



CITY OF DECATUR, TEXAS

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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. MAYOR WOODRUFF TO ADMINISTER OATH OF OFFICE TO POLICE OFFICERS:

Edgar Trejo
Jordan White

2. Planning and Zoning Report:

- A. CONSIDER AND TAKE 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 SF-2, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO 2F, TWO-FAMILY ZONING DISTRICT FOR AN APPROXIMATE 0.431 ACRE TRACT OF LAND AND FOR AN APPROXIMATE 0.014 ACRES TO THE CENTERLINE OF HENRY STREET (AN UNOPENED R.O.W.) WHERE ADJACENT TO THE 0.431 ACRE TRACT. THE PROPERTY IS LEGALLY DESCRIBED AS LOT 1-R, BLOCK 4, S.L. TERRELL'S ADDITION AND IS MORE COMMONLY REFERRED TO AS 305 E. VERNON STREET, DECATUR, TEXAS. **(APPLICATION ZC2019-01—MR. LARRY HENRY'S REQUEST.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 3-1, COMMISSIONER LANIER OPPOSED AND VICE-CHAIRMAN CRESWELL AND COMMISSIONER ALLEN ABSENT. MOTION TO APPROVE FAILED TO RECEIVE A MAJORITY VOTE; THEREFORE, IT FAILED AND THE RECOMMENDATION FOR THE APPLICATION IS DENIAL. PER SECTION 4.4.7.E. OF THE ZONING ORDINANCE, A VOTE OF THREE-FOURTHS (3/4) OF ALL MEMBERS OF THE CITY COUNCIL IS REQUIRED TO OVERRULE A RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION THAT A PROPOSED CHANGE TO A REGULATION OR BOUNDARY BE DENIED. ON MARCH 25, 2019 THE CITY COUNCIL TABLED ACTION ON THIS ITEM UNTIL THE NEXT REGULAR CITY COUNCIL MEETING, WHEN ALL CITY COUNCIL MEMBERS ARE EXPECTED TO BE IN ATTENDANCE)**
- B. CONSIDER TAKING ACTION REGARDING VARIANCE APPLICATION 2019-17—MR. AND MRS. SEAN BROWNING'S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, SIDEWALKS OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 209 LINEAR FEET ALONG DEER PARK ROAD, WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 1, BLOCK 1, BROWNING ADDITION, MORE COMMONLY KNOWN AS 2101 DEER PARK ROAD, 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 4-0, VICE-CHAIRMAN CRESWELL AND COMMISSIONER LANIER ABSENT.)**

