

City Council  
September 21, 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 September 21, 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  
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**

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. Present Proclamation recognizing September as “Childhood Cancer Awareness Month”
- c. Present Proclamation recognizing October 4, 2026 as “Farm Heritage Day”
- d. Present Keep Waxahachie Beautiful Committee Pride in Neighborhood (PIN) Award

Council Member Chris Wright introduced Steve Chapman as Honorary Council Member for the month of September and presented him with a Certificate of Appreciation. Mr. Chapman is a lifelong resident of Waxahachie who has been deeply involved in the community for decades. He was married to his hometown sweetheart, Hilda Harbin, for nearly 50 years and raised two children, Jim and Jill.

A graduate of SMU and SMU Law, Mr. Chapman practiced law in Waxahachie for more than 55 years, specializing in real estate, business, and probate law. He also served as Waxahachie’s City Attorney for more than 50 years, attending over 2,000 City Council meetings and earning a reputation for working effectively with elected officials and the community.

Beyond his professional career, Mr. Chapman has chaired numerous local organizations and is known for his extensive collection of classic automobiles and his knowledge of Waxahachie history. He is described as a friend to everyone, an enemy to none, and a trusted advisor whose decades of service have made a lasting impact on the community.

Mayor Pro Tem Travis Smith presented a proclamation recognizing September as “Childhood Cancer Awareness Month.”

Mayor Wallace presented a proclamation recognizing October 4, 2026 as “Farm Heritage Day.”

Forrest John, on behalf of the Keep Waxahachie Beautiful Committee, presented the Pride in Neighborhood (PIN) award to Dr. Faustina Gallagher at 230 Dakota Drive.

## **5. Public Comments**

Darlene Miller, 240 Parks School House Road, Waxahachie, Texas, thanked Mayor Billie Wallace, the City Council, City Manager, City Attorney, and others for supporting efforts to advocate for animals. Ms. Miller expressed support for the proposed site for a new animal shelter, noting that the Pet Coalition also supports the proposal. She thanked everyone who came out to support the Pet Coalition at the auction and expressed her appreciation to Mayor Wallace for providing financial assistance to help a family adopt a dog by covering its heartworm treatment.

Chris Davis, Chair of the Park Board, 401 N. Rogers, Waxahachie, Texas, emphasized that Lions Park redevelopment should consider the City’s approximately 2,500 youth sports participants and the community’s strong interest in a wheel/skate park. Mr. Davis advocated for maintaining natural-grass practice fields, citing the Parks Department’s ability to keep existing fields in good condition despite extreme heat and drought. He also raised environmental concerns about synthetic turf, plastic, petroleum-based materials, and expanded parking, and referenced a parks professional who advised against turf. Finally, Mr. Davis noted that the Park Board had previously supported a plan featuring natural-grass practice fields rather than the current turf-focused proposal.

## **6. Consent Agenda**

- a. Minutes of the City Council meeting of September 8, 2026
- b. Minutes of the City Council special meeting of September 1, 2026
- c. Downtown Building Improvement Program Grant Application for 114 W. Main
- d. Downtown Building Improvement Program Grant for 208 W Main and 105 N Rogers
- e. Omnibus Ordinance authorizing the release from the City of Waxahachie’s Extraterritorial Jurisdiction (ETJ) of five (5) designated tracts comprising ten (10) parcels of land totaling approximately 71.99 acres, known as Case Nos. ETJ-PTN-80-2026, ETJ-PTN-107-2026, ETJ-PTN-108-2026, ETJ-PTN-116-2026, and ETJ-PTN-120-2026, requested by multiple property owners pursuant to Subchapter D of Chapter 42 of the Texas Local Government Code. (Property IDs: 181684, 308113, 304066, 185055, 180418, 180419, 180494, 200230, & 205078)
- f. Agreement with MuniCap, Inc. for Public Improvement District (PID) consultant
- g. Resolution authorizing execution of agreements for Routine Airport Maintenance Program (RAMP) Grant

