

City Council
December 16, 2024

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, December 16, 2024 at 7:00 p.m.

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

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Reverend Dale Garris, Revivalfire Ministries, gave the invocation. Mayor Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

None

5. Consent Agenda

- a. Minutes of the City Council meeting of December 2, 2024
- b. Minutes of the City Council Work Session of December 9, 2024
- c. Minutes of the City Council and Waxahachie Community Development Corporation (WCDC) Joint Work Session of December 10, 2024
- d. Event application for Cinco de Mayo event to be held in Downtown Waxahachie on May 3, 2025
- e. Proposed Ordinance approving a request by John McAfee for a Petition for ETJ Release for approximately 3.5 acres, located at 1814 FM 66 (Property ID 248049— Owner: Nob Hill Ventures, LLC (ETJ-PTN-208-2024)
- f. Proposed Ordinance approving a request by Larry McSpadden & Judy Lee Morris-McSpadden for a Petition for ETJ Release for approximately 8.909 acres, located at 3934 S. US Highway 287 (Property ID 224103— Owner: McSpadden Properties, LLC (ETJ-PTN-209-2024)
- g. Proposed Ordinance approving a request by David Cooper, for a Petition for ETJ Release for approximately 166.55 acres, located at 1141 S. Wilson. (Property ID 192406) – Owner: David Cooper (ETJ-PTN-211-2024)
- h. Mobile Home License Renewals for January 1, 2025-December 31, 2025

- i. Funding appropriation in support of Waxahachie CARE Services
- j. Appointments to fill unexpired terms on the Animal Care Advisory Committee, Senior Center Advisory Committee, and Waxahachie Community Development Corporation
- k. Approval of Early Release Bid Package 04 for City Hall Remodel and Construction Project
- l. Set City Council meeting date of January 21, 2025
- m. Proposed Resolution approving the City of Waxahachie Investment Policy as required by the Texas Public Funds Investment Act

ORDINANCE NO. 3579

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 3.5 ACRE TRACT OF LAND, LOCATED AT 1814 FM 66, KNOWN AS PROPERTY ID 248049, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3580

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 8.909 ACRE TRACT OF LAND, LOCATED AT 3934 SOUTH U.S. HIGHWAY 287, KNOWN AS PROPERTY ID 224103, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3581

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 166.55 ACRE TRACT OF LAND, LOCATED DIRECTLY SOUTH OF 841 YOUNGBLOOD ROAD, KNOWN AS PROPERTY ID 192406 AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

RESOLUTION NO. 1372

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

Action:

Patrick Souter moved to approve all items on the Consent Agenda, as presented, and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Tres Atkins and carried unanimously (5-0).

6. Introduce Honorary Council Member

Council Member Tres Atkins introduced December Honorary Council Member Bruce Zimmerman and presented him with a Certificate of Appreciation. Pastor Bruce Zimmerman has faithfully served as the pastor of Waxahachie Bible Church for 39 years, leading the congregation with wisdom and compassion. In addition to his pastoral role, he has been a chaplain for the Waxahachie Fire Department for 24 years. Pastor Zimmerman is deeply involved in his community, serving on the boards of Baylor Scott & White Hospital and Love Your Neighbor, as well as leading the Waxahachie Ministers Fellowship. His commitment to both faith and service is further reflected in his continued role as a Rabbi in the synagogue at Bethlehem Revisited.

He is supported in his ministry and life by his wife, Sheila, and is the proud father of four sons—William, Robert, Andrew, and James—and grandfather to three grandchildren: Willa, Jeff, and Miles.

7. Public Hearing on a request by Christopher Whitehead for a Specific Use Permit (SUP) for an Accessory Dwelling Unit structure exceeding seven hundred (700) square feet use within a - Single Family-2 (SF-2) zoning district located at 301 Kirven Ave (Property ID 176066) – Owner: Christopher Whitehead and Rae L. (ZDC-177-2024)

Senior Director of Planning Jennifer Pruitt presented the Item. The applicant is requesting a Specific Use Permit (SUP) to construct a two-story Accessory Dwelling Unit (ADU) at 301 Kirven Avenue. An existing 980 square-foot garage is present on the subject property and is attached to a breezeway and the primary residence. The applicant is proposing to demolish this existing garage and replace it with the proposed ADU. The proposed ADU will include a new two-car garage on the first floor and the ADU on the second floor. The applicant is proposing the ADU for family and non-paying visitor use only.

According to the Ellis County Appraisal District, the existing primary structure is approximately 3,180 square feet, and the proposed accessory structure is approximately 898 square feet. The accessory structure is comprised of fiber cement siding with a metal roof. The applicant will install plumbing and electrical service to the ADU. The applicant has noted that the structure will not be separately metered. All utility services will tie into the main house. The applicant has also confirmed that the structure will not be used as a short-term rental and will not be sold or leased separately from the existing primary structure.

Per the Waxahachie Zoning Ordinance staff identified 5-foot-wide sidewalks as an infrastructure item that should be evaluated with every Specific Use Permit (SUP) Application. Sidewalk installation is to be required with any new development and redevelopment of existing neighborhoods. During the review of this SUP application, staff identified that a sidewalk currently only exists on the corner of the subject property. Existing sidewalks are present across from the subject property along the south side of West Ross Street and the east side of Kirven Avenue.

As part of this (SUP) application, staff has recommended a condition requiring the applicant to install a 5-foot sidewalk along Kirven Avenue to perpetuate the pedestrian connectivity of the neighborhood. Generally, a 5-foot sidewalk would also be required along W Ross Street. However,

an existing retaining wall is present on the subject property, which makes installation of a sidewalk along W Ross Street unnecessary. At the Planning & Zoning Commission meeting held on December 9, 2024, the Commission voted 5-0 to recommend approval of case number ZDC-177-2024, subject to the conditions of the staff report, with condition 6 requiring installation of a 5-foot sidewalk on Kirven Avenue being struck.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, twenty-four (24) notices were mailed to property owners within 200 feet of the request. Staff received ten (10) letters of support and zero (0) letters of opposition for the proposed SUP.

