



# CITY OF DECATUR, TEXAS

---

## AGENDA CITY COUNCIL MEETING Monday, July 8, 2019 REGULAR MEETING 6:00 p.m.

### CALL TO ORDER

### MOMENT OF SILENCE

### PLEDGE OF ALLEGIANCE

### OPEN PUBLIC HEARING:

1. RECEIVE PUBLIC COMMENTS AND/OR QUESTIONS RELATING TO 2018 ANNUAL DRINKING WATER QUALITY REPORT (CONSUMER CONFIDENCE REPORT).

### CLOSE PUBLIC HEARING

### PLANNING AND ZONING REPORT:

2. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-25**—MR. AND MRS. JOSE AGUILAR'S REQUEST FOR A VARIANCE FROM CHAPTER 2, SECTION 201, "STREET IMPROVEMENTS (CURB/GUTTER)," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 95 LINEAR FEET OF PROPERTY LOCATED ALONG W. WARD ST., WHERE ADJACENT TO THE NORTH BOUNDARY OF PROPOSED BLOCK 42R, TARLTON ADDITION, AND MORE COMMONLY REFERRED TO AS 403 S. LANE ST., 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 6-0, CHAIRMAN LEMOND ABSENT.)**
3. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-26**—MR. AND MRS. JOSE AGUILAR'S REQUEST FOR A VARIANCE FROM CHAPTER 2, SECTION 201, "STREET IMPROVEMENTS (CURB/GUTTER)," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 96.3 LINEAR FEET OF PROPERTY LOCATED ALONG W. BRADY ST., WHERE ADJACENT TO THE SOUTH BOUNDARY OF PROPOSED BLOCK 42R, TARLTON ADDITION, AND MORE COMMONLY REFERRED TO AS 403 S. LANE ST., 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 5-1, COMMISSIONER BERUBE OPPOSED AND CHAIRMAN LEMOND ABSENT.)**
4. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-27**—MR. AND MRS. JOSE AGUILAR'S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 183.3 LINEAR FEET OF PROPERTY LOCATED ALONG S. LANE ST., WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED BLOCK 42R, TARLTON ADDITION, AND MORE COMMONLY REFERRED TO AS 403 S. LANE ST., 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 6-0, CHAIRMAN LEMOND ABSENT.)**

5. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-28**—MR. AND MRS. JOSE AGUILAR'S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 95 LINEAR FEET OF PROPERTY LOCATED ALONG W. WARD ST., WHERE ADJACENT TO THE NORTH BOUNDARY OF PROPOSED BLOCK 42R, TARLTON ADDITION, AND MORE COMMONLY REFERRED TO AS 403 S. LANE ST., 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 6-0, CHAIRMAN LEMOND ABSENT.)**
6. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-29**—MR. AND MRS. JOSE AGUILAR'S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 96.3 LINEAR FEET OF PROPERTY LOCATED ALONG W. BRADY ST., WHERE ADJACENT TO THE SOUTH BOUNDARY OF PROPOSED BLOCK 42R, TARLTON ADDITION, AND MORE COMMONLY REFERRED TO AS 403 S. LANE ST., 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 6-0, CHAIRMAN LEMOND ABSENT.)**
7. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-34**—MS. CHRISTALLA WORKMAN'S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 350.25 LINEAR FEET OF PROPERTY LOCATED ALONG S. STRATTON ST., WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 4R, BLOCK 3, HELM ACRES, AND MORE COMMONLY REFERRED TO AS 1605 S. STRATTON ST., 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 6-0, CHAIRMAN LEMOND ABSENT.)**
8. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-36**—MR. JASON TICKNOR'S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 154 LINEAR FEET OF PROPERTY LOCATED ALONG CYNDILU LN., WHERE ADJACENT TO THE EAST BOUNDARY OF LOT 24, BLOCK 1, KINGS TERRACE ESTATES, AND MORE COMMONLY REFERRED TO AS 315 CYNDILU LN., 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 4-2, COMMISSIONERS ALLEN AND LANIER OPPOSED AND CHAIRMAN LEMOND ABSENT.)**
9. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-41**—MR. JASON TICKNOR'S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 145.59 LINEAR FEET OF PROPERTY LOCATED ALONG WILLIAM ALLEN LN., WHERE ADJACENT TO THE NORTH BOUNDARY OF LOT 24, BLOCK 1, KINGS TERRACE ESTATES, AND MORE COMMONLY REFERRED TO AS 315 CYNDILU LN., 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 4-2, COMMISSIONERS ALLEN AND LANIER OPPOSED AND CHAIRMAN LEMOND ABSENT.)**
10. HEAR REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-42**—MR. DEAN KRAUS' REQUEST, ON BEHALF OF WALMART INC., FOR A VARIANCE FROM THE CITY OF DECATUR'S SIGN ORDINANCE, SECTION 15-7(A)(13) WALL SIGNS. SPECIFICALLY, APPLICANT IS REQUESTING THAT THE MAXIMUM ALLOWED WALL SIGN

AREA OF 430 SQ. FT. BE INCREASED TO 606.39 SQ. FT., AN INCREASE OF 176.39 SQ. FT. THE SUBJECT PROPERTY IS GENERALLY LOCATED AT 800 S. US HIGHWAY 81/287, DECATUR, TEXAS.

