes to three. Sign-ups will be available online (until 4:00 p.m. the day of the meeting) and in person (up to 10 minutes before the meeting), with a sign-up area at the meeting room. The City will widely advertise the changes through its website, social media, newsletters, and public presentations to ensure the public is informed. The goal is to create a more structured, efficient, and fair public comment process while allowing people to register support or opposition without speaking. The rules will apply to all boards and committees, not just City Council.

Mayor Wallace suggested delaying the effective date to the first council meeting in February and requested the City Secretary to present and explain the specific changes that will occur, so the public is clearly informed and aware before the changes take effect.

ORDINANCE NO. 3693

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE, TEXAS, BY ADDING A NEW ARTICLE X, "RULES OF PROCEDURE," TO CHAPTER 2, "ADMINISTRATION"; MAKING FINDINGS; PROVIDING CUMULATIVE/ REPEALER CLAUSES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action:

Chris Wright moved to approve an ordinance amending the Code of Ordinances of the City of Waxahachie, Texas, by adding a new Article X, "Rules of Procedure," to Chapter 2, "Administration" as presented with an effective date of February 2, 2026. Motion was seconded by Patrick Souter and carried unanimously (3-0).

- 14. Convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including selection of a City Manager, as permitted by Texas Government Code Section 551.074; to consult with the City Attorney regarding legal issues related to the city manager transition, pending or contemplated litigation as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto**

Mayor Wallace announced at 8:09 p.m. the City Council would convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including selection of a City Manager, as permitted by Texas Government Code Section 551.074; to consult with the City Attorney regarding legal issues related to the city manager transition, pending or contemplated litigation as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto.

15. Reconvene and take any necessary action

The meeting reconvened at 9:15 p.m.

16. Comments by Mayor, City Council, City Attorney and City Management

City Attorney Terry Welch wished everyone a Merry Christmas and Happy New Year.

Council Member Chris Wright thanked City staff across all departments for their extensive and ongoing work on the Minto project, acknowledging the time, effort, and frustration involved. Councilman Wright expressed appreciation for everyone's dedication, wished staff a Merry Christmas, and noted he may not be able to attend the city Christmas luncheon due to a personal obligation.

Mayor Pro Tem Patrick Souter praised City staff for their hard work and dedication in an often-thankless role. Mayor Pro Tem Souter recognized Paul Box for a significant achievement and extended Christmas and New Year wishes. Mr. Souter encouraged compassion and support for those in need during the Advent and holiday season.

Executive Director of Development Services Shon Brooks thanked City Council for their support and recognition of staff efforts, noting the heavy workload on the Minto project, but he emphasized pride in the work and commitment to serving the City of Waxahachie. Mr. Brooks expressed gratitude and wished everyone a Merry Christmas.

City Manager Ricky Boyd acknowledged several successful city events over the past weekend, including the Santa Run, Bethlehem Revisited, which drew about 20,000 visitors over six days despite cold weather, and the Tour of Homes. Mr. Boyd thanked volunteers, staff, and council members for their efforts, recognized participation in Wreaths Across America, and extended Christmas and New Year greetings.

Mayor Billie Wallace echoed comments by thanking staff for their hard work on the Minto project. She expressed her full support of staff and wished everyone a Merry Christmas.

17. Adjourn

There being no further business, the meeting adjourned at 9:15 p.m.

Respectfully submitted,
Amber Villarreal, City Secretary