Mayor Wallace opened the Public Hearing at approximately 7:12 p.m.

There being no others to speak for or against ZDC-177-2024, Mayor Wallace closed the Public Hearing at approximately 7:12 p.m.

8. Consider proposed Ordinance approving ZDC-177-2024

ORDINANCE NO. 3582

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY DWELLING UNIT USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 301 KIRVEN AVE., BEING PROPERTY ID 176066, LOT 1B, BLOCK 6 OF THE TRINITY HEIGHTS ADDITION 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-177-2024, a Specific Use Permit for an Accessory Dwelling Unit use within a Single Family-2 zoning district, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (5-0).

9. Public Hearing on a request by Brian Gregory, Rinker Materials, for a Specific Use Permit (SUP) for a Batch Plant and Outdoor Storage uses within a Light Industrial-1 (LI-1) zoning district located at 1220 Solon Road (Property ID 140094) - Owner: J&G Concrete Operations, LLC (ZDC-172-2024)

Ms. Pruitt presented the Item and applicant Brian Gregory requested approval. The subject property has an approved SUP for a Permanent Concrete Batch Plant use; however, the property owner proposes to expand their operations by adding an 11,200 square-foot building located northeast of the existing 45,316 square-foot metal building, and outdoor storage for inventory to be located behind all existing and proposed buildings. The subject property consists of an existing 2,000 square-foot office building and a 45,316 square-foot metal building being utilized for precast concrete operations, and outdoor storage for their inventory from various locations. The existing SUP does not include the existing outdoor storage use, and the applicant is wanting to incorporate this use with their proposed SUP request.

The applicant is requesting a SUP for Batch Plant and Outdoor Storage uses. In which both uses require a SUP approved by City Council within the Light Industrial-1 (LI-1) zoning district. The applicant proposes an additional metal building of 11,200 square feet to expand the existing precast concrete operations. The proposed building exceeds the existing structures in height to accommodate the size of the cranes being used for the new production process. The existing building is not tall enough to accommodate the new production process. Additionally, the applicant proposes providing a 24' fire lane comprised of concrete and approximately 110,000 square feet of cement-stabilized gravel as depicted in Exhibit B – Site Plan. The use of cement-stabilized gravel has been approved for a similar project in the site's vicinity. The applicant is not proposing a pole sign.

The applicant proposes improving the subject site with 66 canopy trees and 39 accent trees (Crape Myrtles). The City of Waxahachie Zoning Ordinance requires all outside storage areas to be screened with a masonry screening wall at least 6' in height, and the applicant is proposing an 8' concrete panel screening wall that spans out 8 ½' in width along the northern, southern, and western sides of the subject property.

The applicant has provided building elevations for the proposed metal building. The proposed metal siding exterior construction material matches the existing building on the site and is common for use on this type of site.

The applicant is proposing shielded wall packs to be mounted on the existing buildings and proposed building, at fifteen feet from the ground, along with a twenty-three-foot light pole to be located at the entrances on Solon Road and Marshall Road. The applicant has provided a photometric plan with the lighting specifications of the proposed lighting fixtures. The applicant shall adhere to Section 6.03 – Lighting and Glare Standards of the City of Waxahachie Zoning Ordinance.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 notices were mailed to property owners within 200 feet of the request. Staff has received no letters in support and one (1) letter in opposition for the SUP request. A super-majority vote in favor of the proposed Planned Development request is required in order for City Council to approve this application. Staff has received letters of opposition to the proposed Specific Use Permit (SUP) request that total 71.7% of the property by acreage within the 200' notification buffer for the subject property. Per Section 2.04 of the Waxahachie Zoning Ordinance, a favorable vote of three-fourths (3/4) of all members, which equates to four (4) out of the five (5) members of the City Council, is required in order to approve this SUP request.

Mayor Wallace opened the Public Hearing at approximately 7:16 p.m.

There being no others to speak for or against ZDC-172-2024, Mayor Wallace closed the Public Hearing at approximately 7:20 p.m.

10. Consider proposed Ordinance approving ZDC-172-2024

ORDINANCE NO. 3583

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW BATCH PLANT AND OUTDOOR STORAGE USES (RINKER MATERIALS) WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT LOCATED AT 1220 SOLON ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 20.00 ACRES KNOWN AS PROPERTY ID 140094, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve ZDC-172-2024, a Specific Use Permit for a Batch Plant and Outdoor Storage uses, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Chris Wright and carried unanimously (5-0).

11. Consider Development Agreement for ZDC-172-2024

Action:

Chris Wright moved to approve the Development Agreement for ZDC-172-2024. Motion was seconded by Patrick Souter and carried unanimously (5-0).

12. Public Hearing on a request by Jaydon Clemens, TaTT2Envy, LLC, for a Specific Use Permit (SUP) for a Tattoo Shop use within a General Retail (GR) zoning district located at 105 South Grand Ave, Suite B (Property ID 176644 - Owner: Kenneth & Roger Dollar (ZDC-196-2024)

Ms. Pruitt presented the Item and applicant Jaydon Clemens requested approval. The applicant proposes a specific use permit (SUP) for tattoo shop use at 105 South Grand Avenue, Suite B. The applicant is a tattoo artist who is proposing to operate one tattoo chair within the existing JC's Gentleman's Barber Lounge on an appointment-only basis during the shop's business hours. The proposed SUP allows JC's Gentleman's Barber Lounge to offer tattoo services. The SUP shall be terminated once JC's Gentleman's Barber Lounge closes, and the applicant will need to open a stand-alone tattoo shop. The tattoo shop use is allowed with a SUP approved by the City Council within the General Retail (GR) zoning district.

