City Council
July 6, 2026

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 July 6, 2026 at 7:00 p.m.

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

City Manager Ricky Boyd gave the invocation. Mayor Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Announcements/Presentations

a. Introduce Honorary Council Member

There was not an Honorary Council Member in attendance.

5. Public Comments

Wynne Stallcop, 5019 April Lane, Waxahachie, Texas, expressed concern for a neighboring property where he alleged a dog-training business is operating from a residential lot. He referenced an 18-wheel trailer with signage, a training pool, and an online scheduling website as evidence of commercial activity. Mr. Stallcop asked officials to investigate whether the operation violates deed restrictions prohibiting business use and certain signage in residential areas.

6. Consent Agenda

a. Minutes of the City Council meeting of June 15, 2026
b. Minutes of the City Council work session on June 22, 2026

Action:
Tres Atkins moved to approve all items on the Consent Agenda and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).

7. Public Hearing on a request by Gina McLean, Nationwide Construction for a Specific Use Permit (SUP) for a Noxious Use within a Light Industrial-2 (LI-2) zoning district located at 4740 North Interstate 35E (Property ID 188456) – Owner(s): Nutrenare-Ag Inc (ZDC-183-2025)

Planning Director Trenton Robertson presented the Item and applicant Gina McLean requested approval. The applicant requests approval of a Specific Use Permit (SUP) to expand its noxious use by adding additional chemicals to its inventory list. Currently, the property owner does not have an approved SUP for noxious use. This request is intended to address both the existing use and the proposed expansion of the inventory list. A noxious use requires approval of a SUP by the City Council in order to legally operate on the property.

Despite the proposed site improvements meeting or exceeding all applicable City code requirements necessary to accommodate the proposed use of the subject property, staff remains concerned about the potential risks associated with the use and the possibility of long-term impacts to the community in the event of an emergency or disaster.

The subject property is located in close proximity to densely populated residential and commercial areas to the north, as well as critical transportation corridors including Interstate 35, U.S. Highway 77, and the BNSF railroad. In addition, the property is directly adjacent to South Grove Creek and is partially located within a FEMA-designated floodplain.

Given the volatility of the chemicals proposed to be stored onsite, a natural disaster or emergency event, such as a fire affecting the facility, could result in significant environmental damage, disruptions to regional transportation infrastructure, or the evacuation of nearby areas. Staff believe these potential impacts could have substantial negative consequences for the surrounding community.

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. Staff has received zero (0) letters of support and zero (0) letters of opposition to the proposed SUP.

Staff confirmed that the business is currently operating. Although the operation does not have the required Specific Use Permit (SUP) under current regulations, the use has existed for more than two years and is therefore considered an existing, legally operating, non-conforming use.

Staff noted the property's proximity to nearby schools. It is approximately one-quarter mile (about three-tenths) from Life School and roughly one mile from Shackleford Elementary.

Staff explained that at the time the business began operating, the use was legally permitted under the zoning regulations in place, either directly or through an applicable permitting process. Subsequent code changes or reevaluation determined that an SUP should have been required, but it was never obtained. Any change or expansion of the operation now triggers a requirement to come into conformance, placing the business in the category of legal non-conforming use.

Mayor Wallace opened the Public Hearing at approximately 7:15 p.m.

Those who spoke in opposition:
Jonathan Foy, 1004 W. Marvin Avenue, Waxahachie, Texas

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

Gina McClean, Nationwide Construction, explained that the facility was originally permitted in 2013 and expanded approximately five years ago, operating as an industrial use without issues for 13 years. She stated that the company is seeking City Council approval for additional operations and has addressed concerns raised by staff and the Planning & Zoning Commission, including requirements related to existing outdoor retention containment, with the goal of ensuring the facility meets all applicable requirements.

Ms. McClean introduced representatives available to address technical and chemical-related questions.

