City Council
August 17, 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 August 17, 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 Chris Wright, Council Member Place 3
Council Member Absent:	Patrick Souter, Council Member Place 2
Others Present:	Ricky Boyd, City Manager Shon Brooks, Assistant 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

Hannah Shelby, 131 Aria Drive, Waxahachie, Texas, announced her candidacy as a write-in candidate for Ellis County Commissioner, Precinct 2. A longtime Ellis County resident, she highlighted her experience in construction, finance, budgeting, heavy equipment, and employee management. Ms. Shelby described herself as a Christian, conservative, and Republican who values hard work, integrity, and honesty, and asked for residents' support and votes.

6. Consent Agenda

a. Minutes of the City Council meeting of August 3, 2026
b. Event Application for OddFest 2026 to be held October 10, 2026 in Downtown Waxahachie
c. Engineering Professional Services Agreement for Water Storage Tanks Rehabilitation Project in the amount of $130,000

Action:
Chris Wright 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 Tres Atkins and carried unanimously (3-0).

7. Hear update on services provided at The Heights

{Mayor Pro Tem Travis Smith arrived at 7:04 p.m.}

Richard Rozier, Chairman of The Heights, reported that its new shelter is now open and serving people in critical situations in Ellis County. He emphasized The Heights role in crime prevention and collaboration with local law enforcement, as well as providing sexual assault services, evidence collection, housing, and treatment for victims of family violence locally. Mr. Rozier thanked the City for its continued support and announced its annual luncheon on October 21st.

Jennifer Salzman, Executive Director at The Heights, reported significant growth in its domestic violence and sexual assault services, emphasizing its role in public safety and partnerships with law enforcement and the courts. In 2025, Ellis County recorded more than 1,000 reported domestic violence cases, while The Heights served nearly 2,000 victims over five years. The organization now operates a 24/7 emergency shelter, provides childcare and programs for children exposed to violence, offers sexual assault examinations locally, and provides long-term housing assistance. Officials stressed that continued County and City funding is critical as the organization's operating budget has grown to nearly $3 million.

Police Chief Joe Wiser also credited The Heights with filling a longstanding resource gap, supporting mandated victim advocacy, and reducing costs for public agencies.

8. 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)

Trenton Robertson, Director of Planning, announced the applicant requested to withdraw the request.

Councilman Chris Wright clarified that the item in question was not denied, but rather failed to receive approval on a 3–2 vote at the July 20th meeting.

9. Consider proposed Ordinance approving ZDC-21-2026

No action taken.

10. Public Hearing on a request by Megan Hillen, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-Single Family-3 (PD-SF-3) zoning district located at 220 Chesterfield Circle (Property ID 228853) – Owner(s): Megan and Alexander Hillen (ZDC-65-2026)

Mr. Robertson presented the Item and applicant Megan Hillen requested approval. The applicant is requesting a SUP for a Short-Term Rental (STR) at 220 Chesterfield Circle located within the PD-SF-3 zoning district. The subject property consists of a primary structure of approximately 2,327 square feet with four (4) bedrooms, an in-ground pool, and enough improved surface to accommodate parking for a maximum of four (4) vehicles with two (2) vehicles parked in the garage and two (2) vehicles parked in the driveway.

The subject property is situated on approximately 0.16 acres (7,318 square feet) lot. The applicant has not been operating the subject property as an STR; therefore, they have not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does identify the subject property as a Homestead. The applicant submitted the SUP application on June 3, 2026.

Staff consulted with the Waxahachie Police Department and confirmed that the property had two calls for service involving the previous owners. The calls were not related to the current request. The applicant's local emergency contact is Alexander Hillen and is located approximately eight (8) miles from the subject property.

In accordance with Chapter 211 of the Texas Local Government Code and the City's public hearing notification requirements, 88 notices were mailed to property owners located within 200 feet of the subject property. Staff received seven (7) letters of opposition, although one later withdrew its opposition and expressed support.

Mayor Wallace opened the public hearing at approximately 7:26 p.m.

There being no others to speak for or against ZDC-65-2026, Mayor Wallace closed the public hearing at approximately 7:26 p.m.