On May 1, 2023, the City Council enacted Ordinance 3374, which provides a comprehensive definition for tattoo-related uses within the city. This ordinance is significant as it broadens the regulatory framework regarding the operation of tattoo and body piercing establishments. Specifically, it mandates that any "Tattoo or Body Piercing Shop" seeking to operate in the General Retail (GR), Central Area (CA), and Commercial (C) zoning districts must secure a Specific Use Permit (SUP) prior to commencing operations.

This change marked a shift from the previous zoning regulations, which restricted tattoo establishments allowed outright to the Commercial (C) zoning district only. By extending the requirement for a Specific Use Permit to additional zoning areas, the City Council aims to ensure

that these businesses comply with community standards and to address potential concerns related to their location and impact on the surrounding neighborhoods. This ordinance is intended to promote responsible business practices while maintaining the quality of life for residents in all affected zoning districts.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 19 notices were mailed to property owners within 200 feet of the request. Staff has received three (3) letters in support and one (1) letter of opposition for the SUP request.

Mayor Wallace opened the Public Hearing at approximately 7:24 p.m.

There being no others to speak for or against ZDC-196-2024, Mayor Wallace closed the Public Hearing at approximately 7:24 p.m.

13. Consider proposed Ordinance approving ZDC-196-2024

ORDINANCE NO. 3584

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A TATTOO SHOP USE (TATT2ENVY, LLC) WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT LOCATED AT 105 SOUTH GRAND AVENUE, SUITE B IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.918 ACRES KNOWN AS PROPERTY ID 176644, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-196-2024, a Specific Use Permit for a Tattoo Shop use, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Travis Smith and carried unanimously (5-0).

14. Public Hearing on a request by Russell Scott, for a Specific Use Permit (SUP) to allow for a Digital Billboard Sign within a Commercial (C) zoning district located at 801 S Interstate 35E (Property ID 189033) - Owner: Russell Scott (ZDC-146-2024)

Ms. Pruitt presented the Item. Owner Russell Scott and Bob Lynn, RJJ Marketing, requested approval. The SUP process is utilized to evaluate certain land uses that may not otherwise be compatible with permitted uses in a base zoning district. The SUP process allows land use to be evaluated to determine whether it is compatible with adjacent uses by ensuring the nature of the proposed land use is reasonable and any potential negative impacts of the land use have been mitigated. Through the SUP process, a specific site design is developed to ensure the intent of the base zoning district is maintained.

The existing billboard on the subject property is constructed with a monopole support, extends to a maximum height of 49', and features two (2) static advertising faces. The billboard is situated along Interstate 35E, adjacent to the Brookside Road bridge. In 2019, TxDOT completed

construction of the new Brookside Road bridge. The new bridge stands at a higher elevation than the previous bridge and blocks the view of the billboard for south-bound interstate traffic. To address this new site constraint, the applicant is seeking to increase the maximum height of the billboard to 60'. Along with the height increase, the applicant is also seeking to modernize the billboard by converting the two (2) static sign faces to digital message boards. The proposed digital billboard faces are each 14' tall and 48' wide, resulting in a 672 square-foot sign face.

To counterbalance the proposed sign height, increase and digital conversion, the applicant has engaged with City staff and Waxahachie Community Development Corporation (WCDC) members to develop a sign design that serves as an entry feature for the City and provides advertising for the City directly. A partnership allowing for advertising for the City is proposed to be memorialized with a mutually agreed upon Development Agreement, if this SUP is approved. The applicant proposes a free advertising space to the City of Waxahachie on each side of the digital billboard in perpetuity. The advertising allowance is proposed to be eight (8) seconds in length, repeating every fifty-six (56) seconds, 24-hours a day. The applicant has noted that this amount of advertising can cost up to \$10,000 a month and up to \$120,000 a year. The applicant has also noted that uploads of graphics or messages to the billboard would not incur a charge.

The applicant has provided a series of renderings for the proposed Digital Billboard Sign. The applicant proposes to wrap the support structure for the sign with a combination of natural and cast stone. The southbound face of the billboard structure is proposed to include a 10' stainless steel emblem of the Ellis County Courthouse with backlit letters that display "Welcome to Waxahachie The Crossroads of Texas". The northbound face of the billboard structure is proposed to feature backlit letters that state "Welcome to Waxahachie The Gingerbread City". The applicant also proposes to install, and permanently maintain, landscaping at the base of the billboard to soften its presence at eye level.

A TxDOT permit is required for Billboard Signs along TxDOT right-of-way (ROW). The applicant is in possession of a permit for the existing 49' static Billboard Sign. The applicant has also received approval of an amended permit from TxDOT to allow the newly proposed Digital Billboard Sign to extend up to 60' in height.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, three (3) notices were mailed to property owners within 200 feet of the request. Staff has received two (2) letters of support and zero (0) letters of opposition for the proposed SUP.

Mayor Wallace opened the Public Hearing at approximately 7:28 p.m.

Mayor Pro Tem Chris Wright inquired about the regulation of content on the billboard. Scott Brooks, The Waxahachie Sun, explained that, similar to their other platforms, they will categorize businesses for advertising, ensuring that only appropriate ads are displayed on their signs. They have a list of targeted categories and prohibited categories to address concerns. Additionally, certain businesses, such as weight loss companies, cannabis/CBD, and quick loan services, may be allowed but will require extensive vetting before being approved for advertising.

City Council continued discussion focused on the advertising guidelines for a new sign, including prohibited categories such as alcohol (excluding sponsored events), smoking, vaping, gambling, adult content, drugs, paraphernalia, and discriminatory content. Certain businesses, like weight loss companies or CBD, may require additional vetting. The sign will feature rotating advertisements, limiting any single business's dominance. Concerns were raised about the possibility of businesses monopolizing the space, but the system will rotate advertisers to prevent this. The City asked to consider adding payday loans and car title loans to the prohibited list, and requested exploring options for long-term control over the sign's content. There were discussions about keeping the city's branding separate from ads for other nearby cities.