Keith Matthews, attorney for Nutrenare AG and longtime chemical regulatory counsel, explained he was brought in to assist the applicant in responding to extensive staff questions and information requests due to his attention to detail and experience. Mr. Matthews stated that the applicant has worked to address all concerns and believes the facility meets applicable code requirements. He also addressed concerns about potential chemical risks by comparing the proposed facility to the Magnablend incident, noting that the proposed amount of flammable materials would be significantly lower and arguing that the facility's safety profile and safeguards differ from that event. He provided additional documentation regarding the Magnablend incident and related site information for Council review.

Council members asked the applicant's representative to focus on the specific proposed facility rather than comparisons to the past Magnablend incident, expressing concern that comparisons to other sites, such as gas stations, could distract from the actual risks and conditions of the project. Mr. Matthews clarified that the comparison was intended only to provide context on the amount of flammable materials, not to claim one facility was more dangerous than another. He highlighted the proposed site's large property size, significant buffer area, and stated that an engineer would address differences between the proposed facility and past incidents, including safety measures related to hazard assessments, ventilation, worker training, fire protection, and equipment standards.

Scott Whinery, licensed fire protection engineer, presented a review of the proposed facility's safety measures and code compliance. He explained that Nutrenare owns the surrounding property, providing a significant buffer area around the building, and that the existing noncombustible structure would be modified to meet requirements for hazardous materials occupancies under the International Building and Fire Codes. The facility would include designated areas for flammable liquid mixing, hazardous material storage, and bottling operations, with required fire-rated separations, upgraded sprinkler systems, rack sprinklers, secondary containment systems, continuous ventilation, and emergency power.

Mr. Whinery stated that the facility would handle flammable and combustible liquids under controlled conditions and that the building is not designed as an explosive facility. He noted that the current facility does not store flammable or combustible liquids, but the proposed SUP would allow their introduction into operations. He emphasized that the proposed containment capacity, fire protection systems, and safety measures would exceed minimum code requirements.

Mayor Pro Tem Smith questioned the fire protection engineer about the reliability of the proposed safety systems, including sprinkler suppression, ventilation, spill response, and emergency procedures. The engineer explained that sprinkler designs are based on established fire code standards and testing, and that ventilation systems are intended to prevent vapor buildup and operate continuously, with additional controls for mixing and bottling areas. He described safeguards such as direct ventilation, specialized electrical equipment, spill detection, alarms, and fire department notification procedures. Council members raised concerns about potential real-world scenarios, including equipment accidents and chemical spills, and questioned the level of responsibility placed on emergency responders for incidents at the facility.

Fire Chief Scott Safford stated that while the proposed facility has met and exceeded code requirements and staff have worked well with the applicant, he still has concerns about the site's proximity to residential and commercial areas and the potential impact of a chemical release or plume. He explained that the fire department would respond to an incident but does not have a hazardous materials team, requiring assistance from outside agencies for specialized response. He noted that emergency response efforts would focus on containment and that a significant release exceeding containment capacity could create environmental concerns, particularly due to the nearby creek and floodplain.

Emergency Management Coordinator Thomas Griffith echoed these concerns, stating that the City would plan for worst-case scenarios based on the facility's chemical inventory reports but would have limited capabilities in managing a major hazardous materials incident. Police Chief Joe Wiser said he expected City personnel would respond to any incident at the facility and expressed confidence in the expertise of the fire department and emergency management teams while acknowledging the concerns raised.

Councilman Wright thanked the applicant for their professionalism, cooperation with the City, and efforts to operate as a good corporate citizen. However, he expressed that his opposition was not based on the applicant's history or compliance, but on concerns about the facility's location near schools, residential areas, and the community's past experience with a nearby chemical incident. Councilman Wright stated he could not support the request given the potential risks associated with the site location.

Ms. McLean acknowledged that city staff was recommending denial but emphasized that design choices, including relocating detention features and raising fire lanes, were made to improve containment and prevent potential runoff toward the nearby creek. She stated these issues had been carefully considered as part of the proposal.