11. CONSIDER TAKING ACTION ON AN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF DECATUR, TEXAS AND KIM CHAMBERS FOR SIGNS LOCATED IN PUBLIC DRAINAGE AND UTILITY EASEMENTS LOCATED IN THE 1200 BLOCK OF NORTH U.S. HWY 81/287 AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT.
12. **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 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 6-0, CHAIRMAN LEMOND ABSENT.)**
  - A. CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2019-05**—MR. AND MRS. BROCK SMITH'S REQUEST, ON BEHALF OF THE ANGELA SMITH AND BROCK SMITH REVOCABLE FAMILY TRUST, TO FINAL PLAT LOTS 1 AND 2, BLOCK 66, TARLTON ADDITION, BEING A REPLAT OF PART OF BLOCK 66, TARLTON ADDITION, CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 301 AND 303 W. MAIN ST., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT.
  - B. CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2019-07**—MR. JAKE LONG'S REQUEST, ON BEHALF OF ORSCHELN PROPERTIES, CO. LLC, TO FINAL PLAT LOTS 2R1-A AND 2R2-A, BLOCK 1, WEST DECATUR HILL SUBDIVISION, BEING A REPLAT OF LOTS 2R1 AND 2R2, BLOCK 1, WEST DECATUR HILL SUBDIVISION, CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 1200 W. US HIGHWAY 380 BUS., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT.
  - C. CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2019-08**—MS. KIM CHAMBER'S REQUEST, ON BEHALF OF DECATUR TIRE STORE INC., TO FINAL PLAT LOTS 1R AND 2R, BLOCK A, 1810 SUBDIVISION, BEING A REPLAT OF LOTS 1 AND 2, BLOCK A, 1810 SUBDIVISION, CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 1201 N. US HIGHWAY 81/287, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT.
  - D. CONSIDER TAKING ACTION REGARDING **FINAL PLAT APPLICATION 2019-05**—MR. RON FINCH'S REQUEST, ON BEHALF OF ISHAM PROPERTIES, LTD., LP, TO FINAL PLAT LOT 1, BLOCK 1, ISHAM ADDITION, BEING A 2.473-ACRE TRACT IN THE J. BULLOCK SURVEY, ABSTRACT NUMBER 79 AND THE AJ. WALKER SURVEY, ABSTRACT NUMBER 860, WISE COUNTY, TEXAS AND IS MORE COMMONLY REFERRED TO AS 1414 S. FM 51. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT.

OPEN PUBLIC HEARING:

13. HEAR STAFF REPORT, PUBLIC COMMENTS AND CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2019-10**—MS. CHRISTALLA WORKMAN'S REQUEST TO FINAL PLAT LOT 4R, BLOCK 3, HELM ACRES, BEING APPROXIMATELY 0.333 ACRES OF LAND AND A REPLAT OF PART OF LOT 3 AND ALL OF LOT 4, BLOCK 3, HELM ACRES, CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 1605 S. STRATTON ST., 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 6-0, CHAIRMAN LEMOND ABSENT.)**

## CLOSE PUBLIC HEARING

### REGULAR COUNCIL REPORT:

14. CONSIDER FIRST READING OF AN ORDINANCE AFFIRMING AND RATIFYING PRIOR COUNCIL ACTION TO ADOPT A \$6,000.00 EXEMPTION FOR A HOMESTEAD RESIDENCE OF PERSONS 65 YEARS OF AGE OR OLDER, SUCH EXEMPTION TO REMAIN IN EFFECT UNTIL SUPERSEDED BY THIS ORDINANCE, AND ADOPTING THIS AMENDMENT TO PROVIDE FOR AN EXEMPTION OF \$25,000 OF THE APPRAISED VALUE OF THE RESIDENCE HOMESTEAD OF A DISABLED PERSON, OR OF A PERSON 65 YEARS OF AGE AND OLDER AND TO BECOME EFFECTIVE COMMENCING WITH THE 2020 TAX YEAR;
15. CONSIDER APPROVAL OF A LAND LEASE AT DECATUR MUNICIPAL AIRPORT CONTAINING 10,500 SQUARE FEET OR 0.241 ACRES OF LAND WITH TOWER AVIATION, LLC FOR CONSTRUCTION OF A NEW HANGAR AND APRON AND AUTHORIZE CITY MANAGER TO EXECUTE LEASE.
16. DISCUSS AND CONSIDER RESOLUTION NO. 2019-07-08 SUPPORTING THE CITY OF DECATUR'S APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2019 SAFE ROUTES TO SCHOOL CALL FOR PROJECTS AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS FOR THE APPLICATION.
17. CONSIDER TAKING ACTION ON AN INTERLOCAL AGREEMENT WITH WISE COUNTY REGARDING REGULATIONS OF SUBDIVISIONS IN THE CITY OF DECATUR ETJ.
18. CONSIDER TAKING ACTION ON A PARK BOARD RECOMMENDATION TO SUBMIT APPLICATION AND \$150.00 FEE FOR CONSIDERATION TO BECOME A KEEP TEXAS BEAUTIFUL AFFILIATE KNOWN AS KEEP DECATUR BEAUTIFUL.
19. CONSIDER TAKING ACTION ON A PARK BOARD RECOMMENDATION TO INSTALL A WALKING TRAIL AROUND RENSHAW PARK AND USE AN AMOUNT NOT TO EXCEED \$25,000 OF THE PARK RECREATION FUND WITH ADDITIONAL FUNDING TO COME FROM OTHER SOURCES AND TO INCLUDE POSSIBLE DONATIONS.
20. THE DECATUR MAIN STREET PROGRAM REQUESTS TO CLOSE THE 100 BLOCK OF WALNUT STREET (BUSINESS 287) ON FRIDAY, JULY 19TH FOR THE SUMMER MUSIC CONCERT WITH STONEY LARUE FROM 2PM TO 12 MIDNIGHT. (Street closures for State Street, Main Street and Trinity Street were previously approved.
21. CONSENT AGENDA – All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a 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.
  - A. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD JUNE 24, 2019.
  - B. CONSIDER APPROVAL OF BILLS AND INVOICES FOR JUNE 2019.
22. 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 July, 5, 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.