City Manager Scott inquired about some legal questions regarding the sign's use for city purposes and ownership transfer. City Attorney Terry Welch explained the City can draft a contract to address concerns of ownership change.

There being no others to speak for or against ZDC-146-2024, Mayor Wallace closed the Public Hearing at approximately 7:41 p.m.

15. Consider proposed Ordinance approving ZDC-146-2024

ORDINANCE NO. 3585

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DIGITAL BILLBOARD SIGN USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 801 S INTERSTATE 35E IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A 0.706 ACRE TRACT KNOWN AS PROPERTY ID 189033, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve ZDC-146-2024, a Specific Use Permit for a Digital Billboard Sign, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (5-0).

16. Public Hearing on a request by Cheralyn Armijo, Glenn Engineering Corp., for a Zoning Change from a Single Family-1 (SF-1) zoning district to Planned Development-Commercial (PD-C) zoning district, for a Public School (Waxahachie Creek High School) use, located approximately 0.5 miles south of 135 Park Hills Drive (Property ID 294908) - Owner: Waxahachie ISD (ZDC-200-2024)

Ms. Pruitt presented the Item and applicant Stephen Mott requested approval. The applicant proposes a Planned Development (PD) to establish zoning regulations that allow for the development of Waxahachie Creek High School. The PD process was utilized to establish appropriate zoning for the current Waxahachie High School before its construction in 2016. The existing SF-1 zoning of the subject property does generally allows for a Public School land use outright. However, the current demands of a high school necessitate some design elements that are not allowed by right within the SF-1 zoning district. Specifically, the proposed height of the High

School (75') and accessory uses, such as sports stadiums and fields, are not allowed by right in the SF-1 zoning district. Due to this, the applicant proposes a PD with a base Commercial (C) zoning district to allow for the development of the new High School, accessory buildings, and athletic facilities. If this PD application is approved, administrative approval of a Site Plan Application is still required prior to development on the subject property. A Plat application is also required to be submitted and approved for the subject property prior to development on the subject property.

In addition to the standards of the base Commercial zoning district, the applicant proposes the following specific development regulations with this PD request. Notably, identical development regulations were utilized for the PD covering the current Waxahachie High School.

In addition to the general development standards identified above, the applicant also proposes modified regulations for building articulation. The Waxahachie Creek High School is proposed to be approximately 375,000 square feet in total size, which is comparable to the existing Waxahachie High School. Due to the overall proposed size of the school, and the resulting building articulation requirements, the applicant proposes reduced articulation requirements for the development. The modified regulations still ensure appropriate articulation across the entirety of the building and require all roof-mounted equipment to be fully screened from view.

Due to safety concerns and site needs associated with a public high school, the applicant proposes modified landscape regulations for the subject property with this PD request. Specifically, the applicant has provided development regulations that allow for a reduction in total landscaping to preserve visibility across the subject property. The applicant has noted that a reduction in street trees is specifically needed to ensure pedestrian and student safety on campus. Parking lot landscape islands are also proposed to be eliminated to allow for sufficient space in the parking lot for marching band practice.

The applicant has also included specific development regulations for signage with this PD request. The applicant proposes to allow for one (1) electronic message sign by right on the subject property. Typically, an electronic message sign requires approval of a Specific Use Permit (SUP) by the City Council. The applicant proposes a two-sided monument sign featuring an electronic message board with a maximum size of 30 square feet. The design for the proposed sign has not been finalized yet. The design and location of the sign are required to be provided prior to approval of a Site Plan application.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 3 notices were mailed to property owners within 200 feet of the request. Staff has received three (3) letters of support and zero (0) letters of opposition for the PD request.

Mayor Wallace opened the Public Hearing at approximately 7:45 p.m.

There being no others to speak for or against ZDC-200-2024, Mayor Wallace closed the Public Hearing at approximately 7:45 p.m.

17. Consider proposed Ordinance approving ZDC-200-2024

ORDINANCE NO. 3586

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-1 (SF-1) TO PLANNED DEVELOPMENT-COMMERCIAL (PD-C) LOCATED APPROXIMATELY 0.5 MILES SOUTH OF 135 PARK HILLS DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 129.479 ACRES KNOWN AS PROPERTY ID 294908, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-200-2024, a Planned Development request for Waxahachie Creek High School, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (5-0).

18. Public Hearing on a request by Stephanie Gienger, Kimley-Horn, for a Zoning Change from a Planned Development-Multi-Family-2 (PD-MF-2) and General Retail (GR) zoning district to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district, located at 2797 John Arden Drive (Property ID 189265, 189266, and 275156) - Owner: Arden Group LLC and International Church of Foursquare Gospel (ZDC-203-2024)

Ms. Pruitt presented the Item and applicant Travis Jones requested approval. The applicant proposes to rezone the subject property to allow for the development of the Woodland Cottages at Waxahachie, a 75-unit senior living (55+) community.

In December 2018, approximately ten (10) acres of the subject property were rezoned from Planned Development-16-Light Industrial-1 (PD-16-LI-1) to Planned Development-Multi-Family-2 (PD-MF-2) with Ordinance 3073. This zoning change conceptually allowed for the development of a tax credit senior living (55+) multi-family project with a maximum density of 18 dwelling units per acre. The PD did not include a detailed site plan, landscape plan, or elevation/façade plan; however, the developer was required to return to the Planning & Zoning Commission and City Council for approval of these items prior to construction. The development of the original senior living project ultimately did not proceed because the developer failed to receive the necessary tax credits for the project.

In September of 2024, a new Planned Development Application (ZDC-120-2024) was approved for the property. This PD application for the Woodland Cottages at Waxahachie allowed for a 68-unit senior living (55+) community. The application featured a multi-family use only on the east side of Alliance Boulevard. The west side of Alliance Boulevard was reserved as a 3-acre General Retail (GR) tract.