Ms. Hillen explained that the property was purchased as a family second home that would also be used as a short-term rental when the family is not in town. Ms. Hillen manages another short-term rental in Ruidoso, New Mexico, and said she understands and will follow Waxahachie's STR regulations. The proposed rental would have a maximum occupancy of 10, parking limited to the garage and driveway, exterior cameras, noise monitoring, and guest screening requiring renters to be at least 25 years old. Council members expressed concern about the property's size, potential parties, and neighborhood opposition. Ms. Hillen said she personally contacted the seven neighbors who initially opposed the permit, addressed their concerns about traffic and noise, and obtained four support letters from nearby neighbors. She emphasized her commitment to open communication and maintaining neighbors' trust.

11. Consider proposed Ordinance approving ZDC-65-2026

ORDINANCE NO. 3742

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A PLANNED DEVELOPMENT – SINGLE FAMILY-3 (PD-SF-3) ZONING DISTRICT LOCATED AT 220 CHESTERFIELD CIRCLE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.168 ACRES KNOWN AS PROPERTY ID 228853, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:
Tres Atkins moved to approve ZDC-65-2026, a Specific Use Permit for Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (4-0).

12. Public Hearing on a request by Jose Castillo for a Specific Use Permit (SUP) for a Major Auto Repair Shop use within a Commercial (C) zoning district located at 407 W. Franklin (Property ID 170507) – Owner: Big Blue Truck, LLC (ZDC-57-2026)

Mr. Robertson presented the Item and applicant Jose Castillo requested approval. The applicant requests a SUP for an Auto Repair, Major use. The business has been operating on-site as an Auto Repair, Major use since 2016 without an approved certificate of occupancy (CO) for repairs onsite. The applicant submitted a Certificate of Occupancy request on April 15, 2026, for an Auto Repair, Major use. Per the City of Waxahachie Zoning Ordinance, the use of an Auto Repair, Major, requires a Specific Use Permit to be approved by the City Council within the Commercial (C) zoning district.

Castillo Auto Repair is a specialized major auto repair shop that primarily concerns itself with engine and mechanical repairs.

The existing business offers a wide variety of services that the applicant has detailed in their operational plan, including services such as vehicle diagnostics, brake repairs, rotor and A/C repairs, transmission repair and service, transmission rebuild, check engine service, engine replacement, and other services that relate to overall major vehicle maintenance and health. According to the applicant’s operational plan, this establishment will not operate as a tire shop, nor offer oil change or paint and bodywork services. The applicant made it clear that no cars that are being serviced will be stored outside, and staff will only support the outside area used for employee & customer parking only. The building will remain as it exists currently, with the applicant making it clear that no additions or changes will be made to the primary structure, including no additional signage on the property.

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 29 notices were mailed to property owners within 200 feet of the request. Staff has received one (1) letter of opposition, and one (1) letter of support for the proposed SUP.

Mayor Wallace opened the public hearing at approximately 7:38 p.m.

There being no others to speak for or against ZDC-57-2026, Mayor Wallace closed the public hearing at approximately 7:38 p.m.

Jose Castillo, applicant, 407 West Franklin, Waxahachie, Texas, provided background on the business. Mr. Castillo stated that in 2016, he initially leased the property to store personal and friends' vehicles and ATVs. As space opened up, he began repairing vehicles for family members. He noted he has experienced no issues with neighbors during his tenancy.

Council members expressed concerns about traffic, parking, and the applicant's history of operating without all required permits. Because the street is narrow and already congested, Council emphasized preventing on-street parking and requiring clearly marked parking spaces and unobstructed sidewalks. The Council discussed limiting the number of vehicles stored outside and requiring vehicles awaiting repair to be kept inside when possible. Council members also stressed that the business must comply with all legal requirements, including sales tax permitting, and urged the applicant to be a good neighbor and address issues before they generate complaints.

13. Consider proposed Ordinance approving ZDC-57-2026

ORDINANCE NO. 3743

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN AUTO REPAIR, MAJOR OR AUTOMOTIVE CARE CENTER USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 407 W FRANKLIN, BEING PROPERTY ID 170507, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4A, BLOCK 18 OF THE ORIGINAL TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:
Tres Atkins moved to approve ZDC-57-2026, a Specific Use Permit for a Major Auto Repair Shop use, subject to the conditions of the staff report.

Travis Smith moved to amend the motion to include a maximum of four vehicles parked outside for no more than 24 hours, with no on-street parking or sidewalk blockage, along with required parking signage. The applicant must also provide proof of sales tax registration/application and business formation documents. Tres Atkins accepted the amendment to the motion.