### **ORDINANCE NO. 3756**

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF FIVE (5) DESIGNATED**

**TRACTS COMPRISING TEN (10) PARCELS OF LAND TOTALING APPROXIMATELY 71.99 ACRES, KNOWN AS CASE NUMBERS ETJ-PTN-80-2026, ETJ-PTN-107-2026, ETJ-PTN-108-2026, ETJ-PTN-116-2026, AND ETJ-PTN-120-2026, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

**RESOLUTION NO. 1420**

**A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM; PROVIDING AN EFFECTIVE DATE.**

**Action:**

*Tres Atkins moved to approve all items on the Consent Agenda authorizing the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).*

**7. Public Hearing on a request by Corey Riley, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 zoning district located at 106 Trinity Lane (Property ID 172884) - Owners: Cory Riley and Brooke Riley (ZDC-89-2026)**

Planning Director Trenton Robertson presented the Item. The applicant requests a SUP for short-term rental use at 106 Trinity Lane due to its location within the SF-2 zoning district. The subject property consists of a primary structure being approximately 1,705 square feet in size with four (4) bedrooms and an attached two car garage. The garage will be accessible to guests and there is sufficient space in the driveway to accommodate two vehicles. There will be a maximum of ten (10) guests. Four vehicles are the maximum number of allowed vehicles. The applicant was operating the property as a Short-Term Rental but has ceased operations until the approval of this SUP. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls at this address. The applicant's local emergency contact is located approximately 15 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 93 notices were mailed to property owners within 200 feet of the request. Staff received eight (8) letters of support, a majority of those received our from outside of the City, and three (3) letters of opposition to the case.

Mayor Wallace opened the public hearing at approximately 7:29 p.m.

Emily Reed, Property Manager, 327 S. Centre, Lancaster, Texas, requested approval. Ms. Reed explained they had met the required regulations and added additional safety measures, while explaining that the primary goal was to operate the property as a midterm rental with occasional short-term bookings to make the business financially viable.

Council members expressed concern that there appeared to be little neighborhood support for the rezoning, noting that much of the submitted support came from people outside the area and that at least one nearby resident had repeatedly opposed the proposal. The applicant clarified that if the request were denied, the property would remain a furnished midterm rental with a 30-day minimum stay.

There being no others to speak for or against the item, Mayor Wallace closed the public hearing at approximately 7:35 p.m.

Council members expressed concerns about approving short-term rentals when there is opposition from neighboring residents.

**8. Consider proposed Ordinance approving ZDC-89-2026**

**Action:**

*Travis Smith moved to deny ZDC-89-2026, a Specific Use Permit for a Short-Term Rental use. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**9. Public Hearing on a request by Hilda Bailey, for a Specific Use Permit (SUP) for an Accessory Structure Greater than or Equal to 700 S.F. use within a Planned Development Single-Family-1 zoning district located at 2790 Eastham Way (Property ID 190456) - Owners: Hilda Bailey and Ronald Bailey (ZDC-81-2026)**

Mr. Robertson presented the Item. The applicant requests a Specific Use Permit (SUP) for an accessory structure exceeding 700 square feet use at 2790 Eastham Way. This will be the only accessory structure on the property, and the structure will be 825 square feet. Per the City of Waxahachie Zoning Ordinance, accessory structures exceeding 700 square feet require an SUP to be approved by the City Council.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 14 notices were mailed to property owners within 200 feet of the request. Staff received no letters of support and no letters of opposition.

Mayor Wallace opened the public hearing at approximately 7:39 p.m.

There being no others to speak for or against the item, Mayor Wallace closed the public hearing at approximately 7:39 p.m.

**10. Consider proposed Ordinance approving ZDC-81-2026**

**ORDINANCE NO. 3757**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE +700SF USE WITHIN A PLANNED DEVELOPMENT-SINGLE-FAMILY-1 ZONING DISTRICT, LOCATED AT 2790 EASTHAM WAY, BEING PROPERTY ID 190456, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Travis Smith moved to approve ZDC-81-2026, a Specific Use Permit for an Accessory Structure greater than or equal to 700 S.F., 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 (5-0).*

**11. Public Hearing on a request by Susan Dixon for a Specific Use Permit (SUP) for an Accessory Structure greater than or equal to seven hundred (700) square feet, use within a Future Development (FD) zoning district located at 109 Crystal Cove, (Property ID 218977) – Owner: Howard & Susan Dixon (ZDC-77-2026)**