In October of 2024, the applicant submitted this Planned Development Application (ZDC-203-2024) to replace the 3-acre General Retail (GR) tract on the west side of Alliance Boulevard with an additional multi-family tract. After further consideration of non-residential development on this

tract, the property owner and applicant decided the most feasible path of development for the site is direct inclusion into the senior living community. The applicant proposes to develop the area west of Alliance Boulevard with seven (7) additional senior living (55+) units.

The current Planned Development request aims to replace the existing Planned Development-Multi-Family-2 (PD-MF-2) zoning for the subject property and provide an updated detailed site plan, landscape plan, and elevation/façade plan.

As noted above, this PD request allows for a 75-unit senior living (55+) community. This is an increase of seven (7) units over the PD approved by the City Council in September 2024. To accommodate the additional units, the site's design has been slightly modified. East of Alliance Boulevard, the applicant now proposes sixty-four (64) units. The remaining eleven (11) units are now proposed on the west side of Alliance Boulevard. Thus, eliminating the potential General Retail uses on the 3-acre tract on the west side of Alliance Boulevard. The proposed new unit count results in an overall density of 5.49 dwelling units per acre, which increased from the previously approved 4.98 dwelling units per acre. The 75 proposed units are spread out between twenty-two (22) residential buildings. Eight (8) unique residential building types are proposed for the development. The residential building types provide a variety of unit counts ranging from two (2) units per building up to eight (8) units per building. A total of 16 one-bedroom units and 57 two-bedroom units are now proposed. All buildings on the subject property are proposed to be restricted to one-story in height.

The applicant has exceeded the minimum parking requirement for the proposed development; which is 75-spaces. One (1) parking space is required for every senior living (55+) unit. The applicant has provided a total of 167 parking spaces for the development. The applicant has also met the requirement to provide 50% of all required parking spaces as attached garages. A total of sixty-three (63) attached garages have been provided with an additional four (4) detached garage spaces proposed. Attached garages are available on nineteen (19) of the twenty-two (22) residential buildings. The remaining parking on the site is proposed as typical surface spaces.

The design of the senior living (55+) portion of the development meets the typical setback requirements of the Waxahachie Zoning Ordinance; which results in a 25' setback on all sides of the property. The applicant has proposed development standards with this request that will require valet trash service for residents. The applicant proposes constructing the development's residential portion in a single phase.

As noted, the subject property is identified by the 2023 Comprehensive Plan partially under the Urban Village and Mixed-Use Neighborhood placetypes. Each of these placetypes encourage a combination of residential and commercial uses. The applicant proposes to adhere to the intent of the Comprehensive Plan by developing a type a low-density senior living (55+) community that is not currently present in this area of Waxahachie. In addition to compliance with the Comprehensive Plan, the proposed development is consistent with the existing zoning (Ord. 2569) adjacent to the Civic Center; which allows for mixed and multi-family uses along Alliance Boulevard.

The applicant proposes to reserve a portion of the 3.24-acre tract on the west side of Alliance Boulevard for a detention pond. The detention pond will meet drainage and detention requirements for the development as a whole. The applicant proposes to extend a 12" water line and 8" sewer line along Alliance Boulevard to provide water and wastewater services to both tracts.

As part of the Planned Development request, the applicant still proposes to dedicate 80' of right-of-way (ROW) for the extension of Alliance Boulevard, as required by the Waxahachie Thoroughfare Plan. The applicant will construct an extension of Alliance Boulevard to their southern property line as part of the proposed development. Alliance Boulevard will be used as one of the points of access for the tract on the east side of Alliance Boulevard and the only point of access for the tract on the west side of Alliance Boulevard. A driveway connection to John Arden Drive will also be installed on the east side of the property to serve as a second point of access to the eastern tract. An automatic security gate will restrict all access points for the multi-family tract. The automatic gates will come equipped with Knox boxes to ensure the Fire Department can access the site.

The applicant is proposing to exceed the minimum landscaping requirements for the development. The applicant proposes to incorporate seventy-eight (78) crape myrtles into the Landscape Plan for the site. To provide additional screening from the north of the subject property, the applicant proposes to install 7' evergreen eastern red cedars along the northern property line.

The applicant has provided a detailed Elevation/Façade Plan as part of the PD proposal. The applicant proposes to utilize eight (8) complimentary, but distinct, residential building types for the development. As noted above, there are a total of twenty-two (22) residential buildings proposed with the development. The Elevation/Façade Plan provides a fully rendered view of each of the eight (8) different residential buildings styles.

The applicant proposes to utilize 100% masonry (brick, stone, stucco) exterior construction materials for the front and side facades of all residential buildings. Up to 31% of the rear façade on some residential buildings is proposed to be constructed with cementitious siding. Notably, the siding is only proposed for use in rear porch areas. Six (6) of the eight (8) residential building types are proposed to utilize an 8:12 roof pitch. Two (2) of the residential building types are proposed to utilize a 5:12 roof pitch to provide further architectural variety within the development.

Proposed screening for the subject property on the east side of Alliance Boulevard has not changed from the previous PD. Additional fencing is proposed west of Alliance Boulevard with this PD, in compliance with the screening requirements of the Waxahachie Zoning Ordinance.

The Waxahachie Zoning Ordinance requires installing a 6' solid masonry wall between residential and non-residential uses. The applicant proposes to install a 6' masonry screening wall adjacent to the Oncor service center north of the subject property, along the western property line, and adjacent to the Connect 4 Life Church south of the subject property. An existing ornamental iron fence is in place between the subject property and the Oxford Apartment Complex. The applicant proposes to install 7' evergreen eastern red cedars adjacent to this existing fence to enhance screening between the developments. The applicant proposes to extend an ornamental iron fence along the northern property line on the west side of Alliance Boulevard. Adjacent to undeveloped land south of the subject property, the applicant proposes to install a 6' cedar wood fence.

