

**MINUTES OF THE
CITY COUNCIL MEETING
Monday, September 9, 2019
REGULAR MEETING
6:00 p.m.**

PRESENT: Mayor Martin Woodruff, and Council members, Will Carpenter, Jay Davidson, Jake Hayes, Dr. Carmelina Holloway, Mike McQuiston, and Melinda Reeves.

ABSENT:

OTHERS PRESENT: City Manager Brett Shannon, Finance Director Mike Erwin, Nate Mara, Planning Director Dedra Ragland, City Engineer Earl Smith, Building Official Wayne Smith, Public Works and Airport Director Greg Hall, Deputy City Secretary Asucena Garcia, City Secretary Diane Cockrell, City Attorney Mason Woodruff and Brian Knox representing the Wise County Messenger.

CALL TO ORDER

Mayor Woodruff called meeting to order at 6:00 p.m.

MOMENT OF SILENCE

Mayor Woodruff declared a moment of silence.

PLEDGE OF ALLEGIANCE

Council member Reeves led the pledge.

1. HEAR STAFF COMMENTS AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-43**—MS. JULIE PERKINS' REQUEST FOR A VARIANCE FROM CHAPTER 2, SECTION 201, "STREET IMPROVEMENTS (CURB/GUTTER)," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 92 LINEAR FEET OF PROPERTY LOCATED ALONG S. HOUSTON STREET, WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 1, BLOCK 51, TARLETON ADDITION, AND MORE COMMONLY REFERRED TO AS 300 S. LANE 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 KLOSE ABSENT.)**

City Engineer Smith informed Council: property is located and surrounded by Single Family homes; property was included in the Original City of Decatur (circa 1898). Curbs do exist in the neighborhood. Variances for curbs have been granted for property at 403 S. Lane St. Curbs and gutter do not exist in the neighborhood with a reasonable distance but are not continuous. The addition of curbs should not affect property rights of owner. Curbs do exist in close proximity. The absence of curb at this location has not caused any drainage or public safety issues, therefore it could be believed that the absence of curbs has not necessarily adversely impacted vehicular or pedestrian safety. Area surrounding property is built out. Future replatting of surrounding properties that would require construction of curbs will occur in a random fashion. It is not reasonable to expect nearly all properties to have curbs unless the city does a comprehensive project in the neighborhood.

Council member Carpenter moved to approve variance application 2019-43 as presented. Council member Hayes seconded the motion. The motion passed unanimously.

2. HEAR STAFF COMMENTS AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-44**—MS. JULIE PERKINS' REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 92 LINEAR FEET OF PROPERTY LOCATED ALONG S. HOUSTON STREET, WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 1, BLOCK 51, TARLETON ADDITION, AND MORE COMMONLY REFERRED TO AS 300 S. LANE 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 KLOSE ABSENT.)**

City Engineer Smith stated findings are the same as variance application 2019-43.

Council member Carpenter moved to approve variance 2019-44 as presented. Council member Holloway seconded the motion. The motion passed unanimously.

OPEN PUBLIC HEARING:

3. HEAR STAFF AND PUBLIC COMMENTS AND CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2019-11**—MS. JULIE PERKINS' REQUEST TO FINAL PLAT LOT 1, BLOCK 51, TARLETON ADDITION, BEING APPROXIMATELY 0.127 ACRES AND A REPLAT OF THE NORTH 92' OF BLOCK 51, TARLETON ADDITION, OF THE CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 300 S. LANE, 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 KLOSE ABSENT.)**

No public input.

Planning Director Dedra Ragland introduced this item.

Council member Holloway moved to approve replat application 2019-11 as presented. Council member Davidson seconded the motion. The motion passed unanimously.