Mr. Robertson presented the Item. The applicant proposes a Specific Use Permit (SUP) to construct a 617 square-foot addition (workshop) to an already existing 644 square foot accessory structure at 109 Crystal Cove. The existing accessory structure received a building permit on August 30, 2021. Per the City of Waxahachie Zoning Ordinance, an SUP is required when an accessory structure is greater than or equal to 700 square feet. The proposed workshop will be attached by the same roof line and by means of a screened in breezeway. This makes the square footages additive, which then causes the accessory structure to exceed 700 sq ft. triggering the need for an SUP. If it were detached the total sum of each structure would still trigger an SUP for being in excess of 1,000 sq ft. The primary structure on the subject property is approximately 4,262 square feet.

The applicant has provided a Site Plan for the accessory structure that verifies all setback requirements established by the Waxahachie Zoning Ordinance have been met.

The applicant proposes utilizing the structure for a home office, exercise and fitness room, hobby space, general household storage, pool restroom, and changing area. The structure will not be leased, sold separately, or used as a short-term rental. The applicant will be extending the water and electrical services from the primary structure to the proposed accessory structure.

In accordance with Chapter 211 of the Texas Local Government Code and the City's public hearing notification requirements, 11 notices were mailed to property owners located within 200 feet of the subject property. Staff has received zero (0) letters in support of the request and zero (0) letters expressing concerns regarding the Special Use Permit (SUP) request.

Mayor Wallace opened the public hearing at approximately 7:41 p.m.

There being no others to speak for or against the item, Mayor Wallace closed the public hearing at approximately 7:41 p.m.

**12. Consider proposed Ordinance approving ZDC-77-2026**

**ORDINANCE NO. 3758**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE GREATER THAN OR EQUAL TO 700 SQUARE FEET USE WITHIN A FUTURE DEVELOPMENT (FD) ZONING DISTRICT, LOCATED AT 109 CRYSTAL COVE BEING PROPERTY ID 218977, IN THE CITY OF WAXAHACHIE,**

**ELLIS COUNTY, TEXAS, BEING LOT 1R, BLOCK B OF THE CRYSTAL COVE ESTATES SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Tres Atkins moved to approve ZDC-77-2026, a Specific Use Permit for an Accessory Structure exceeding 700 S.F., use within a Future Development zoning district, 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 (5-0).*

**13. Public Hearing on a request by Patrick McGee, HighPark Capital, LLC for a Zoning Change from a Commercial (C) zoning district to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district, located at 1761 N US Highway 77 (Property ID 186874) – Owner(s): Ferris Avenue Baptist Church DBA The Avenue (ZDC-54-2026)**

Mr. Robertson presented the Item. The applicant proposes to rezone the subject property to allow for the development of three (3) four-story multifamily buildings consisting of a total of 314 apartment units. The units range from 196 one-bedroom units & 118 two-bedroom units with a gross density of 24.84 units per acre. It should be clearly understood that all three proposed buildings will be located on one single platted lot, and the applicant intends to lease each individual unit. Despite the current zoning of Commercial (C), which does not allow multi-family developments by right, the future land use plan Placetype of “Urban Village” of the 2023 Waxahachie Comprehensive Plan is consistent with this specific type of residential development recommended for this area as it is centered around walkability and is pedestrian focused.

The applicant has provided a Site Plan for the subject property, which is designed for a total of three (3) four-story multi-family buildings, fully enclosed attached & detached parking garages, carports, a trail connection, and other associated amenities. The site plan is proposed to be developed in seven (7) phases, as shown in the Phasing Plan (Exhibit G) consistent with the applicant's Development Standards (Exhibit E). The specific sequencing of the proposal is as follows:

- Phase 1 – Clubhouse, entry drive, dog park, trash compactor, and adjacent fire lanes.
- Phase 2 – North section of Building 1-A, pool and amenity courtyard, adjacent fire lanes, Carports C1 & C2, and Detached Garages G1 and G2.
- Phase 3 – South section of Building 1-A, rear and side fire lanes, Carports C11 and C12, and Detached Garages G8 & G9.
- Phase 4 – Fire lanes north of Building 1-A and Detached Garages G3 & G4.
- Phase 5 – Building C-3, pickleball court, adjacent fire lanes, and Carports C3 & C5.
- Phase 6 – North section of Building 2-B, adjacent fire lanes, putting green courtyard, Carports C4, C6, C7, & C8, and Detached Garage G5.
- Phase 7 – South section of Building 2-B, adjacent fire lanes, exit drive and turnaround for the proposed YMCA Drive Extension, Carports C9 & C10, and Detached Garages G6 & G7.

| <b><u>Standard</u></b>        | <b><u>Base MF-2</u></b>                                                                                                          | <b><u>Proposed PD</u></b>                                                                                                                                                          |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Height                        | 3 stories for the main building(s)                                                                                               | <b>4 stories for the main building(s)</b>                                                                                                                                          |
| Dwelling Units Per Acre (DUA) | 18 DUA                                                                                                                           | <b>24.84 DUA</b>                                                                                                                                                                   |
| Maximum Height                | 3 stories                                                                                                                        | <b>4 stories</b>                                                                                                                                                                   |
| Minimum Dwelling Size         | 800 SF (3-bedroom units)                                                                                                         | <b>800 SF (1–2-bedroom units)</b>                                                                                                                                                  |
| Minimum Utility Easement      | 15’                                                                                                                              | 15’                                                                                                                                                                                |
| Minimum Front Yard Setback    | 25’ up to 100’                                                                                                                   | 25’                                                                                                                                                                                |
| Minimum Side Yard Setback     | 25’ up to 100’                                                                                                                   | 25’                                                                                                                                                                                |
| Minimum Rear Yard Setback     | 75’                                                                                                                              | <b>25’</b>                                                                                                                                                                         |
| Parking Regulations           | Minimum of 1.5 for 1–2-bedroom units and 2.5 for 3+ bedroom units. (12 spaces total with a minimum of 5 attached garage spaces.) | <b>Minimum of one and-a-half (1.5) off-street parking spaces per unit (covered or uncovered) with a minimum of 72 carports, 72 detached garages, and 23 attached garage spaces</b> |
| Screening                     | 6’ masonry wall directly adjacent to Single Family and Non-Residential zoning districts.                                         | 6’ masonry wall directly adjacent to Single Family and Non-Residential zoning districts.                                                                                           |

*Staff note: engineering design standards and fire codes are not waived by any adopted PD.*

All three proposed structures will be located on one (1) platted lot and are not proposed to be individually platted. Access has been designed to account for future right-of-way dedication adjacent to the southern and eastern side of the property. The site has also been generally designed to meet the minimum setback requirements of the Multi-Family-2 (MF-2) zoning district; which is the base zoning for this Planned Development request. However, the applicant is requesting to deviate from the base zoning requirement to allow for a 25’ rear setback instead of a 75’ for this development. Dumpsters will be properly screened and landscaping has been spaced throughout the proposed development, as required by the Waxahachie Zoning Ordinance. In addition to the proposed trail connection, the applicant is proposing to install a 5’ wide concrete pedestrian sidewalks throughout the property and along all three main structures to encourage walkability from all areas of the subject property.

The Site Plan has also been designed to account for future right-of-way (ROW) dedication for an extension of YMCA Drive & Marketplace Boulevard, each of which will be 60’ wide.

## **PROPOSED PD DEVELOPMENT STANDARDS**

The following table identifies the development standard requirements in the base MF-2 zoning district in comparison to the proposed development standards for this PD. *\*Items highlighted in **bold** indicate a deviation from the base Multi Family-2 (MF-2) requirements.*

The applicant proposed to exceed the minimum parking requirement for the total amount of spaces for this proposal. A total of 471 parking spaces are required for the development based on the unit count, of which a minimum of 236 spaces are required to be provided as an attached garage parking space. The proposal includes a total of 472 parking spaces; which are comprised of 72 detached garages, 23 attached garage spaces, 72 carport spaces, and 305 surface spaces; with an overall percentage total of 35% covered parking. This is a deviation from the base zoning of MF-2, and this deviation is part of the applicant's overall Planned Development request.