The proposed amenities for the development on the east side of Alliance Boulevard have not changed from the previous PD. West of Alliance Boulevard, the applicant has proposed an additional sports court and cabana amenity. The development standards proposed by the applicant require the construction of a clubhouse, pool, sports court, cabana, and fitness amenity with the initial development. The applicant also proposes to install a concrete walking path through the open space areas shown on the Site Plan.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 notices were mailed to property owners within 200 feet of the request. Staff has received no letters of support or opposition for the Zoning Change request.

Mayor Wallace opened the Public Hearing at approximately 7:51 p.m.

There being no others to speak for or against ZDC-203-2024, Mayor Wallace closed the Public Hearing at approximately 7:51 p.m.

Council Member Travis Smith expressed concerns with the setbacks at the rear of the property facing the golf course and the masonry fencing. Ms. Pruitt explained a masonry wall is required by the Zoning Ordinance for multi-family housing; however, City Council can request ornamental iron fencing.

19. Consider proposed Ordinance approving ZDC-203-2024

ORDINANCE NO. 3587

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-MULTI-FAMILY-2 (PD-MF-2) TO PLANNED DEVELOPMENT-MULTI-FAMILY-2 (PD-MF-2), WITH A DETAILED SITE PLAN, LOCATED AT 2797 JOHN ARDEN DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 13.66 ACRES KNOWN AS PROPERTY ID 189265, 189266, AND 275156 OF THE JONATHAN E. PRICE SURVEY, ABSTRACT 844, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve ZDC-203-2024, a Planned Development for a senior living community, subject to the conditions of the staff report, and to include open fencing along the property adjacent to the golf course, and authorize the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (5-0).

20. Consider Development Agreement for ZDC-203-2024

Action:

Travis Smith moved to approve the Development Agreement for ZDC-203-2024 and include the open fencing along the golf course. Motion was seconded by Tres Atkins and carried unanimously (5-0).

21. Public Hearing on a request by Caleb Jones, Kimley-Horn, for a Zoning Change from a General Retail (GR) zoning district to Planned Development-General Retail (PD-GR) zoning district, for BJ's Wholesale Club, located north of 2130 N US Highway 77 (Property ID 191272 & 298186) - Owner: Waxahachie Hedgewood 1 LLC & Adam Arredondo (ZDC-165-2024)

Mr. King presented the Item. Marc LaVoie, Site Development Manager, and Bill Dahlstrom requested approval. The applicant proposes a Planned Development (PD) to allow for development of a BJ's Wholesale Club on approximately 12-acres at the northeast corner of Hedgewood Drive and Highway 77. The subject property is currently situated in a General Retail (GR) zoning district. The GR zoning district allows for a "Retail Stores & Shops" Land Use. However, with this application, the applicant is proposing specific development standards and accessory uses on the subject property that are not allowed by right within the existing GR zoning district. Due to this, the applicant has opted to proceed with a PD application to establish specific development standards appropriate for BJ's Wholesale Club and the surrounding area. On July 9th, 2024, prior to submitting the Planned Development request, the applicant conducted a well-attended neighborhood meeting to provide the community with information on the development and to ensure feedback from local residents was incorporated into the site design.

The Planned Development is proposed to include BJ's Wholesale Club as the primary use, along with a Fuel Station, a Propane Refill Station, Tire Center, and an Outdoor Display area as accessory uses. BJ's Wholesale Club is a membership- only retailer that offers grocery, apparel, appliances, and household goods along with tire, propane, and fuel services at each location. Typical operating hours for BJ's Wholesale Club are 8:00am to 9:00pm. The applicant anticipates up to 120 people to be employed by the proposed BJ's Wholesale Club.

In addition to the primary retail land use of BJ's Wholesale Club, the applicant proposes development standards that allow for the following accessory uses on the subject property. It is important to note that the following uses are only permitted as accessories, meaning they are not permitted to operate as stand-alone land uses without affiliation with BJ's Wholesale Club.

- Gasoline Sales as an accessory use to the Retail Store [Wholesale Club]
- Outside Sales and Display, limited to seasonal floral sales and as shown on the Detailed Site Plan, as an accessory use to the Retail Store [Wholesale Club]
- Outside Storage, limited to a tire trailer adjacent to the Tire Center area and screened accordingly, as shown on the Detailed Site Plan, as an accessory use to the Retail Store [Wholesale Club]
- Propane Refill Station, as an accessory use to the Retail Store [Wholesale Club]
- Tire Installation or Repair as an accessory use to the Retail Store [Wholesale Club]

The applicant has provided a Detailed Site Plan for the subject property, which is designed around a 107,000 square-foot structure that will house BJ's Wholesale Club. The Detailed Site Plan also includes a detached, self-service fuel center with seven (7) fuel pumps and a propane refill station that is accessible to employees only. The development is proposed to be situated on a single lot. The primary 107,000 square foot structure will house the Tire Center in the northwest corner of the building. The Outdoor Display area is proposed along the western face of the primary building. An online pick-up area has also been designated on the southern side of the primary building.

The proposed Site Plan includes a total of 542 parking spaces; which exceeds the minimum requirement of 539 parking spaces. The site is designed to adhere to the minimum setback requirements of the General Retail (GR) zoning district. However, it is important to note that the primary building is situated approximately 150' from the nearest adjacent single-family residential lot at its closest point to the east. The product loading area and trash compactor for the site are situated at the northeast corner of the primary building, which is setback approximately 200' from the nearest adjacent single-family residential lot. The trash compactor and product loading area are proposed to be screened.

