



CITY OF DECATUR, TEXAS

AGENDA
CITY COUNCIL MEETING
Monday, November 25, 2019
WORKSHOP 5:30 p.m.
REGULAR MEETING 6:00 p.m.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

General Agenda Comments

Anyone wishing to speak on a posted agenda item must complete a speaker card with his/her name and address and must identify the agenda item number for which he/she would like to speak. A card must be submitted to Diane Cockrell, City Secretary, so that the speaker may be recognized by the Chair at the appropriate time. Speakers will each be allowed a total of three (3) minute time period to provide comments regarding the posted agenda item for which the request to speak was submitted and may speak during this item or during the Commission's consideration of individual items in accordance with City Council Rules of Procedure. The three (3) minute time period will be extended to six (6) minutes if a translator is required for a non-English speaker to communicate his/her comments regarding the posted agenda item for which the request to speak was filed.

WORKSHOP 5:30 p.m.

MONTHLY DEPARTMENT REPORTS – Conference Center, Library and Police Department

Conference Center report by Conference Center Director, Lori Sherwood including relevant information and follow-up discussion with Council and other staff.

Library report by Library Director, Patricia Peters including relevant information and follow-up discussion with Council and other staff.

Police Department report by Captain, Delvon Campbell including relevant information and follow-up discussion with Council and other staff regarding operations.

REGULAR MEETING 6:00 p.m.

1. MAYOR WOODRUFF TO ADMINISTER OATH OF OFFICE TO POLICE OFFICERS:
Joshua Hysom and Cole Stallard

Planning and Zoning Report:

2. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE AMENDING APPENDIX "B," "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A ZONING CHANGE AND TO AMEND THE ZONING MAP FROM A SF-2, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO A C-1, RESTRICTED BUSINESS

ZONING DISTRICT FOR AN APPROXIMATE 1.33-ACRE TRACT OF LAND AND INCLUDING APPROXIMATELY 0.241 ACRES TO THE CENTERLINE OF US HIGHWAY 81/287 BUS WHERE ADJACENT TO THE SUBJECT TRACT. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 44' WEST OF THE CENTERLINE OF US HIGHWAY 81/287 BUS AND IS MORE COMMONLY REFERRED TO AS 1303 N. US HIGHWAY 81/287 BUS, DECATUR, TEXAS. **(ZONING CHANGE APPLICATION ZC2019-05—DAYNA BLAND'S REQUEST, ON BEHALF OF UNIVERSITY OF GYMNASTICS.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**

3. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE AMENDING APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A LICENSED CHILD CARE CENTER, IN A C-1, RESTRICTED BUSINESS ZONING DISTRICT ON APPROXIMATELY 1.33 ACRES OF LAND AND INCLUDING APPROXIMATELY 0.241 ACRES TO THE CENTERLINE OF US HIGHWAY 81/287 BUS WHERE ADJACENT TO THE SUBJECT TRACT. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 44' WEST OF THE CENTERLINE OF US HIGHWAY 81/287 BUS AND IS MORE COMMONLY REFERRED TO AS 1303 N. US HIGHWAY 81/287 BUS, DECATUR, TEXAS. **(SPECIFIC USE PERMIT APPLICATION SUP2019-03—DAYNA BLAND'S REQUEST, ON BEHALF OF UNIVERSITY OF GYMNASTICS.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**
4. CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-54**—PASTOR AND MRS. TIMOTHY JENKINS' REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 94.9 LINEAR FEET OF PROPERTY LOCATED ALONG S. HOLMAN STREET, WHERE ADJACENT TO THE EAST BOUNDARY OF PROPOSED LOT 1, BLOCK 56R, TARLETON ADDITION, AND MORE COMMONLY REFERRED TO AS 200 S. HOLMAN STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, CHAIRMAN LEMOND AND COMMISSIONER ALLEN ABSENT.)**
5. CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-55**—PASTOR AND MRS. TIMOTHY JENKINS' REQUEST FOR A VARIANCE FROM CHAPTER 2, SECTION 201, "STREET IMPROVEMENTS (CURB/GUTTER)," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 90.3 LINEAR FEET OF PROPERTY LOCATED ALONG W. SHOEMAKER STREET, WHERE ADJACENT TO THE SOUTH BOUNDARY OF PROPOSED LOT 1, BLOCK 56R, TARLETON ADDITION, AND MORE COMMONLY REFERRED TO AS 200 S. HOLMAN STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND DENIAL 4-1, COMMISSIONER LANIER OPPOSED AND CHAIRMAN LEMOND AND COMMISSIONER ALLEN ABSENT.)**
6. CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-56**—PASTOR AND MRS. TIMOTHY JENKINS' REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 90.3 LINEAR FEET OF PROPERTY LOCATED ALONG W. SHOEMAKER STREET, WHERE ADJACENT TO THE SOUTH BOUNDARY OF PROPOSED LOT 1, BLOCK 56R, TARLETON ADDITION, AND MORE COMMONLY REFERRED TO AS 200 S. HOLMAN STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, CHAIRMAN LEMOND AND COMMISSIONER ALLEN ABSENT.)**
7. CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-57**—PASTOR AND MRS. TIMOTHY JENKINS' REQUEST FOR A VARIANCE FROM CHAPTER 2, SECTION 201, "STREET IMPROVEMENTS (CURB/GUTTER)," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 90.1 LINEAR FEET OF PROPERTY LOCATED ALONG W.

