



# CITY OF DECATUR, TEXAS

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## AGENDA CITY COUNCIL MEETING MONDAY, MARCH 23, 2020

### REGULAR MEETING 6:00 p.m.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

#### **Planning and Zoning Report:**

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 ZONING CHANGE AND TO AMEND THE ZONING MAP FROM A C-1A, DOWNTOWN BUSINESS DISTRICT ZONING DISTRICT TO A C-1, RESTRICTED BUSINESS DISTRICT ZONING DISTRICT FOR AN APPROXIMATE 0.164 ACRES OF LAND AND INCLUDING APPROXIMATELY 0.055 ACRES TO THE CENTERLINE OF W. MAIN ST. WHERE ADJACENT TO THE SUBJECT TRACT. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 38' WEST OF THE INTERSECTION OF W. MAIN ST. AND S. HOLMAN ST. AND IS MORE COMMONLY REFERRED TO AS 306 W. MAIN ST., DECATUR, TEXAS. (**ZONING CHANGE APPLICATION ZC2020-01—MR. J.D. CLARK'S REQUEST, ON BEHALF OF WISE COUNTY.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, COMMISSIONER ALLEN ABSENT.)**)
2. **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 6-0.**)
  - A. CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2020-02** – MR. J.D. CLARK'S REQUEST, ON BEHALF OF WISE COUNTY, TO FINAL PLAT LOT 1, BLOCK 124R, JAMES TARLETON ADDITION, TO THE CITY OF DECATUR, TEXAS BEING A REPLAT OF 0.992 ACRE TRACT IN BLOCKS 113, 114, 115 AND 124, JAMES TARLETON ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, ALSO BEING A CERTAIN CALLED 0.990 ACRE TRACT DESCRIBED IN CLERK'S FILE NUMBER 201906436, OFFICIAL RECORDS, WISE COUNTY, TEXAS, AND MORE COMMONLY REFERRED TO AS 306 W. MAIN ST., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT.
3. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON VARIANCE APPLICATION 2020-02—MR. BRYAN BROWN'S REQUEST, ON BEHALF OF DYNASTY OVERHEAD DOORS, FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION

15-6(A)17, "CEVMS PROHIBITED. CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS ARE PROHIBITED. THIS PROHIBITION APPLIES TO ALL OFF-PREMISE SIGNS, INCLUDING WITHOUT LIMITATION, BILLBOARDS, IN PLACE AT THE TIME OF ADOPTION OF THIS CHAPTER OR WHICH ARE CONSTRUCTED AFTER THE DATE OF ADOPTION OF THIS CHAPTER" AND SECTION 15-6(A)18, "EXCEPT AS OTHERWISE EXPRESSLY ALLOWED HEREIN, ELECTRONIC MESSAGE BOARDS ARE ONLY ALLOWED ON ON-PREMISES POLE OR MONUMENT SIGNS ALONG FM 51 AND U.S. BUSINESS 380 AND ARE EXPRESSLY PROHIBITED ON ALL OTHER SIGNS IN ALL OTHER LOCATIONS, INCLUDING WITHOUT LIMITATION, SIGNS LOCATED ON US HIGHWAY 81/287 OR 380 BYPASS." SPECIFICALLY, APPLICANT IS REQUESTING THAT A CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGN BE ALLOWED. THE SUBJECT PROPERTY IS GENERALLY LOCATED AT 601 N. US HIGHWAY 81/287, DECATUR, TEXAS.

**OPEN PUBLIC HEARING:**

4. CONDUCT A PUBLIC HEARING, HOLD DISCUSSION AND CONSIDER TAKING ACTION ON FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING APPENDIX A "SUBDIVISIONS", BY AMENDING APPENDIX A - "SUBDIVISIONS", TO AMEND SECTION 104.5, "NO PERMITS WITHOUT FULL COMPLIANCE" OF SECTION 104, "SPECIAL PROVISIONS FOR ENFORCEMENT", OF CHAPTER 1, "ADMINISTRATION" TO PROVIDE AN EXCEPTION TO THE PLATTING REQUIREMENT FOR CERTAIN TYPES OF PERMITS ISSUED FOR WORK INTERNAL TO A STRUCTURE, AND TO ADOPT CHAPTER 9, "EXEMPTIONS", SECTION "901 – EXEMPTIONS TO SUBDIVISION REGULATIONS" TO PROVIDE EXEMPTIONS FROM CURB, GUTTER AND SIDEWALK REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER AND SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

**CLOSE PUBLIC HEARING**

5. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE AMENDING CHAPTER 2, "ADMINISTRATION", ARTICLE III, "BOARDS, COMMITTEES, COMMISSIONS", DIVISION 3, "HOSPITAL AUTHORITY", SECTION 2-77 "BOARD OF DIRECTORS" OF THE DECATUR CODE OF ORDINANCES TO CORRECT A SCRIVENERS ERROR IN THE MAXIMUM NUMBER OF DIRECTORS SERVING ON THE HOSPITAL AUTHORITY BOARD OF DIRECTORS; PROVIDING AMENDMENTS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
6. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DECATUR BY AMENDING SECTION 2-181 AND REPEALING SECTIONS 2-182 AND 2-183 OF DIVISION 3 "MUNICIPAL COURT JUDGE" OF ARTICLE IV "OFFICERS AND EMPLOYEES" OF CHAPTER 2 "ADMINISTRATION" TO RESOLVE INCONSISTENCIES BETWEEN THE CODE OF ORDINANCES AND THE CITY CHARTER; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENT; PROVIDING FOR REPEAL OF SECTIONS 2-182 AND 2-183 OF DIVISION 3 "MUNICIPAL COURT JUDGE" OF ARTICLE IV "OFFICERS AND EMPLOYEES" OF CHAPTER 2 "ADMINISTRATION" OF THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER AND SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND NAMING AN EFFECTIVE DATE.
7. CONSIDER A REQUEST FROM WASTE CONNECTIONS FOR A CONSUMER PRICE INDEX INCREASE (CPI) EQUAL TO 2.15% EFFECTIVE MAY 1, 2020.
8. RECEIVE UPDATE, DISCUSS AND TAKE APPROPRIATE ACTION REGARDING ACTIONS TAKEN BY WISE COUNTY AND PROCLAMATIONS FROM GOVERNOR ABBOTT RELATED TO THE CORONAVIRUS PANDEMIC (COVID-19), CITY FACILITIES, OPERATIONS AND GOVERNMENTAL FUNCTIONS IMPACTED BY COVID-19, POTENTIAL DECLARATIONS

AND ORDERS FOR A MAYORAL PROCLAMATION OR COUNCIL DECLARATION AND ORDERS IN RESPONSE TO COVID-19, INCLUDING AUTHORIZING THE CANCELLATION OF ONE OR MORE APRIL OR MAY REGULAR COUNCIL MEETINGS AS DETERMINED NECESSARY FOR THE PROTECTION OF PUBLIC HEALTH AND SAFETY.

9. CONSIDER TAKING ACTION REGARDING A RESOLUTION ORDERING THAT THE MAY 2, 2020 JOINT GENERAL ELECTION BE POSTPONED TO NOVEMBER 3, 2020 PURSUANT TO THE PROCLAMATION OF GOVERNOR GREG ABBOTT ISSUED ON MARCH 18, 2020 AS A RESULT OF THE CORONAVIRUS PANDEMIC; AND PROVIDING AN EFFECTIVE DATE.
10. 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, March 20, 2020, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

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Diane Cockrell, TRMC, 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.