The subject property backs up to the existing 100' overhead electric easement and single-family residences in the Arbors neighborhood to the east. To properly screen the existing residences from the proposed development, the applicant has proposed to construct an 8-foot-tall masonry screening wall. The screening wall will be constructed of prefabricated concrete panels designed to mimic a stone wall. The height and design of the wall is similar to the wall utilized to screen the Tom Thumb site to the south of the subject property. Additionally, the applicant is proposing to install an 8' concrete screening wall around the Propane Refill Station in order to screen the station from view and secure the station.

The applicant has provided a Landscape Plan that identifies the proposed landscaping for the site. The proposed landscaping does meet the minimum requirements of the Waxahachie Zoning Ordinance. However, it is important to note that the applicant has clustered required canopy and ornamental trees along the eastern property line, parallel to the proposed 8' screening wall, to provide an enhanced buffer for adjacent residences. The proposed landscape design for the site is similar to that used for the North Grove Center development to the south and is intended to provide enhanced sound and light mitigation for activity along the rear of the primary structure.

The applicant has provided an Elevation/Façade Plan for all structures proposed with this PD. The primary wholesale club structure is proposed to feature concrete tilt wall, concrete masonry units (CMUs), and EIFS as the primary exterior construction materials. All exterior construction materials are proposed to be painted with the standard BJ's Wholesale Club palette; which features a combination of complimentary gray and red color scheme. The primary structure meets the typical articulation requirements of the Waxahachie Zoning Ordinance. Enhanced articulation is proposed at several key locations that are accessible to customers. All roof-mounted equipment is fully screened from view by the proposed building articulation. The fuel station canopy utilizes the same color scheme as the primary structure.

The subject property is proposed to have a total of three (3) points of entry and four (4) exits. Two (2) entrances and three (3) exits are proposed along Hedgewood Drive, as shown on the Detailed Site Plan. Notably, an exit-only drive is proposed adjacent to the fuel station to mitigate traffic conflicts along Hedgewood Drive. The remaining entry/exit for the site is proposed as a right-in-right-out access point along Highway 77. All major drive-aisles identified on the Detailed Site Plan are proposed to be covered by a mutual access easement at the time of platting to ensure connectivity between adjacent properties.

The applicant has submitted a Traffic Impact Analysis (TIA) with this PD Application. The TIA evaluated the expected traffic demands of the proposed development and recommended several off-site improvements to mitigate traffic concerns for the property. These off-site improvements

include the construction of an additional left-turn lane into the site from Hedgewood Drive and a right-turn/deceleration lane into the site from Highway 77. In addition to these improvements, the TIA recommends that the Highway 77 access point be restricted to a right-in-right-out only access point in order to limit the potential for vehicle stacking. The TIA is actively under review by City and TxDOT staff and is required to be approved prior to the development of the site. The developer has committed to installing the off-site improvements recommended by the TIA and the Detailed Site Plan reflects these off-site improvements at this time.

The applicant has proposed a dedicated Signage Plan with this PD application that includes wall signage and a monument sign. The proposed monument sign is a total 80 square feet and adheres to the typical height and size requirements of the Waxahachie Zoning Ordinance. The monument sign is proposed to feature dual gas pricers for the fuel station. The proposed wall signs for the development exceed the total maximum square footage allowed by the Waxahachie Zoning Ordinance; but are consistent with recently approved signage for the Tom Thumb to the south. Due to this, staff is supportive of the proposed signage for the site.

The applicant has provided a Photometric Plan with this Planned Development application to demonstrate compliance with the Waxahachie Zoning Ordinance. The Photometric Plan does adhere to the requirements of the Waxahachie Lighting and Glare standards. Staff has verified that all wall-mounted and pole-mounted light fixtures are designed to be directed downward towards the site and will be equipped with shields to further mitigate light trespass on adjacent properties.

The applicant has designed the Site Plan for the property to accommodate underground detention. The underground detention area is proposed to be located under the primary parking lot for the development and is designed to tie into existing stormwater infrastructure in the area. As part of this development, the applicant is required to extend public water and sanitary sewer lines across the subject property. The applicant has accounted for these extensions on the proposed Detailed Site Plan. Detention and Utility improvements are required to be finalized with a future Civil Construction Permit.

The applicant proposes to develop the subject property as a single lot and in a single phase. Once development commences, the applicant anticipates construction to be completed between 8 and 18-months.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 27 notices were mailed to property owners within 200 feet of the request. Staff has received four (4) letters of support and zero (0) letters of opposition for the PD request.

The Commissioners engaged with the applicant on various topics, including other Texas locations, potential job creation, partnerships with local charities, hours of operation, delivery schedules, tire storage, and in-store repair services.

Mayor Wallace opened the Public Hearing at approximately 8:08 p.m.

City Council discussed planned changes to the median on Hedgewood Drive for a new turn lane. The developers clarified that no current median would be removed on the left side, but a section of the median on the right side would be modified to accommodate a left-turn lane. This adjustment would eliminate some landscaping and grass in the area. There were concerns raised about the homeowners association (HOA) being responsible for maintaining the median and its irrigation system, especially since it now serves a commercial area rather than just the neighborhood. It was suggested that either the City or the developers should take over the water bill for the median.

In addition, questions were raised about noise from rooftop units, with developers assuring that sound would be minimized through landscaping and an 8-10 foot masonry wall. They also confirmed that the rooftop units would be screened from view to reduce visual and noise impact on nearby residents.

There being no others to speak for or against ZDC-165-2024, Mayor Wallace closed the Public Hearing at approximately 8:20 p.m.

22. Consider proposed Ordinance approving ZDC-165-2024

ORDINANCE NO. 3588

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM GENERAL RETAIL (GR) TO PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR), WITH A DETAILED SITE PLAN, LOCATED AT THE NORTHEAST CORNER OF HEDGEWOOD DRIVE AND N US HIGHWAY 77 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 11.91 ACRES KNOWN AS PROPERTY ID 191272 & 298186, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-165-2024, a Zoning Change request from a General Retail zoning district to a Planned Development-General Retail zoning district, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (5-0).