8. Consider proposed Ordinance approving ZDC-183-2025

Action:
Chris Wright moved to deny ZDC-183-2025, a Specific Use Permit for a Noxious Use located at 4740 North Interstate 35E. Motion was seconded by Patrick Souter and carried unanimously (5-0).

9. Consider Development Agreement for ZDC-183-2025

No action taken.

10. Public Hearing on a request by Tu-Hai Ngo, for a Specific Use Permit (SUP) for an Accessory Structure of 700+ sq. ft use within a Single Family-1 (SF-1) zoning district located at 5025 April Lane (Property ID 207630) – Owner(s): Tien Ngo (ZDC-53-2026)

Mayor Wallace announced on June 11, 2026, the applicant requested to withdraw ZDC-53-2026.

11. Consider proposed Ordinance approving ZDC-53-2026

No action taken.

12. Public Hearing on a request by Brad Yates for a Zoning Change from a Commercial (C) zoning district to Planned Development-Multi Family-1 (PD-MF-1) zoning district, for a 6-unit townhome use, located directly south of 404 Cantrell Street, (Property ID 172321) - Owner: Colonial Group Restoration Inc. (ZDC-49-2025)

Mr. Robertson announced staff requested that this application be moved from the July 6, 2026 City Council meeting to the July 20, 2026 City Council meeting due to an error in public hearing noticing.

Action:
Patrick Souter moved to continue ZDC-49-2025 to the July 20, 2026 City Council meeting. Motion was seconded by Tres Atkins and carried unanimously (5-0).

13. Consider proposed Ordinance approving ZDC-49-2025

No action taken.

14. Public Hearing on a request by Jennifer Smolka for a Specific Use Permit (SUP) for a Short-Term Rental (STR) use within a Single-family-2 (SF-2) zoning district located at 116 San Jacinto CT (Property ID 174917) - Owner: Smolka Holdings LLC Series D (ZDC-21-2026)

Mr. Robertson announced staff requested that this application be moved from the July 6, 2026 City Council meeting to the July 20, 2026 City Council meeting due to an error in public hearing noticing.

Action:
Tres Atkins moved to continue ZDC-21-2026 to the July 20, 2026 City Council meeting. Motion was seconded by Patrick Souter and carried unanimously (5-0).

15. Consider proposed Ordinance approving ZDC-21-2026

No action taken.

16. Consider proposed Resolutions approving the acceptance of the 2025 State Homeland Security Program (SHSP) grants for SWAT Thermal Equipment, SWAT Communications, PWERT Light Tower, and Public Works Emergency Response Team (PWERT) Variable Message Sign for project year 2026

Donna Insixiengmay, Assistant Emergency Management Coordinator, presented the Item. Staff requested approval of the proposed Resolutions for the acceptance of the 2025 State Homeland Security Program (SHSP) grants for SWAT Thermal Equipment, SWAT Communications, PWERT Light Tower, and Public Works Emergency Response Team (PWERT) Variable Message Sign for project year 2026. If this request is approved the equipment will serve the City of Waxahachie and the North Texas Region for incidents and disasters.

There is no fiscal impact to the purchase of the above-mentioned equipment. The City will not be required to match any grant funding.

<u>RESOLUTION NO. 1406</u>

A RESOLUTION OF THE CITY OF WAXAHACHIE TO ACCEPT THE "2025 SWAT THERMAL EQUIPMENT GRANT"

<u>RESOLUTION NO. 1407</u>

A RESOLUTION OF THE CITY OF WAXAHACHIE TO ACCEPT THE "2025 SWAT COMMUNICATIONS PROJECT GRANT"

<u>RESOLUTION NO. 1408</u>

A RESOLUTION OF THE CITY OF WAXAHACHIE TO ACCEPT THE "2025 SHSP PWERT LIGHT TOWER GRANT"

<u>RESOLUTION NO. 1409</u>

A RESOLUTION OF THE CITY OF WAXAHACHIE TO ACCEPT THE "2025 SHSP PWERT VARIABLE MESSAGE SIGN GRANT"

<u>Action:</u>
Patrick Souter moved to approve the acceptance of the 2025 State Homeland Security Program (SHSP) grants for SWAT Thermal Equipment, SWAT Communications, PWERT Light Tower, and Public Works Emergency Response Team (PWERT) Variable Message Sign for project year 2026 and all the necessary equipment in the amount of $91,000 and authorize the City Manager to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).