| <u>Categories</u>                                                                                     | <u>Base MF-2 Minimum Required Parking</u> | <u>Provided Parking</u> |
|-------------------------------------------------------------------------------------------------------|-------------------------------------------|-------------------------|
| Total Parking                                                                                         | 471                                       | <b>472</b>              |
| One-half of the minimum required parking shall be provided in attached fully enclosed parking garages | 235.5 (50%)                               | <b>23 (5%)</b>          |
| Detached Garage Spaces                                                                                | N/A                                       | <b>72 (15%)</b>         |
| Covered Carports                                                                                      | N/A                                       | <b>72 (15%)</b>         |
| Surface Spaces                                                                                        | 235.5 (50%)                               | <b>305 (65%)</b>        |

The applicant has provided an Elevation/Façade Plan for the proposed development. The primary exterior construction materials proposed for this development feature a combination of brick, stone, stucco, and fiber cement siding. All three (3) proposed buildings will feature the same overall design, including color scheme. The proposed structures will feature a flat roof design with a TPO membrane, which provides a more modern residential aesthetic that is not uncommon amongst many new multi-developments throughout the region. The building roof itself shall be screened by the parapet walls. However, not all three buildings are configured uniformly, as building(s) 1-A & 2-B are “u-shaped” with each ranging from 38,358-38,707 square feet in total floor area. Whereas building 3-C is a general mid-rise structure that is 24,079 square feet in floor area. All proposed structures meet the minimum articulation and design element requirements of the Waxahachie Zoning Ordinance. Exhibit B can be referenced for additional detail regarding the proposed elevations.

The applicant is proposing two (2) points of access for the proposed development. One (1) point of access will be from a YMCA drive extension and two (2) form a proposed Marketplace Boulevard extension, both of which are to be public streets. Both of these points of access will be dedicated via a plat for the subject property. The proposed development also contains a form of access control, which includes a gated primary entry with a call box system. Additionally, the applicant is proposing a walking-trail connection to the YMCA trail to encourage walkability. This trail connection would contain two (2) pedestrian access gates that are each accessible via a 5' concrete sidewalk inside the subject property. This connection will provide an access point into an offsite trail network which encourages walkability to the surrounding community.

The applicant has provided a Landscape Plan (Exhibit D) that identifies the proposed landscaping for the site. The proposed landscaping does meet the minimum requirements of the Waxahachie Zoning Ordinance. Per the Development Standards provided by the applicant, the property owner shall provide a permanent irrigation system for all required landscape areas and shall maintain the required landscaping at all times.

The applicant proposes to incorporate resident amenities and open space throughout the proposed development, as required by Section 5.05 of the Waxahachie Zoning Ordinance; which requires a minimum of four (4) amenities for each phase of the development. Specific amenities include a clubhouse, fitness center, recovery spa with a sauna and cold plunge, community room with demo kitchen, resident co-working space, resort-style swimming pool with cabana, walking trail connecting to existing area trail network, pickleball court, putting green, biergarten/al fresco dining area, pavilion, cornhole and lawn games area, dog park with separate small and large dog sections, 44 private pet yards, and BBQ grills and outdoor cooking stations.

The applicant is not proposing a screening wall at this time as the adjacent property if commercial will be required to install the screening wall at that time. All dumpster enclosures will be screened from public view with a masonry screening wall and metal gates, which will be consistent with the City of Waxahachie's Zoning Ordinance.

Signage for the proposed project will adhere to the signage requirements set forth in Section 5.08 of the Waxahachie Zoning Ordinance.

The applicant has provided a Photometric Plan for the proposed development that demonstrates compliance with the Waxahachie Lighting & Glare Standards. All light fixtures are proposed to be shielded and directed downwards to eliminate light trespass and glare onto adjacent residential property. All proposed light fixtures are restricted to a maximum height of 20'.

In addition to the *Proposed PD Development Standards*, per the applicant's development standards, in lieu of locating all units within 250 feet of a refuse facility; a valet trash service is being proposed as it will provide a trash collection service for each unit. Collection will occur multiple days per week on a consistent schedule, and trash will be consolidated in a single trash compactor on site. This trash compact will be screened on three sides in accordance with the City of Waxahachie's Zoning Ordinance.