23. Consider Development Agreement for ZDC-165-2024

Action:

Chris Wright moved to approve the Development Agreement for ZDC-165-2024. Motion was seconded by Patrick Souter and carried unanimously (5-0).

24. Second reading of proposed Ordinance approving the Gateway Pipeline Company, LLC Franchise Agreement

Dale Sigler, Director of Administrative Services, presented the Item. Gateway Pipeline Company is requesting to renew their existing franchise utility agreement with the City of Waxahachie. Gateway seeks to utilize infrastructure in the City's right-of-ways to furnish and supply natural gas to the general public, which includes delivery, sale, and distribution of natural gas.

The City of Waxahachie Charter dictates that a proposed Utility Franchise Agreement must be publicly read at two (2) City Council meetings and must be published in the City's Newspaper of Record four (4) consecutive times prior to the adoption of the Franchise Utility Agreement. The first reading was read at the November 4, 2024 City Council meeting and the second reading on the December 16, 2024 City Council meeting. The City Secretary's office will publish the Franchise Utility Agreement in The Waxahachie Sun four (4) consecutive times beginning on December 18, 2024. If approved by Council on December 16, 2024, the Franchise Utility Agreement will take effect in thirty (30) days or on January 15, 2025.

Second reading of proposed Ordinance by Mayor Wallace:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE GRANTING TO GATEWAY PIPELINE COMPANY, LLC. A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS ("CITY"), FOR THE TRANSPORT, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH THE CITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FRANCHISE FEE FOR THE USE OF THE CITY'S STREETS, ALLEYS, AND PUBLIC RIGHTS-OF-WAY; REQUIRING COMPLIANCE WITH ALL REGULATORY ORDINANCES OF THE CITY; AND PROVIDING FOR OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

25. Consider proposed Ordinance approving Gateway Franchise Agreement

ORDINANCE NO. 3589

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE GRANTING TO GATEWAY PIPELINE COMPANY, LLC. A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS ("CITY"), FOR THE TRANSPORT, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH THE CITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FRANCHISE FEE FOR THE USE OF THE CITY'S STREETS, ALLEYS, AND PUBLIC RIGHTS-OF-WAY; REQUIRING COMPLIANCE WITH ALL REGULATORY ORDINANCES OF THE CITY; AND PROVIDING FOR OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

Action:

Patrick Souter moved to approve the renewal of the Franchise Utility Agreement Ordinance with Gateway Pipeline Company, LLC. Motion was seconded by Tres Atkins and carried unanimously (5-0).

26. Consider award of annual contract for mobile devices

Chad Tustison, Senior Director of Finance, presented the Item. A committee of City staff involving Finance, Human Resources, Information Technology, Police, and Administration thoroughly reviewed the mobile service provider options in the city to determine the best value price and services available.

The Verizon wireless devices were tested throughout the city by our Emergency Management Team to ensure quality service and were also tested at home by several City staff members living outside of the city limits. Verizon currently provides mobile device services to our Police and Utilities Department and offers exceptional customer service.

This contract provides a variety of benefits including cost savings through lower service costs and activation credits; a dedicated account representative and custom billing; and enhance device management through customer web access.

City mobile device purchases and monthly services are paid through the department's approved annual budget. The expenditures for these devices and services will not exceed the annual approved budgeted funds. Additionally, approval of this item will provide cost savings to the City through lower-cost cellular service and activation rebates totaling approximately \$70,000, with \$20,000 of that amount being recurring savings.

Action:

Patrick Souter moved to award a contract for City mobile devices and services and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

27. Consider 2022 Water and Sanitary Sewer Replacement Change Order No.1

Kumar Gali, Senior Director of Utilities, presented the Item. Staff proposes to add the replacement of the 1-inch water main on Gardner Street to the 2022 Water and Sewer Replacement Project. A portion of Gardner Street does not have a water main, adequate water service, or fire protection. Change Order No.1 is proposed to install a 4-inch water main that will loop with the water line on North Aiken St. This water main improvement will provide adequate sizing for water service and increased water pressures for current and future residents along Gardner Street. A fire hydrant will be installed at North Aiken Street and Gardner Street to provide fire protection to the residents of this street.

The 2022 Water and Sanitary Sewer Replacement construction was approved by Council on September 2024, with a construction budget of \$3,403,313. The Change Order No.1 with Day Services, LLC is \$146,374 and will be funded through Water Fund, for a total construction contract of \$3,549,687.

Action:

Chris Wright moved to approve the 2022 Water and Sanitary Sewer Replacement Project Change Order No. 1 with Day Services, LLC, for the installation of a new water main on Gardner Street in the amount of \$146,374 to be funded from the Water Fund and authorize the City Manager to execute all the necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

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

The City Council and City Management expressed their gratitude to the staff for their efforts in organizing a successful Christmas Parade and Tree Lighting event. They extended their warm wishes for a Merry Christmas and a Happy Holiday Season to all.

Council Member Travis Smith recognized the Convention and Visitor's Bureau Team for their work at Bethlehem Revisited and recognized the volunteers who contributed to the success of the Historic Waxahachie Christmas Tour of Homes.

Council Member Tres Atkins thanked Pastor Bruce Zimmerman for attendance and his contributions to the community.

Mayor Pro Tem Chris Wright invited the public to visit the new Texas State Historical Marker at Freedman Memorial Plaza honoring the Sweatt Family Legacy. Mr. Wright offered his condolences to Mayor Wallace on the recent loss of her mother.

Mayor Billie Wallace recognized Pastor Zimmerman for his work in the community. Mayor Wallace expressed her heartfelt gratitude for the love and support she has received as she mourns the loss of her mother.

29. Adjourn

There being no further business, the meeting adjourned at 8:37 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary