



# CITY OF DECATUR, TEXAS

---

## AGENDA CITY COUNCIL MEETING Monday, July 9, 2018 REGULAR MEETING 6:00 p.m.

### CALL TO ORDER

### MOMENT OF SILENCE

### PLEDGE OF ALLEGIANCE

1. 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 (APPLICATION **SUP2018-01**—FIFTY FIFTY PROPERTIES, LLC'S REQUEST, ON BEHALF OF SOUTH MARTIN BRANCH, LP) TO ALLOW A DAY CARE IN A THOROUGHFARE BUSINESS (C-2) ZONING DISTRICT IN THE SOUTH MARTIN BRANCH PLANNED DEVELOPMENT (PD), ON APPROXIMATELY 0.98 ACRES OF LAND BEING LEGALLY PLATTED AS LOT 37, BLOCK F, SOUTH MARTIN BRANCH ADDITION, PHASE 5, OR MORE COMMONLY REFERRED TO AS 420 MARTIN BRANCH RD., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY CAN BE OBTAINED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0. OPPOSITION TO THIS APPLICATION HAS REACHED 26.23%. PER SECTION 4.4.7.D. OF THE ZONING ORDINANCE, A FAVORABLE VOTE OF THREE FOURTHS (3/4) OF ALL MEMBERS OF THE CITY COUNCIL IS REQUIRED.)**
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 SPECIFIC USE PERMIT (APPLICATION **SUP2018-02**—GARY AND SUSAN COCANOUGH) TO ALLOW AN ACCESSORY DWELLING IN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT ON APPROXIMATELY 15.54 ACRES OF LAND BEING LEGALLY DESCRIBED AS 402 WAGGONER, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY CAN BE OBTAINED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**

### OPEN PUBLIC HEARING:

3. RECEIVE PUBLIC COMMENTS AND/OR QUESTIONS RELATING TO 2017 ANNUAL DRINKING WATER QUALITY REPORT (CONSUMER CONFIDENCE REPORT).
4. HEAR STAFF REPORT, PUBLIC COMMENT AND CONSIDER TAKING ACTION ON **REPLAT APPLICATION 2018-06**—MRS. MARSHA NIEMAN'S REQUEST TO FINAL PLAT LOT 9R, BLOCK 15, RANGE F, DEVEREUX ADDITION, BEING APPROXIMATELY 0.222 ACRES OF LAND AND A REPLAT OF PART OF LOTS 8 AND 9, BLOCK 15, RANGE F, DEVEREUX ADDITION, TO THE CITY OF DECATUR, WISE COUNTY TEXAS AND MORE COMMONLY REFERRED TO AS 105 S. LANE ST., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(THE**

**PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 4-0, CHAIRMAN LEMOND AND COMMISSIONERS KLOSE AND STANDRIDGE ABSENT.)**