In accordance with Chapter 211 of the Texas Local Government Code and the City's public hearing notification requirements, 31 notices were mailed to property owners located within 200 feet of the subject property. Staff received zero (0) letters in support of the request and zero (0) letter expressing concerns regarding the Planned Development (PD) request.

Mayor Wallace opened the public hearing at approximately 7:48 p.m.

Council discussed traffic, roadway, parking, and public safety concerns related to the proposed apartment development. While the development team has incorporated parking and new roadway improvements into the site plan, Councilman Wright expressed concern about the existing private roadway, bridge, drainage area, and traffic circle connecting the area toward Highway 77. Council emphasized that the additional traffic from the approximately 314-unit development could increase existing congestion and safety concerns.

Staff and Dustin Jordan, Tero Real Estate, explained that the project will include a new roadway built to City standards and an extension toward YMCA Drive. The existing drainage ditch will remain for drainage purposes and will no longer serve as the primary roadway connection. The condition of the existing bridge and private roadway is still being evaluated through engineering and core testing to determine whether they meet City standards and could eventually be dedicated to the City.

Mark Miller, from the Avenue Church, expressed a willingness to work with the City and potentially dedicate the roadway to the City, as well as make necessary improvements to the traffic configuration. Council emphasized that the roadway issues should be addressed before or in conjunction with the apartment development rather than leaving the City to resolve them after the project is completed. Discussion included potentially modifying the existing traffic circle and improving the roadway alignment.

Council discussed postponing consideration to October 5<sup>th</sup> to allow the parties additional time to develop a specific plan for the roadway, bridge, and traffic circle. Staff suggested that a separate development agreement, potentially involving the apartment developer and the Avenue Church, could establish the responsibilities and timing for the necessary improvements.

There being no others to speak for or against the item, Mayor Wallace closed the public hearing at approximately 8:10 p.m.

**Action:**

*Tres Atkins moved to continue the Public Hearing for ZDC-54-2026 to the October 5, 2026 City Council meeting. Motion was seconded by Chris Wright and carried unanimously (5-0).*

**14. Consider proposed Ordinance approving ZDC-54-2026**

No action taken.

**15. Consider Development Agreement for ZDC-54-2026**

No action taken.

**16. Public Hearing and consider an Order by Council – Article XIII, Substandard Structures – 115 Elder Street**

Jason Watson, Director of Building & Community Services, announced the responsible party has voluntarily demolished the structure and addressed the conditions that gave rise to the proceeding.

Mayor Wallace opened the public hearing at approximately 8:29 p.m.

There being no others to speak for or against the item, Mayor Wallace closed the public hearing at approximately 8:29 p.m.

**Action:**

*Tres Atkins moved to take no action regarding a substandard structure at 115 Elder Street. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**17. Public Hearing and consider an Order by Council – Article XIII, Substandard Structures – 316 Wyatt**

Mr. Watson announced the responsible party has voluntarily demolished the structure and addressed the conditions that gave rise to the proceeding. No action from City Council is required at this time.

Mayor Wallace opened the public hearing at approximately 8:29 p.m.

There being no others to speak for or against the item, Mayor Wallace closed the public hearing at approximately 8:30 p.m.

**Action:**

*Tres Atkins moved to acknowledge compliance with the City Council order for demolition and debris removal at 316 Wyatt Street and close the matter with no further action required. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**18. Consider a contract with Key Construction for the reconstruction of the City's Central Offices located at 820 Ferris Avenue for the Guaranteed Maximum Price of \$11,995,085**

City Manager Ricky Boyd presented the Item. Key Construction, the Construction Manager at Risk (CMAR), recently performed a thorough bid process to secure the subcontractors needed for the reconstruction of the City's Central Offices located at 820 Ferris Avenue. On July 14, 2026, Key Construction provided staff with an Initial GMP of \$12,242,930. On July 21, 2026, staff met with Key Construction and RBDR (the architect for the project) to perform a value engineering (VE) exercise. As a result of this process, Key Construction delivered a GMP of \$11,995,085. After Council continued the GMP on August 3, 2026 to September 21, 2026, Key Construction completed the remaining VE exercise to provide a Final GMP of \$11,773,333.