17. Consider FM 664 Water Transmission Main and Sanitary Sewer Project Change Order No. 2 in the amount of $191,039.50

James Gaertner, Director of CIP Engineering, presented the Item. The FM 664 Water Transmission Main Project bid had a shortage of 900 feet for the construction of the 24-inch water line in comparison to the construction plans. The engineer of record has verified all the project quantities, and this change order includes the 24-inch water line, trench safety, revegetation and miscellaneous appurtenances associated with the pipe shortage.

The FM 664 Water Transmission Main and Sanitary Sewer construction original budget is $5,500,000. A contract with E.G.W Services was approved by City Council on September 15, 2025 in the amount of $3,264,868 with a contingency of $163,245. A change Order 1 was approved previously in the amount of $50,557. The change order No. 2 is $191,039.50 and will be funded from the project budget (2023 Water Bond), for a total construction contract of $3,506,464.50.

Council members questioned an estimated $200,000 discrepancy discovered during a water line project, asking how the error occurred, who identified it, and what accountability measures exist for the engineering consultant responsible for the project plans and bid quantities. Staff explained that the consultant made a quantity error involving approximately 900 feet of water line, but the City independently verified the mistake and reviewed the project plans to ensure no additional errors existed. Council members expressed frustration that the consultant appeared to accept little responsibility for the oversight and raised concerns about using the firm for future projects. Staff noted the project remained significantly under budget overall, but agreed the issue warranted further review, including evaluating contractual protections, consultant accountability, and available options moving forward.

Action:
Tres Atkins moved to approve the FM 664 Water Transmission Main and Sanitary Sewer Project Change Order No. 2 with E.G.W. Services in an amount of $191,039.50, and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

18. Consider construction contract for the Railyard Park Parking Lot Project in the amount of $928,007.30

Gumaro Martinez, Director of Parks & Recreation, presented the Item. On October 25, 2025, City Council approved the preliminary phase of the project with the construction of an 18-inch sanitary sewer main within the limits of the Railyard Park Parking Lot Project. The necessary sewer improvements were added to the 2022 Water and Sanitary Sewer Replacement Project and have since been completed by Day Services LLC. The existing vitrified clay pipe was approximately 50 years old and conflicted with the proposed parking lot storm drainage system and shade structure foundations.

The remaining Railyard Park Parking Lot Project generally includes approximately 4,600 square yards of pavement construction for a new parking lot (53 parking spaces plus 5 food truck stalls with electrical hookups) and the adjacent Matthews Street extension, paved trail connection, storm drainage improvements, illumination and irrigation improvements, and installation of a shade structure with tables and bench seating.

The City received twelve (12) bids for the project. LJA, the engineer of record, reviewed the bids, evaluated contractor references, and determined that Texas Standard Construction submitted the lowest responsive and responsible bid. Staff recommends awarding a construction contract to Texas Standard Construction in the amount of $928,007.30 for the Railyard Park Parking Lot Project.

The construction contract in the amount of $928,007.30 will be funded by the 2023 Parks CO Bond and is within the proposed budget.

Action:
Patrick Souter moved to approve the construction contract with Texas Standard Construction for the Railyard Park Parking Lot Project in an amount not to exceed $928,007.30 and authorize the City Manager to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).