PECAN STREET, WHERE ADJACENT TO THE NORTH BOUNDARY OF PROPOSED LOT 1, BLOCK 56R, TARLETON ADDITION, AND MORE COMMONLY REFERRED TO AS 200 S. HOLMAN STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND DENIAL 5-0, CHAIRMAN LEMOND AND COMMISSIONER ALLEN ABSENT.)**

8. CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-58**—PASTOR AND MRS. TIMOTHY JENKINS' REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 90.1 LINEAR FEET OF PROPERTY LOCATED ALONG W. PECAN STREET, WHERE ADJACENT TO THE NORTH BOUNDARY OF PROPOSED LOT 1, BLOCK 56R, TARLETON ADDITION, AND MORE COMMONLY REFERRED TO AS 200 S. HOLMAN STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, CHAIRMAN LEMOND AND COMMISSIONER ALLEN ABSENT.)**
9. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON **VARIANCE APPLICATION 2019-59**—DIANE MORIARTY'S REQUEST, ON BEHALF OF CHICKEN EXPRESS, FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) WALL SIGNS. SPECIFICALLY, APPLICANT IS REQUESTING A CUMULATIVE WALL SIGN AREA THAT EXCEEDS THE MAXIMUM ALLOWABLE AREA. BASED ON INFORMATION PROVIDED BY THE APPLICANT, THE REGULATIONS ALLOW A MAXIMUM SIGN AREA OF 84.81 SQ. FT. THE APPLICANT IS SEEKING A TOTAL OF 102.5 SQ. FT. FOR THREE WALL SIGNS, WHICH IS IN EXCESS OF THE MAXIMUM CUMULATIVE ALLOWABLE SIGN AREA BY 17.69 SQ. FT. THE SUBJECT PROPERTY IS LOCATED AT 1204 S. US HIGHWAY 81-287, DECATUR, TEXAS.
10. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON **VARIANCE APPLICATION 2019-60**—DIANE MORIARTY'S REQUEST, ON BEHALF OF CHICKEN EXPRESS, FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) WALL SIGNS. SPECIFICALLY, APPLICANT IS REQUESTING TO ALLOW A WALL SIGN TO NOT BE LOCATED IN THE MIDDLE SEVENTY-FIVE (75) PERCENT OF STREET FRONTAGE, AS REQUIRED BY THE SIGN REGULATIONS. THE SUBJECT PROPERTY IS LOCATED AT 1204 S. US HIGHWAY 81-287, DECATUR, TEXAS.
11. **CONSENT AGENDA** – ALL CONSENT AGENDA ITEMS LISTED ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE RECOMMENDED IN ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A CITY COUNCIL MEMBER SO REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, CHAIRMAN LEMOND AND COMMISSIONER ALLEN ABSENT.)**
 - A. CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2019-18**—MR. DOUG HENDERSON'S REQUEST, ON BEHALF OF JEFF HORN, W-H STORAGE AND AT&T, TO FINAL PLAT LOT 1, BLOCK 1, GIANT EAGLE ADDITION, BEING A REPLAT OF PARTS OF BLOCKS 107, 120, AND CHARLES STREET (CLOSED BY CITY ORDINANCE NO. 2-74) AND SHORT STREET (CLOSED BY CITY ORDINANCE NO. 2-74) IN THE SOUTH DECATUR ADDITION, CITY OF DECATUR, WISE COUNTY, TEXAS, AND MORE COMMONLY REFERRED TO AS 1600 S. STATE ST., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT.
 - B. CONSIDER TAKING ACTION REGARDING **FINAL PLAT APPLICATION 2019-08**—MR. CHRIS BURTON'S REQUEST, ON BEHALF OF BURTON FM51 PARTNERS, TO FINAL PLAT LOT 1, BLOCK 1, BURTON FM51 PARTNERS ADDITION, BEING A 0.644-ACRE TRACT OF LAND OUT OF THE J.C. BULLOCK SURVEY, ABSTRACT NO. 79, WISE COUNTY, TEXAS AND BEING PART OF THAT TRACT OF LAND AS DEEDED TO

CHRISTOPHER T. BURTON AND FM 51 PARTNERS IN VOLUME 1602, PAGE 312. OFFICIAL RECORDS WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 1510 S. FM 51, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT.

- C. CONSIDER TAKING ACTION REGARDING **FINAL PLAT APPLICATION 2019-09**—MS. DAYNA BLAND'S REQUEST, ON BEHALF OF UNIVERSITY OF GYMNASTICS, TO FINAL PLAT LOT 1, BLOCK 1, NICOLE ROSE HILL ADDITION, BEING A 1.341-ACRE TRACT OF LAND IN THE G.M. VIGIL SURVEY, ABSTRACT NUMBER 857, CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 1303 N. US HIGHWAY 287 BUSINESS, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT.

OPEN PUBLIC HEARING:

12. HEAR STAFF REPORT AND PUBLIC COMMENTS AND CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2019-17**—PASTOR AND MRS. TIMOTHY JENKINS' REQUEST TO FINAL PLAT LOT 1, BLOCK 56R, TARLETON ADDITION, BEING APPROXIMATELY 0.19 ACRES AND A REPLAT OF PART OF BLOCK 56, OF THE SUBDIVISION OF THE JAMES TARLETON SURVEY, ABSTRACT NUMBER 805, IN THE CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 200 S. HOLMAN STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, CHAIRMAN LEMOND AND COMMISSIONER ALLEN ABSENT.)**

CLOSE PUBLIC HEARING:

13. CONSIDER CITY ATTORNEY SERVICES AGREEMENT WITH MESSER, FORT AND MCDONALD AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT.
14. CONSIDER FIRST READING OF AN ORDINANCE TO ALTER THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TRANSPORTATION CODE, CHAPTER 545, SECTION 545.356, ALONG FM 730, CONTROL SECTION 0312-04, FROM MP 2.624 TO MP 3.207, TO 50 MILES PER HOUR.
15. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN INTERLOCAL PURCHASING AGREEMENT WITH TIPS IN CONJUNCTION WITH RESOLUTION 2019-11-10 AND AUTHORIZE THE CITY MANAGER TO EXECUTE.
16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN AGREEMENT WITH SWAGGIT PRODUCTIONS, LLC FOR COUNCIL CHAMBER VIDEO STREAMING SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE.
17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN AGREEMENT WITH VISIONALITY FOR COUNCIL CHAMBERS AV UPGRADE-WIRED DAIS MICS AND AUTHORIZE THE CITY MANAGER TO EXECUTE.
18. CONSIDER VOTE FOR THE WISE COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A TERM OF TWO (2) YEARS BEGINNING JANUARY 1, 2019:
- | | |
|-----------------|-----------------|
| a. Ray Cook Jr. | d. Gere Joiner |
| b. Kyle Erwin | e. Bill Lewis |
| c. Mike Hurd | f. Noel Ruddick |

19. CONSIDER VOTE FOR THE WISE DECATUR HOSPITAL AUTHORITY BOARD OF DIRECTORS FOR A TERM OF TWO (2) YEARS TO EXPIRE DECEMBER 31, 2021:

- a. Mark Duncum Place 7
- b. Ray Cook Jr. Place 10
- c. Dana Manoushagian Place 11

20. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD NOVEMBER 12, 2019.

21. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

ADJOURNMENT

I hereby certify that the above agenda was posted on the official bulletin board at City Hall, 201 E. Walnut, Decatur Texas, on Friday, November 22, 2019, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

Diane Cockrell, TRMC, CMC, City Secretary

*NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.