Motion was seconded by Travis Smith and carried unanimously (4-0).

14. Public Hearing on a request by Stephen Mott, WISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Single Family-1 (SF-1) zoning district located at 265 Broadhead Rd (Property ID 211021) - Owner: Waxahachie Independent School District (ZDC-48-2026)

Mr. Robertson presented the Item. The applicant requests approval of a SUP to install an Electronic Message Sign for Howard Junior High School. In accordance with the Waxahachie Zoning Ordinance, Electronic Message Signs are subject to a SUP to be approved by City Council. The proposed sign will be approximately eight (8) feet in height and include a seventy-two (72) square-foot display area mounted on a four (4)-foot masonry base. The proposed Electronic Message Sign will replace the existing sign located along the south property line adjacent to Broadhead Road.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 18 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 SUP request.

Mayor Wallace opened the public hearing at approximately7:52 p.m.

There being no others to speak for or against the Item, Mayor Wallace closed the public hearing at approximately 7:52 p.m.

15. Consider proposed Ordinance approving ZDC-48-2026

ORDINANCE NO. 3744

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC MESSAGE SIGN USE IN A SINGLE-FAMILY-1 ZONING DISTRICT, LOCATED AT 265 BROADHEAD ROAD, BEING PROPERTY ID 211021, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2R OF THE BROADHEAD ROAD SPORTS COMPLEX ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:
Travis Smith moved to approve ZDC-48-2026, a Specific Use Permit for an Electronic Message Sign, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (4-0).

16. Public Hearing on a request by Stephen Mott, WISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Single-Family-1 (SF-1) zoning district located at 275 Indian Drive (Property ID 224060) - Owner: Waxahachie Independent School District (ZDC-49-2026)

Mr. Robertson presented the Item. The applicant requests approval of a SUP to install an Electronic Message Sign for Coleman Junior High School. In accordance with the Waxahachie Zoning Ordinance, Electronic Message Signs are subject to a SUP to be approved by City Council. The proposed sign will be approximately eight (8) feet in height and include a seventy-two (72) square-foot display area mounted on a four (4)-foot masonry base. The proposed location of the sign is approximately twenty-five (25) from the property line along Indian Drive.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 33 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 SUP request.

Mayor Wallace opened the public hearing at approximately 7:53 p.m.

There being no others to speak for or against the Item, Mayor Wallace closed the public hearing at approximately 7:53 p.m.

17. Consider proposed Ordinance approving ZDC-49-2026

ORDINANCE NO. 3745

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC MESSAGE SIGN USE IN A PLANNED DEVELOPMENT-GENERAL RETAIL ZONING DISTRICT, LOCATED AT 275 INDIAN DRIVE, BEING PROPERTY ID 224060, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK 1 OF THE NINTH GRADE CENTER ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:
Travis Smith moved to approve ZDC-49-2026, a Specific Use Permit for an Electronic Message Sign, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (4-0).

18. Public Hearing on a request by David McDill, Davis & McDill, LLC, for a Replat of Lot 3, Block A of the Teddo Crossing Phase One Addition, to create Lots 3-A, 3-B, and 3-C, Block A of the Teddo Crossing Phase One Addition, three nonresidential lots, being 8.695 acres located at the northwest corner of US Highway 77 and West Butcher Road, (Property ID 310843) – Owner(s): Crux Jefferson LLC (SUB-75- 2026)

Mr. Robertson presented the Item. The applicant proposes to replat the subject property into three (3) lots for nonresidential use. The proposed lots comply with the minimum lot size and dimensional requirements of the Waxahachie Zoning Ordinance. Access to the proposed lots will be provided through existing access easements dedicated with the Teddo Crossing Phase One plat and new access easements established with this replat, and direct access from U.S. Highway 77, as applicable. Utility easements necessary to serve the property have been previously dedicated by plat.

The applicant is requesting relief from Appendix C, Article III, Subdivision Design Standards, Section 3.1.c.4 of the Waxahachie Subdivision Ordinance. Although proposed Lot 3-B has frontage along U.S. Highway 77, it does not have direct vehicular access to the highway. A single access point serving the subject property was previously approved by the Texas Department of Transportation (TxDOT) and is located approximately 180 feet from proposed Lot 3-B. As a result, access to Lot 3-B will be provided through the existing and proposed access easements rather than by a separate direct driveway connection to U.S. Highway 77.