Staff recommends approval of a Final GMP contract for \$11,773,333 with Key Construction to reconstruct the City's Central Offices. The proposed Final GMP is included in the 2026 bond issuance that was approved on August 3, 2026.

Mayor Pro Tem Smith expressed support for approving the GMP but requested that Council have an opportunity to review the proposed interior finishes and renderings before the project proceeds to the final phase of construction. He emphasized the importance of Council and the public understanding what the completed building is expected to look like, noting that floor plans had been provided but interior renderings had not.

Mr. Boyd explained that changes to the interior finishes could increase or decrease the GMP and agreed to provide the available design information to Council. Council discussed whether the interior design review should be incorporated into the GMP approval or addressed separately. Staff recommended bringing the matter back to Council if significant design changes were requested after the GMP was approved.

The discussion ultimately clarified that the GMP could be approved while Council separately reviews the interior design and finishes before final construction work proceeds. Council members also discussed applying a similar review process to the upcoming Fire Station No. 1 GMP.

Mayor Pro Tem Smith requested that, before moving into the final phase of construction, the City Council have an opportunity to review and provide final approval of the plan. He acknowledged that any changes that increase the guaranteed maximum price would require Council approval.

**Action:**

*Travis Smith moved to approve a contract with Key Construction for the reconstruction of the City's Central Offices located at 820 Ferris Avenue for the Guaranteed Maximum Price of \$11,773,333 and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**19. Consider approval of a Professional Services Agreement and supplemental appropriation for Mid-Way Regional Airport Box Hangar Development in the amount of \$143,253**

Dustin Deel, Director of Administrative Services, presented the Item. On June 4, 2026, the Waxahachie and Midlothian City Councils met in a Joint City Council Session to discuss future development at Mid-Way Regional Airport. During the meeting, both Councils directed Airport staff to proceed with engineering for the proposed development of additional box hangars at the Airport.

In accordance with that direction, KSA Engineers, Inc. has submitted a professional services proposal for the design and bidding phases of the project. The proposed development consists of additional box hangars, associated taxiway and apron pavement, vehicle parking, electrical service, utility infrastructure, and related site improvements. The final configuration will be determined during the pre-design phase.

The professional services agreement includes project administration, geotechnical investigation, topographic surveying, site plan development, civil/site and electrical design, preparation of construction plans and specifications, an opinion of probable construction cost, and bidding assistance. The total professional services fee is \$143,253, with an anticipated schedule of approximately 22 weeks for pre-design, design, and bidding. Construction phase services are not included in this agreement and would be considered separately as the project advances.

At the June 4, 2026 Joint City Council Session, the anticipated total project cost was presented at approximately \$4 million. This planning-level estimate is intended to account for design, construction of the hangars, associated pavement, site improvements, utility infrastructure, and other project-related costs. The actual project cost will be refined as design progresses and will be presented to both City Councils for consideration prior to proceeding with construction. Project costs are anticipated to be shared equally between the Cities of Waxahachie and Midlothian.

Because the City of Waxahachie administers the Mid-Way Regional Airport budget, a supplemental appropriation of the full contract amount is required. The cost of the professional services agreement will be shared equally between Waxahachie and Midlothian, with each City contributing 50 percent of the cost, or \$71,627 each. Staff recommends approval.

A supplemental appropriation of \$143,253 is required in the Mid-Way Regional Airport budget to fund the professional services agreement. The Cities of Waxahachie and Midlothian will share the cost equally, with each City contributing \$71,627. Waxahachie's share of the agreement will be funded from General Fund reserves.

**Action:**

*Tres Atkins moved to approve a supplemental appropriation of \$143,253 to the Mid-Way Regional Airport budget and a professional services agreement with KSA Engineers, Inc. for design and bidding services associated with the Mid-Way Regional Airport Box Hangar Development and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).*

**20. Consider Lions Park Improvements and Professional Services Agreement**

Gumaro Martinez, Director of Parks and Recreation, presented the Item. He noted the project will be funded through a \$5.25M - 2025 CO Bond General, \$369,555 from the General Fund and WDCD Fund, and a pledge of \$5.8M from the WDCD Fund. The total budget for the project is \$11,419,555.