C. 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 4-0, VICE-CHAIRMAN CRESWELL AND COMMISSIONER LANIER ABSENT.)**

1. **PP2018-08** CONSIDER TAKING ACTION REGARDING PRELIMINARY PLAT APPLICATION 2018-08—MR. & MRS. BRIAN BOSWORTH'S REQUEST TO PRELIMINARY PLAT LOT 8-RA, BLOCK 1, HIGHLAND OAKS ESTATES, BEING A 3.0 ACRE TRACT IN THE S. ISAACS SURVEY, ABSTRACT NUMBER 454, WISE COUNTY, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS LOCATED ON THE PLAT EXHIBIT FOUND IN THE STAFF REPORT.
2. **FP2018-11** CONSIDER TAKING ACTION REGARDING FINAL PLAT APPLICATION 2018-11—MR. & MRS. BRIAN BOSWORTH'S REQUEST TO FINAL PLAT LOT 8-RA, BLOCK 1, HIGHLAND OAKS ESTATES, BEING A 3.0 ACRE TRACT IN THE S. ISAACS SURVEY, ABSTRACT NUMBER 454, WISE COUNTY, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS LOCATED ON THE PLAT EXHIBIT FOUND IN THE STAFF REPORT.
3. **PP2019-01** CONSIDER TAKING ACTION REGARDING PRELIMINARY PLAT APPLICATION 2019-01—DAVID FULLER'S REQUEST, ON BEHALF OF FX5 REAL ESTATE, LP, TO PRELIMINARY PLAT LOT 1, BLOCK 1, DECATUR SHOPPING CENTER, BEING A 6.365-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 1300-1304 S. FM 51. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS LOCATED ON THE PLAT EXHIBIT FOUND IN THE STAFF REPORT.
4. **FP2019-01** CONSIDER TAKING ACTION REGARDING FINAL PLAT APPLICATION 2019-01—DAVID FULLER'S REQUEST, ON BEHALF OF FX5 REAL ESTATE, LP, TO FINAL PLAT LOT 1, BLOCK 1, DECATUR SHOPPING CENTER, BEING A 6.365-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 1300-1304 S. FM 51. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS LOCATED ON THE PLAT EXHIBIT FOUND IN THE STAFF REPORT.
5. **PP2019-03** CONSIDER TAKING ACTION REGARDING PRELIMINARY PLAT APPLICATION 2019-03—MR. AND MRS. SEAN BROWNING'S REQUEST TO PRELIMINARY PLAT LOT 1, BLOCK 1, BROWNING ADDITION, BEING A 2.022-ACRE TRACT IN THE D. MOSES SURVEY, ABSTRACT NUMBER 537, CITY OF DECATUR, WISE COUNTY, TEXAS AND IS MORE COMMONLY REFERRED TO AS 2101 DEER PARK ROAD. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS LOCATED ON THE PLAT EXHIBIT FOUND IN THE STAFF REPORT.
6. **FP2019-03** CONSIDER TAKING ACTION REGARDING FINAL PLAT APPLICATION 2019-03—MR. AND MRS. SEAN BROWNING'S REQUEST TO FINAL PLAT LOT 1, BLOCK 1, BROWNING ADDITION, BEING A 2.022-ACRE TRACT IN THE D. MOSES SURVEY, ABSTRACT NUMBER 537, CITY OF DECATUR, WISE COUNTY, TEXAS AND IS MORE COMMONLY REFERRED TO AS 2101 DEER PARK ROAD. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS LOCATED ON THE PLAT EXHIBIT FOUND IN THE STAFF REPORT.
7. **FP2018-13** CONSIDER TAKING ACTION REGARDING FINAL PLAT APPLICATION 2018-13—MR. RONALD WALKER'S REQUEST TO FINAL PLAT LOT 1, BLOCK 1, WALKER ADDITION, BEING A TOTAL OF 1.014 ACRES, INCLUDING 1.013 ACRES IN

THE SAMUEL PERRIN SURVEY, ABSTRACT NUMBER 684, AND BEING PART OF THE SAME TRACT OF LAND AS DEEDED TO RONALD D. WALKER IN VOLUME 951, PAGE 760, AND ALL OF A 0.001 ACRE TRACT AS DEEDED TO RONALD D. WALKER AND WIFE, DEBRA L. WALKER IN INSTRUMENT NO. 201902782, OFFICIAL RECORDS, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 1803 S. HWY 81-287, CITY OF DECATUR, WISE COUNTY, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS LOCATED ON THE PLAT EXHIBIT FOUND IN THE STAFF REPORT.

Open Public Hearing:

4. **RP2019-01** CONSIDER TAKING ACTION REGARDING REPLAT APPLICATION 2019-01—MR. JOHNNY COHOON'S REQUEST TO FINAL PLAT LOT 1R, BLOCK 71, SOUTH DECATUR ADDITION, BEING APPROXIMATELY 0.367 ACRES OF LAND AND A REPLAT OF LOT 1, BLOCK 71, SOUTH DECATUR ADDITION, AND THE EAST TEN FEET (10') OF A VACATED ALLEY, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 1200 S. COLLEGE AVE., 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 4-0, VICE-CHAIRMAN CRESWELL AND COMMISSIONER LANIER ABSENT.)**

Close Public Hearing

Non-Planning and Zoning Items:

5. CONSIDER A REQUEST FROM WASTE CONNECTIONS FOR A CONSUMER PRICE INDEX INCREASE (CPI) EQUAL TO 2.09% EFFECTIVE MAY 1, 2019.
6. CONSIDER A FIRST READING OF AN ORDINANCE AMENDING THE SCHEDULE OF FEES IN ORDINANCE 2018-09-15, BY UPDATING FEES IMPOSED BY THE CITY FOR RESIDENTIAL AND COMMERCIAL GARBAGE RATES, REMOVING HOUSEHOLD HAZARDOUS WASTE DISPOSAL - VOUCHER; CONTAINING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE OF MAY 1, 2019.
7. **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 MARCH 25, 2019.
- B. CONSIDER APPROVAL OF BILLS AND INVOICES FOR MARCH 2019
8. 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 Thursday, April 4, 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.