Mayor Wallace opened the public hearing at approximately 7:55 p.m.

There being no others to speak for or against the Item, Mayor Wallace closed the public hearing at approximately 7:55 p.m.

Mayor Pro Tem Travis Smith raised concerns about ongoing flooding near Life School and questioned what safeguards were in place to ensure the proposed project would not worsen drainage problems, particularly following I-35 improvements that shifted some flooding downstream. He noted that Life School had spent hundreds of thousands of dollars dredging the creek but continue to experience backups.

Dr. Yomi Fayiga responded that the project would still be subject to the City's civil engineering and drainage requirements after approval, including requirements preventing additional drainage or flooding impacts to neighboring properties. He also stated that extensive drainage studies and improvements had previously been completed and that the proposed development would not adversely affect drainage to Life School or surrounding properties.

19. Consider approval of SUB-75-2026

Action:
Tres Atkins moved to approve SUB-75-2026 for a Replat of Block A, Lot 3 of the Teddo Crossing Phase One Addition and the associated Petition of Relief Wavier request, to create 3 non-residential use lots, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (4-0).

20. Public Hearing on a request by GRBK EDGEWOOD LLC, for a Petition to rename a portion of Harrington Road to "Brickman Lane", starting at Waterfront Drive to the beginning of Treelyn Drive

Mr. Robertson presented the Item. Earlier this year, staff identified that an existing roadway south of Lake Waxahachie would become discontinuous upon completion of the Haven Ranch development. Because Ellis County does not allow discontinuous streets to share the same name, the Haven Ranch developer submitted a petition requesting that the affected portion of Harrington Road be renamed Brickman Lane.

The Planning Department mailed notification letters to the property owners along the affected segment of Harrington Road to inform them of the proposed name change. As of the date of the meeting, no responses had been received.

Mayor Wallace opened the public hearing at approximately 8:00 p.m.

There being no others to speak for or against this Item, Mayor Wallace closed the public hearing at approximately 8:00 p.m.

Staff explained that the applicant proposed renaming a portion of Harrington Road to Brickman Lane, with Brickman being the preferred name. The name was chosen in honor of the Green Brick Partners CEO and cofounder, who owns property along the road and has a connection to Waxahachie. Mr. Robertson reported that required notifications and petitions were completed, with no formal objections received. Mayor Pro Tem Smith raised concerns about naming a public street after a living developer and the potential political implications, as well as whether the City's broader street-naming policy should apply.

Tanner Vincent, applicant representative, said multiple rounds of certified notices were sent to affected property owners, with several signing petitions in support. Approximately 15 adjacent properties were identified as potentially affected.

21. Consider proposed Ordinance to rename a portion of Harrington Road to "Brickman Lane", starting at Waterfront Drive to the beginning of Treelyn Drive

<u>ORDINANCE NO. 3746</u>

AN ORDINANCE TO RENAME A PORTION OF HARRINGTON ROAD TO BRICKMAN LANE.

<u>Action:</u>
Chris Wright moved to approve an Ordinance to rename a portion of Harrington Road to Brickman Lane, between Waterfront Drive and the proposed Treelyn Drive, and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried 3-1, with Travis Smith voting in opposition.

22. Consider proposed Ordinance changing to the speed limit for portions of FM-813 (Brown Street)

Justin Stoker, Director of Public Works & Engineering, presented the Item. The City has received a request from TxDOT to modify the speed limit on FM 813 (Brown Street). Based upon a detailed speed study performed earlier this year, TxDOT is recommending the speed limit be modified as follows:

- Modify the school speed zone on FM 813 (Finley Junior High School) from 30 mph to 20 mph.
- Modify the permanent speed limit on FM 813 from Spring Creek Drive (south connection) to the City Limits, from 55 mph to 50 mph.

The recommendation is based upon a speed study performed by an independent licensed professional traffic engineer. The study has been reviewed and is recommended by TxDOT. TxDOT is requesting City Council approval to make the change. Staff supports the request.

All costs, including the study and the replacement signs, are covered by TxDOT.

{Mayor Pro Tem Smith briefly left the meeting at 8:10 p.m.}

<u>ORDINANCE NO. 3747</u>

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON FARM TO MARKET 813 (BROWN STREET) OR PARTS THEREOF, WITHIN THE INCORPORATED LIMITS OF THE CITY OF WAXAHACHIE, AS SET OUT IN THIS ORDINANCE.