Mr. Martinez presented two redevelopment options for Lions Park using approximately \$11.4 million in available funding: a \$10.4 million natural-grass plan with 22.5 acres of irrigated, lighted practice fields and potential add-ons, and an artificial-turf plan featuring approximately 7.8 acres of turf fields, additional amenities, and options for pickleball and field-cooling systems. Staff estimated 30-year operating and maintenance costs at \$13.6 million for natural grass compared with \$17.6–\$20.6 million for artificial turf, depending on turf replacement frequency.

Council discussed field safety and quality, weather-related usability, irrigation and maintenance requirements, parking and amenities, potential tournament revenue, and the differing long-term costs of the two options. Mayor Pro Tem Smith emphasized the greater usability and safety of turf, while others supported natural grass and questioned the assumptions behind the maintenance and safety comparisons.

**Action:**

*Chris Wright moved to approve the natural grass turf field project as presented by staff and approve to re-engage Kimley-Horn for the remainder of their professional service agreement for an amount not to exceed \$219,554.90 and authorize the City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried 3-2, with Tres Atkins and Travis Smith voting in opposition.*

**21. 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**

City Council did not convene into Executive Session to discuss the purchase of real property for municipal purposes, instead it was discussed in open session.

City Manager Boyd noted City Council discussed purchasing approximately 20 acres near Business 287 for \$3.125 million to serve as the future site of the City's animal shelter. Staff reported that due diligence had been completed and that water, sewer, and gas are available in the area, with a decision deadline of September 23<sup>rd</sup>. Council discussed using the General Fund for the purchase, with the possibility of selling a portion of the property and later financing the remaining cost. Council members expressed interest in selling only the acreage not needed for the animal shelter, while accounting for right-of-way requirements related to the widening of Business 287.

## **22. Reconvene and take any necessary action**

### **Action:**

*Patrick Souter moved to approve the purchase of the 20 acres located on Business 287 for the purposes of a new animal shelter and authorize the City Manager/and or Mayor to execute all necessary documents relating thereto.*

*Travis Smith amended the motion to include the purchase price of \$3.125 million and strike "shelter" and replace with "services."*

*The amendment was accepted by Patrick Souter. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

## **23. Comments by Mayor, City Council, City Attorney and City Management**

Councilman Patrick Souter expressed appreciation that several long-standing issues had finally been resolved. He also thanked City staff for their work on the Lions Park project and the Animal Care Shelter.

Councilman Tres Atkins acknowledged the success of the C10's in the Park and thanked City staff for their hard work. Councilman Atkins emphasized that while Council members do not always agree, their differing perspectives ultimately help the City reach better decisions. He noted that voting patterns are not consistently divided among the same groups of Council members, which he views positively because it encourages thoughtful discussion and helps the Council arrive at better outcomes for the community.

City Manager Ricky Boyd expressed appreciation for the work accomplished and offered prayers and well-wishes to the Atkins family.

Councilman Chris Wright thanked City staff, Police, the Streets Department, and the school district for their coordinated efforts during a busy weekend of events, particularly the Homecoming Parade and C10's in the Park gathering. He praised the quick cleanup of streets following the parade and the effective traffic and safety coordination. Councilman Wright also offered thoughts and prayers to the Atkins family, as well as to City personnel from the Fire Department who are deployed across Texas to assist with grass and wildfire response.

Mayor Billie Wallace praised City staff for their hard work during recent community events, highlighting Wally Mendez who worked a 16-hour shift on his birthday. Mayor Wallace expressed appreciation for the successful Homecoming parade, C10's in the Park, and downtown activities,

and noted satisfaction that the Council had reached a decision on Lions Park despite differing viewpoints. Mayor Wallace emphasized that Council members ultimately share a commitment to the City and will continue working together. She also thanked animal shelter volunteers and community members for managing the animal crisis and welcomed the purchase of 20 acres for a future, much-needed animal shelter. Mayor Wallace asked the community to keep the Atkins family in their thoughts and prayers.

**24. Adjourn**

There being no further business, the meeting adjourned at 9:41 p.m.

Respectfully submitted,  
Amber Villarreal, City Secretary