19. Consider supplemental appropriation for Airport Gate Security Enhancement Project in the amount of $23,589.90

Dustin Deel, Director of Administrative Services, presented the Item. During the FY 2025–2026 budget process, funding in the amount of $35,000 was approved for an airport gate enhancement project at Mid-Way Regional Airport intended to improve access control and security at the Airport.

Following presentation of the initial project concept to the Mid-Way Regional Joint Airport Board, the Board requested additional functionality and security enhancements beyond the originally proposed scope of work. Based on this direction, staff revised the project design to incorporate two upgraded access-controlled gates, including a new automated gate that will allow controlled passenger access directly to aircraft movement areas, upgraded camera surveillance, enhanced RFID access controls for authorized users, and additional site security improvements.

Currently, one of the Airport access gates remains manually operated. The proposed improvements will allow the Fixed Base Operator (FBO) to better control access to restricted airfield areas, improving both airport security and operational safety.

Staff obtained updated vendor pricing for the expanded project scope and is prepared to move forward with construction. The revised project cost is $58,589.90, which exceeds the currently approved budget by $23,589.90. Staff is requesting a supplemental appropriation to fund the additional improvements recommended by the Joint Airport Board.

The Airport Gate Security Enhancement Project currently has $35,000 budgeted in the FY 2025–2026 Airport Fund budget. A supplemental appropriation in the amount of $23,589.90 is requested from the Mid-Way Regional Airport Reserve Fund to cover the additional project costs. Sufficient funds are available in the Airport Reserve Fund to support this appropriation.

Action:
Tres Atkins moved to approve a supplemental appropriation in the amount of $23,589.90 for the Airport Gate Security Enhancement Project. Motion was seconded by Travis Smith and carried unanimously (5-0).

20. Consider award of contract and supplemental appropriation for construction administration services for the Mid-Way Regional Airport Fuel Farm Expansion in the amount of $8,627

Mr. Deel presented the Item. As part of the Fuel Farm Expansion Project at Mid-Way Regional Airport, construction administration services are required to oversee the construction phase of the project and ensure compliance with all project specifications, grant requirements, and construction standards.

The proposed agreement with Parkhill, Smith & Cooper, Inc. includes professional services associated with construction administration, contractor oversight, review of contractor submittals and pay applications, on-site construction observation, project coordination meetings, testing services, and resident project representative services throughout the construction period.

Parkhill has served as the engineer of record for the Fuel Farm Expansion Project and has provided design and engineering services throughout project development. These construction phase services are necessary to ensure proper project oversight and successful project completion.

Funding for this project will be supported through an Airport Improvement Grant in the amount of $802,529, which carries a 95/5 match requirement. A supplemental appropriation in the amount of $8,627 is requested from the Airport Reserve Fund to cover the Airport's local share associated with this portion of the project. Sufficient funds are available in the Airport Reserve Fund to support this appropriation.

Action:
Tres Atkins moved to award a contract to Parkhill, Smith & Cooper, Inc. for professional construction administration services related to the Mid-Way Regional Airport Fuel Farm Expansion Project, approve a supplemental appropriation from the Airport Reserve Fund in the amount of $8,627, and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

21. Consider proposed Resolution authorizing application for Texas Water Development Board Water Supply and Infrastructure Grant

Mr. Deel presented the Item. The City of Waxahachie is preparing an application for grant funding through the Texas Water Development Board in an amount not to exceed $21,000,000 for the Waxahachie Long-Term Water Supply Security Initiative. This initiative combines multiple critical water infrastructure projects designed to strengthen the City's long-term water supply capacity, improve system reliability, and enhance water security to support future growth and demand.

The proposed funding request includes three major infrastructure components:

- Purchase of additional water rights necessary to meet projected water supply demands by 2031
- Rehabilitation of the aging South Prong Dam structure to address long-term infrastructure reliability
- Howard and Sokoll Water Treatment Plant Boundary Separation Project to improve operational efficiency and system compatibility between the City's water treatment systems

During the 89th Texas Legislative Session, House Bill 500 appropriated approximately $1.038 billion in funding for water supply and infrastructure projects to be administered through the Texas Water Development Board. This funding opportunity is structured as a 100% grant with no local match requirement and represents a rare one-time funding opportunity that is not expected to be available again in future funding cycles.