<u>Action:</u>
Tres Atkins moved to approve the ordinance modifying the speed limit for FM 813 (Brown Street). Motion was seconded by Chris Wright and carried unanimously (3-0).

{Mayor Pro Tem Smith returned at 8:11 p.m.}

23. Consider contract for the Full-Service Chlorine Dioxide Generation Program

Kumar Gali, Director of Utilities, presented the Item. Chlorine Dioxide is utilized as a disinfectant and for iron and manganese control at Howard Road and Robert W. Sokoll Water Treatment Plants. On May 5, 2026, City staff issued a Request for Proposals (RFP) for the Full-Service Chlorine Dioxide Generation Program and sealed bids were opened on May 28, 2026. The City received two bids from PureLine and Evoqua Water Technologies LLC.

Staff has reviewed and scored the evaluations of the two bids based on pricing, experience, qualifications, project manager experience, and references, and recommends awarding the contract to Evoqua Water Technologies LLC.

Full-Service Chlorine Dioxide Generation Program is an approved budget item in the Utilities Department's Operations and Maintenance budget. This contract will be on a unit price basis and the quantity needed for the treatment of the water each year.

Action:
Tres Atkins moved to award a contract to Evoqua Water Technologies LLC for Full-Service Chlorine Dioxide Generation Program and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (4-0).

24. Consider budget transfer for the Indian Hills Alley Reconstruction Project in the amount of $50,000

Mr. Stoker presented the Item. The proposed Indian Hills Alley Reconstruction Project consists of concrete pavement improvements on approximately 3,200 linear feet of alleys within the Indian Hills subdivision. The project will replace approximately 3,700 square yards of concrete road pavement and 375 square yards of concrete driveway approaches as necessary.

The City received eighteen (18) bids for this project as summarized below:

Bidder	Bid Amount
Warren Development and Construction	$ 596,830.00
CI Pavement	$ 659,490.00
CCGMC, LLC	$ 690,265.00
JR West Texas Concrete LLC	$ 691,950.00
Don Smith Concrete	$ 716,175.00
Perfect General Contractor LLC	$ 740,250.00
Jaay Concrete Paving Inc	$ 744,600.00
HI-TEK Paving LLC	$ 770,000.00
SYB Construction Company Inc	$ 786,118.18
Holy Contractors LLC	$ 794,475.00
Cook's Rock Solid, Inc	$ 799,050.00
Axis Construction	$ 838,869.50
B&B Concrete Sawing, Inc	$ 838,975.00
J&L Construction LLC	$ 864,409.90

A T Construction, LLC	$ 876,000.00
A&D Paving, LLC	$ 886,319.01
Texas Civil Construction	$ 997,475.00
Estrada Concrete Company LLC	$ 1,637,480.00

Kimley Horn, the engineer of record, reviewed the bids, and contacted references. The lowest bidder didn't meet the project's minimum experience requirements, and CI Pavement was determined to be the lowest responsible bidder. Staff recommends approval of this contractor in the amount of $659,490 for the Indian Hills Alley Reconstruction project.

The construction contract with CI Pavement is $659,490. This is under budget and is funded from the approved FY25 Indian Hills Alleys Ph1 Capital Improvement Plan (CIP) Project.

Action:
Tres Atkins moved to approve a $50,000 budget transfer from Street Capital Fund to the Indian Hills Alley Reconstruction Project and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (4-0).

25. Consider approval to enter into a contract for a Type 3 fire apparatus identified as 4244- BME-International HV 507-Type 3 for $673,590 with Siddons-Martin Emergency Group, LLC

Fire Chief Scott Safford requested to continue the Item to the September 8, 2026 City Council meeting.

Action:
Tres Atkins moved to continue Item 25 to the September 8, 2026 City Council meeting. Motion was seconded by Travis Smith and carried unanimously (4-0).

26. Consider Resolution for Eminent Domain to acquire Water, Sewer, and Temporary Construction Easements Associated with Howard and Sokoll Water Treatment Plant Boundary Separation Project

James Gaertner, Director of Capital Improvement Projects, presented the Item. Construction of new water lines is required to separate the 791 and 715 pressure planes. This would limit the water needed from the Howard Water Treatment plant to serve the north side of the city and to utilize the Sokoll Water Treatment plant to a greater potential.