5. HEAR STAFF REPORT, PUBLIC COMMENT AND CONSIDER FIRST 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 (APPLICATION 2018-03—AARON COLE'S REQUEST, ON BEHALF OF WEST WALNUT INVESTMENTS, LTD) TO ALLOW MULTIPLE FAMILY DWELLINGS AS PART OF A MIXED USE DEVELOPMENT IN THE C1-A, DECATUR SQUARE BUSINESS DISTRICT ON APPROXIMATELY 0.26 ACRES OF LAND BEING LEGALLY DESCRIBED AS ALL OF LOTS 4, 5, 6 AND PART OF AN ALLEY, BLOCK 5, C.J. CRABB'S ADDITION, AND MORE COMMONLY REFERRED TO AS 302 W. WALNUT STREET, DECATUR TEXAS. (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 4-0, CHAIRMAN LEMOND AND COMMISSIONERS KLOSE AND STANDRIDGE ABSENT.)**
6. HEAR STAFF REPORT, PUBLIC COMMENT AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO CLASSIFY A BIRTHING CENTER OR MID-WIFE FACILITY AS A NEW USE; ADOPT REGULATIONS RELATING TO ARTICLE 5, "ZONING DISTRICTS" RELATIVE TO THE SF-2, SINGLE-FAMILY-2 ZONING DISTRICT, C2, THOROUGHFARE BUSINESS DISTRICT, THE C-1, RESTRICTED BUSINESS ZONING DISTRICT, AND THE CO, OFFICE ZONING DISTRICT TO REGULATE BIRTHING CENTERS OR MID-WIFE FACILITIES, RELATING TO ARTICLE 6, "USE CHART," TABLE 7 TO ALLOW BIRTHING CENTERS OR MID-WIFE FACILITIES WITH A SPECIAL USE PERMIT, PROVIDING AMENDMENTS TO ARTICLE 3, "DEFINITIONS" AND OTHER SECTIONS OF APPENDIX "B," "ZONING" AS RELATED TO AND RESULTING FROM THE FOREGOING AMENDMENTS TO THE SF-2, SINGLE FAMILY-2 ZONING DISTRICT, C2, THOROUGHFARE BUSINESS DISTRICT, THE C-1, RESTRICTED BUSINESS ZONING DISTRICT, AND THE CO, OFFICE ZONING DISTRICT. **(SI2018-05/ZC2018-02) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL TO ADD A DEFINITION APPLICABLE TO BIRTHING CENTERS / MID-WIFE FACILITIES AND TO ALLOW BIRTHING CENTERS / MID-WIFE FACILITIES WITH A SPECIAL USE PERMIT AS RELATED TO THE CO, OFFICE ZONING DISTRICT; THE C-1, RESTRICTED BUSINESS ZONING DISTRICT; AND THE C-2, THOROUGHFARE BUSINESS ZONING DISTRICT; EACH WITH THE REQUIREMENT FOR AN APPROVED SPECIFIC USE PERMIT AND DENIAL OF THE REQUEST TO ALLOW MIDWIFERY PROFESSIONAL SERVICES USE IN THE SF-2, SINGLE FAMILY-2 ZONING DISTRICT AS REQUESTED BY THE APPLICANT 4-0, CHAIRMAN LEMOND AND COMMISSIONERS KLOSE AND STANDRIDGE ABSENT.)**
7. HEAR STAFF REPORT, PUBLIC COMMENT AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO CLASSIFY BINGO GAMES FOR CHARITABLE PURPOSES AS A NEW USE; ADOPT REGULATIONS RELATING TO ARTICLE 5, "ZONING DISTRICTS" RELATIVE TO THE SF-1, SINGLE-FAMILY-1 ZONING DISTRICT, THE SF-2, SINGLE-FAMILY-2 ZONING DISTRICT, THE C2, THOROUGHFARE BUSINESS DISTRICT, THE C-1, RESTRICTED BUSINESS ZONING DISTRICT AND THE CD, CONVENTION OVERLAY DISTRICT ZONING DISTRICT TO REGULATE BINGO GAMES FOR CHARITABLE PURPOSES, RELATING TO ARTICLE 6, "USE CHART," TABLE 7 TO ALLOW BINGO GAMES FOR CHARITABLE PURPOSES WITH A SPECIFIC USE PERMIT, PROVIDING AMENDMENTS TO ARTICLE 3, "DEFINITIONS" AND OTHER SECTIONS OF APPENDIX "B," "ZONING" AS RELATED TO AND RESULTING FROM THE FOREGOING AMENDMENTS TO THE SF-1, SINGLE-FAMILY-1 ZONING DISTRICT; THE SF-2, SINGLE-FAMILY-2 ZONING DISTRICT; THE C2, THOROUGHFARE BUSINESS ZONING DISTRICT; THE C-1, RESTRICTED BUSINESS ZONING DISTRICT AND THE CD, CONVENTION OVERLAY DISTRICT ZONING DISTRICT. **(SI2018-05) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL TO ADD DEFINITIONS APPLICABLE TO BINGO OPERATIONS AND TO ALLOW CHARITABLE BINGO FACILITIES APPROVED WITH A**

**SPECIFIC USE PERMIT AS RELATED TO THE SF-1, SINGLE-FAMILY-1 ZONING DISTRICT AND SF-2, SINGLE-FAMILY-2 ZONING DISTRICT FOR RELIGIOUS SOCIETY ONLY AND INCLUDING SPECIAL REGULATIONS; THE CO, OFFICE ZONING DISTRICT; THE C-1A, DECATUR SQUARE BUSINESS ZONING DISTRICT; THE C-1, RESTRICTED BUSINESS ZONING DISTRICT AND THE C-2, THOROUGHFARE BUSINESS ZONING DISTRICT; EACH WITH THE REQUIREMENT FOR AN APPROVED SPECIFIC USE PERMIT, ALSO SUBJECT TO SPECIAL REGULATIONS 5-0, CHAIRMAN LEMOND AND COMMISSIONER KLOSE ABSENT. \*STAFF IS ALSO RECOMMENDING THAT THE CD, CONVENTION OVERLAY DISTRICT ZONING DISTRICT AND THE PD, PLANNED DEVELOPMENT ZONING DISTRICT BE INCLUDED, WITH THE REQUIREMENT FOR AN APPROVED SPECIFIC USE PERMIT, ALSO SUBJECT TO SPECIAL REGULATIONS.)**

### **CLOSE PUBLIC HEARING**

8. CONSIDER AND TAKE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO PARTICIPATE IN LEFT TURN LANE IMPROVEMENTS ON FM 2264 (TXDOT PROJECT CSJ #1310-03-026) AT THE LOCATION OF THE EAGLES LANDING BUSINESS PARK.
9. CONSIDER AND TAKE ACTION REGARDING AN INTERLOCAL AGREEMENT WITH WISE COUNTY FOR EMERGENCY MEDICAL TRAINING.
10. CONSIDER A REQUEST FOR ELAINE KUNKLEMAN TO HOLD A *CHANGING OF THE SEASONS* (4 RUN RACE SERIES 10K/5K/FUN RUN) ON NOVEMBER 3, 2018 FROM 7:30 A.M. TO 11:00 AM CLOSING PORTIONS OF THOMPSON, DEER PARK AND EAGLE DRIVE.
11. 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 6, 2018, 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.