The City is well-positioned to pursue this funding opportunity as planning and development efforts for each of these projects are already underway and the long-term need for additional water supply capacity has already been identified through ongoing utility planning efforts. This places the City in a strong position to move quickly should funding be awarded.

Approval of the attached resolution is required as part of the Texas Water Development Board application process and will authorize the City to submit the funding request, complete all necessary documentation, and remain eligible for consideration under the Texas Water Development Board funding program.

Approval of this resolution does not create an immediate fiscal impact to the City. The resolution authorizes submission of an application for financial assistance through the Texas Water Development Board for eligible infrastructure projects in an amount not to exceed $21,000,000.

RESOLUTION NO. 1410

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

Action:
Tres Atkins moved to approve a resolution authorizing the submission of an application to the Texas Water Development Board for grant funding related to the Waxahachie Long-Term Water Supply Security Initiative and authorize the City Manager to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).

22. Consider construction contract with J&K Excavation for drainage and paving repair work on John Arden Drive in an amount not to exceed $120,870 and authorize a temporary road closure

Justin Stoker, Director of Public Works & Engineering, presented the Item. On June 14, 2026, the City of Waxahachie experienced a significant rainfall event that resulted in substantial damage to drainage infrastructure beneath John Arden Drive. Four parallel 48-inch drainage culverts, located approximately 250 feet northwest of North Grand Avenue, were damaged during the event, causing the roadway to become undermined. The resulting erosion compromised the structural integrity of both the north and south edges of the roadway. To ensure public safety, John Arden Drive has been restricted to a single travel lane in the center of the roadway since the damage occurred.

City staff conducted an informal bid of contractors that could respond immediately and received three bids. The lowest responsive bidder was J&K Excavation, LLC, which has previously performed satisfactory work for the City. Staff recommends approval of this contractor and authorization to proceed with the repairs. The project will require the temporary closure of John Arden Drive to facilitate the removal and replacement of the damaged 48-inch culverts. Construction activities and the associated road closure are anticipated to be completed within two weeks.

The proposed construction contract with J&K Excavation, LLC is in an amount not to exceed $120,870. Funding for this work is in the Streets Operations Fund.

Action:
Tres Atkins moved to approve the construction contract with J&K Excavation, LLC for drainage and paving repair work on John Arden Drive in an amount not to exceed $120,870, approve a road closure of up to two weeks, and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

23. Public Hearing on a request by applicant Owens Corning Insulating Systems, LLC., owner of property located at 3700 N. Interstate 35-E, Waxahachie, Texas, for a tax abatement agreement in support of an expansion of business operations including, but not limited to production line improvements estimated at $56,000,000 within the City of Waxahachie Reinvestment Zone #33 at 3700 N. Interstate 35-E, Waxahachie, Texas

For Items 23-27, Mayor Wallace announced Owens Corning has requested postponement of the adoption of the Ordinance creating "Waxahachie Reinvestment Zone #33", the Tax Abatement Agreement, and the Enterprise Zone Project Nomination until the July 20, 2026 City Council meeting.

Action:
Tres Atkins moved to continue the public hearing for the adoption of the ordinances creating "Waxahachie Reinvestment Zone #33", the Tax Abatement Agreement, and the Enterprise Zone Project Nomination to the July 20, 2026 City Council meeting. Motion was seconded by Patrick Souter and carried unanimously (5-0).