Water, sewer, and temporary construction easements are necessary on the southeast side of Brown Street, between Audra Avenue and Mustang Creek Drive, between Miriam Lane and Myrtle Avenue, along Miriam Lane, and along Myrtle Avenue.

Staff recommend approval of the eminent domain resolution to stay within budget and time for this project.

Mr. Gaertner explained negotiations would continue, but Council authorization was needed to proceed with the eminent domain process if necessary to avoid delaying the project and increasing costs. The proposed easements would generally be about 20 feet wide, with additional temporary construction areas, and affected properties would be restored to their preconstruction condition. Council also clarified that the project would expand the right-of-way for water infrastructure and would not require demolishing homes.

RESOLUTION NO. 1416

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, DECLARING THE NECESSITY TO ACQUIRE WATER, SEWER, AND TEMPORARY CONSTRUCTION EASEMENTS; DETERMINING THE PUBLIC USE AND NECESSITY FOR SUCH ACQUISITON; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE MAYOR OF THE CITY OF WAXAHACHIE, TEXAS, TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE MAYOR TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS; AUTHORIZING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS TO ACQUIRE THE PROPERTY IF PURCHASE NEGOTIATIONS ARE NOT SUCCESSFUL; AND PROVIDING AN EFFECTIVE DATE.

Action:
Tres Atkins moved to approve the Resolution authorizing the use of the power of eminent domain to acquire water, sewer, and temporary construction easements as referenced in the Resolution; determining the public use and necessity for such acquisition; authorizing the acquisition of property rights necessary for such water and sanitary sewer easements; appointing an appraiser and negotiator as necessary; authorizing the Mayor to establish just compensation for the property rights to be acquired; authorizing the Mayor or her representative, to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the City Attorney, or his representative, to institute condemnation proceedings to acquire the property rights if purchase negotiations are not successful. Motion was seconded by Travis Smith and carried unanimously (4-0), with the vote as follows:

Billie Wallace – Aye
Travis Smith – Aye
Tres Atkins – Aye
Chris Wright – Aye

27. Consider Resolution denying SiEnergy Gas, LLC rate increase request

Dustin Deel, Director of Administrative Services, presented the Item. On May 4, 2026, SiEnergy Gas, LLC filed a Statement of Intent with the City requesting approval of a natural gas rate increase and consolidation of its service territories into a single statewide jurisdiction. The proposed filing would increase revenues by approximately $4 million within the incorporated areas served by SiEnergy.

Following receipt of the filing, the City joined the Cities Served by SiEnergy Coalition to conduct a comprehensive review of the proposed rate increase. The Coalition retained legal counsel and utility rate consultants to evaluate the application. Based on their review, the consultants identified numerous unreasonable expenses and concluded that the proposed rates are excessive. Accordingly, the Coalition recommends that member cities deny the requested rate increase.

Approval of the attached resolution constitutes the City's final action on SiEnergy's rate request prior to the statutory deadline of September 4, 2026. Upon adoption of the resolution, SiEnergy is expected to appeal the City's decision to the Railroad Commission of Texas, which will continue the rate case and ultimately determine the final rates applicable throughout the company's service territory.

As with the City's previous action to suspend the proposed rate increase, all expenses associated with this case are required to be reimbursed by SiEnergy. Legal counsel and consultants authorized through the coalition of cities will submit invoices directly for reimbursement; therefore, there is no anticipated net cost to the City.

RESOLUTION NO. 1417

A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS FINDING THAT SIENERGY GAS, LLC'S STATEMENT OF INTENT TO INCREASE RATES FILING WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

Action:
Tres Atkins moved to approve a Resolution denying the rate increase request filed by SiEnergy Gas, LLC, finding the proposed rates to be unreasonable, providing for reimbursement of the City's reasonable rate case expenses, and authorizing the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (4-0).

28. Consider approval of a Resolution adopting the Atmos Energy Mid-Tex 2026 Rate Review Mechanism Settlement

Mr. Deel presented the Item. The City of Waxahachie is a member of the Atmos Cities Steering Committee (ACSC), a coalition of municipalities that jointly review and negotiate Atmos Energy rate filings on behalf of participating cities. Through the ACSC Rate Review Mechanism (RRM), member cities are able to conduct a comprehensive review of Atmos Energy's requested rate adjustments as an alternative to the statutory Gas Reliability Infrastructure Program (GRIP) process.

Atmos Energy's 2026 RRM filing originally requested a $291.1 million system-wide revenue increase. Pursuant to the provisions of the RRM tariff, the request was reduced to $273.6 million. Following extensive review, discovery, and negotiations by the ACSC's legal counsel and utility rate consultants, a negotiated settlement was reached providing for a $260.5 million system-wide revenue increase. The negotiated settlement represents a reduction of more than $30 million from Atmos Energy's original request and includes reimbursement of the coalition's legal and consulting expenses.

Approval of the attached resolution will adopt the negotiated settlement, approve the associated rate tariffs and establish an effective date of October 1, 2026, consistent with the negotiated agreement.

All expenses associated with the City's participation in this rate case are required to be reimbursed by Atmos Energy. Legal counsel and consultants authorized through the Atmos Cities Steering Committee will submit invoices directly for reimbursement; therefore, there is no anticipated net cost to the City.

Council members expressed significant concern about the continued increases in gas bills, noting that residential rates had increased substantially in recent years. Staff and legal counsel explained that the increase would take effect regardless under the existing tariff, while participation in the coalition of cities allows Waxahachie to collectively negotiate lower rates and share legal costs. Council members questioned the effectiveness of the process and requested additional information from Atmos.

Michael Cox, Atmos representative, explained the proposed revenue increase is for recovery costs and improvements to infrastructure.

RESOLUTION NO. 1418

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2026 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

Action:
Tres Atkins moved to approve the Resolution adopting the negotiated 2026 Atmos Energy Mid-Tex Rate Review Mechanism settlement and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried 3-1 with Billie Wallace voting in opposition.

29. Consider approval of a supplemental appropriation for legal services in the amount of $90,000

Mr. Deel presented the Item. The adopted FY 2025–2026 budget for legal services was $300,000. As the fiscal year has progressed, the City has experienced an increase in legal expenses associated with Municipal Utility District (MUD) matters and other ongoing legal proceedings. The proposed supplemental appropriation will provide sufficient funding to cover anticipated legal services through the remainder of the fiscal year.

The $90,000 supplemental appropriation is proposed to be funded from the General Fund unrestricted reserve. Sufficient funds are available in the General Fund unrestricted reserve to support this appropriation.

Action:
Chris Wright moved to approve a supplemental appropriation from the General Fund unrestricted reserve for legal services in the amount of $90,000. Motion was seconded by Tres Atkins and carried unanimously (4-0).

30. 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 9:00 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.

31. Reconvene and take any necessary action

The meeting reconvened at 10:05 p.m.

Action:
Travis Smith moved to approve the Chapter 380 Economic Development Agreement and incentive package with Roadhouse Enterprises Inc., as presented in executive session, and authorizes the City Manager to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (4-0).

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

This item was discussed before Executive Session.

Mayor Pro Tem Travis Smith expressed strong support and appreciation for City staff, defending their professionalism and dedication against what he described as baseless public criticism regarding the use of taxpayer funds. He emphasized that staff work extensively behind the scenes and that the public often does not see the meetings, workshops, and effort involved in City operations. Mayor Pro Tem Smith also criticized the conduct of certain elected officials, calling for greater accountability and expressing concern about threats made against members of the City Council and the lack of response from State leadership.

City Manager Ricky Boyd thanked City staff for their dedication, long hours, and thoughtful work. Mr. Boyd emphasized that staff strive to be responsible stewards of taxpayer dollars while providing the highest level of service possible with available resources. He also expressed appreciation for the Council's support of staff.

Council Member Chris Wright congratulated Hannah Shelby on her decision to run for Precinct 2, thanked Richard Rozier and Jennifer Salzman from The Heights for their presentation, and encouraged the Council to recognize The Heights as a community resource that supplements City services, particularly in addressing abuse and sexual assault. Mr. Wright also expressed appreciation for City staff and clarified that Council disagreements are not a reflection of staff's work or the information provided, while emphasizing the need for greater transparency from the City Council moving forward.

Mayor Billie Wallace expressed appreciation for City staff, the City Manager, all departments, and first responders, noting that their work often goes unrecognized. Mayor Wallace also addressed criticism of city streets and sidewalks, pointing out the significant funding already dedicated to street improvements—approximately $14 million in the prior budget and $11 million proposed in the upcoming budget—and questioned how much additional funding should be allocated to those areas.

33. Adjourn

There being no further business, the meeting adjourned at 10:05 p.m.

Respectfully submitted,
Amber Villarreal, City Secretary