24. Consider proposed Ordinance designating a certain area within the taxing jurisdiction of the City of Waxahachie to be known as Reinvestment Zone #33; establishing the boundaries thereof; and providing for an effective date

25. Consider proposed Resolution approving Tax Abatement Agreement for Owens Corning Insulating Systems, LLC in support of expansion of business operations at 3700 N. Interstate 35-E, Waxahachie, Texas

26. Public Hearing to consider Resolution nominating Owens Corning Insulating Systems, LLC for the Texas Enterprise Zone Program

27. Consider proposed Resolution nominating Owens Corning Insulating Systems, LLC as a Texas State Enterprise Zone Project

28. 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 the appointment, evaluation, duties or dismissal of any member of a City board or commission, as permitted by Texas Government Code Section 551.074; to consult with City Attorney regarding legal issues associated with City Code and Charter provisions and consultation with City Attorney regarding pending and anticipated litigation, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto

Mayor Wallace announced at 8:37 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 the appointment, evaluation, duties or dismissal of any member of a City board or commission, as permitted by Texas Government Code Section 551.074; to consult with City Attorney regarding legal issues associated with City Code and Charter provisions and consultation with City Attorney regarding pending and anticipated litigation, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto.

29. Reconvene and take any necessary action

The meeting reconvened at 11:07 p.m.

<u>Action:</u>
Patrick Souter moved to authorize the City's payment of any liens associated with the property located at 216 North College Street and authorize the Mayor and/or City Manager to execute all appropriate documentation. Motion was seconded by Tres Atkins and carried 3-2, with Travis Smith and Chris Wright voting in opposition.

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

This item was discussed before Executive Session.

Council Member Chris Wright thanked Mr. Stallcop for traveling from Amarillo to speak on an agenda item and expressed appreciation for his commitment as a local resident who works in Amarillo and took the time to participate in the meeting.

Council Member Patrick Souter thanked City staff, volunteers, and public safety personnel for organizing a successful Fourth of July parade celebrating community and tradition. Councilman Souter explained his opposition to the proposed Nutrenare Ag facility, stating he could not support locating a potentially hazardous operation near schools, homes, and businesses. Citing past industrial accidents as examples, Councilman Souter emphasized concerns about public safety, environmental risks, and the safety of first responders, adding that businesses coming to Waxahachie should operate in ways that do not put residents or emergency personnel at unnecessary risk.

Mayor Pro Tem Travis Smith said he lost confidence in the proposed Nutrenare Ag project after questioning the accuracy of the applicant's claims about prevailing wind patterns and their potential impact on the community. He also thanked City staff, volunteers, and the Streets Department for their work on the successful Fourth of July parade and fireworks celebration, and commended staff for initiating the process of applying for water board grants, calling it an important step forward for the city.

Council Member Tre Atkins praised the City's Fourth of July festivities, thanking everyone involved and noting the quality of the parade and community celebration. He also expressed agreement with concerns raised by other Council members regarding the proposed combustible materials facility, stating that the potential risks were significant enough to cause him serious concern.

City Manager Ricky Boyd thanked staff, volunteers, and community members for their efforts in making the Fourth of July events and recent Juneteenth parade successful. He also recognized Donna Insixiengmay for her work securing a SWAT grant and highlighted staff's ongoing efforts to identify additional funding opportunities and strengthen the City's budget. Mr. Boyd thanked Finance Director Chad Tustison and all department directors for their work preparing for budget discussions and acknowledged the dedication of city staff behind the scenes.

Mayor Billie Wallace praised the success of the Fourth of July parade, noting the strong community turnout and the memorable experience of seeing residents come together. She recognized Justin Stoker and the Police Department for addressing neighborhood speeding concerns on Vista Way and thanked staff for their dedication to residents. She also highlighted an example of exceptional customer service from City staff in responding quickly to a resident's concern, expressing appreciation for the commitment of City employees, first responders, and department teams in providing outstanding service to the community. Mayor Wallace also thanked DeSoto Council Member Debrah North for attending the meeting.

31. Adjourn

There being no further business, the meeting adjourned at 11:08 p.m.

Respectfully submitted,

Amber Villarreal,
City Secretary