4. HEAR STAFF COMMENTS AND CONSIDER TAKING ACTION REGARDING AN AMENDMENT TO THE RODDEN ESTATES PLANNED DEVELOPMENT (RODDEN ESTATES PD), ORDINANCE 2006-08-04, A TRACT OF LAND IDENTIFIED AS BEING APPROXIMATELY 105 ACRES (2019 SURVEY REFLECTS 106.313 ACRES) OUT OF THE DAVID MOSES SURVEY, ABSTRACT #537, THE G.M. VIGIL SURVEY, ABSTRACT #857, AND THE J.B. WILLIAMS SURVEY, ABSTRACT #880, LOCATED EAST OF DEER PARK ROAD AND NORTH OF WEST THOMPSON STREET, DECATUR, TEXAS. THE PROPOSED AMENDMENT WILL REMOVE 16.65 ACRES CURRENTLY ZONED AS FOLLOWS: AN APPROXIMATE 1.62 ACRES OF COMMERCIAL, AN APPROXIMATE 0.43 ACRES OF PARK/OPEN SPACE, AN APPROXIMATE 13.67 ACRES OR 77 LOTS OF 5,500 SF SINGLE FAMILY ZONING AND AN APPROXIMATE 0.93 ACRES DESIGNATED FOR RIGHT OF WAY FROM THE RODDEN ESTATES PD; WILL CORRECT ERRORS DISCOVERED IN ACREAGE SPECIFICATIONS AND EXHIBITS AND WILL AFFECT THE LEGAL DESCRIPTION, TOTAL ACREAGE, SINGLE-FAMILY AND COMMERCIAL LAND USE TRACTS; THE STREET ALIGNMENT CONNECTING TO DEER PARK ROAD AND THE INTERNAL STREET NETWORK, THE DENSITY OF SINGLE-FAMILY RESIDENTIAL TRACTS; AND THE OPEN SPACE, MULTI-FAMILY AND SINGLE FAMILY ACREAGE, THE OFFICIAL ZONING MAP AND TO INCLUDE OTHER VARIOUS ZONING AMENDMENTS APPLICABLE TO THE DISTRICT. **(APPLICATION PD2019-01—MR. SHANNON NAVE'S REQUEST ON BEHALF OF MARSHA GAGE AND MCCULLAR REALTY CO.). (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, VICE-CHAIRMAN CRESWELL ABSTAINED AND CHAIRMAN LEMOND ABSENT.)**

No public input.

Planning Director Dedra Ragland informed Council. A survey conducted this year shows this property is 106.313 acres. The planned development is a zoning district, it allows developers to have more flexibility in zoning regulations. This PD was adopted in 2003 and amended in 2006. The applicants are proposing to amend it again. The 16.65 acres are currently zoned as an approximate 1.62 acres of commercial, an approximate 0.43 acres of park/open space, an approximate 13.67 acres or 77 lots of 5,500 SF single family zoning and an approximate 0.93 acres designated for right of way from the Rodden Estates PD. They would like to remove the 16.65 acres out of this planned development and rezone it as multi-family.

Shannon Nave of 140 Quail Ridge Rd Aledo, TX 76008 addressed Council. Mr. Nave is the engineer for the project. The streets were rearranged, there are four cul-de-sacs and a park area. Council member Reeves expressed her concern for the increase in traffic that will impact the area because of the schools. City Engineer Smith informed Council a traffic impact analysis will be conducted during the preliminary platting process and adjustments can be made at a future date.

Council member Davidson moved to amend the planned development as presented. Council member Reeves seconded the motion. The motion passed unanimously.

5. HEAR STAFF COMMENTS AND PUBLIC CONSIDER TAKING ACTION REGARDING A ZONING CHANGE ON AN APPROXIMATE 16.65 ACRE TRACT OF LAND CURRENTLY ZONED AS PART OF THE RODDEN ESTATES PD AND CONSISTING OF THE FOLLOWING LAND USE DESIGNATIONS: AN APPROXIMATE 1.62 ACRES OF LAND ZONED FOR COMMERCIAL USES, AN APPROXIMATE 0.43 ACRES OF LAND ZONED FOR PARK/OPEN SPACE, AN APPROXIMATE 13.67 ACRES OR 77 LOTS OF 5,500 SF ZONED FOR SINGLE FAMILY USE AND AN APPROXIMATE 0.93 ACRES DESIGNATED FOR RIGHT OF WAY. THE PROPOSED CHANGE WOULD REMOVE THE APPROXIMATE 16.65 ACRE

TRACT FROM THE RODDEN ESTATES PD AND REZONE THE TRACT FROM THE ABOVE STATED DESIGNATIONS TO A PLANNED DEVELOPMENT DISTRICT FOR MULTI-FAMILY USE (MCCULLAR MULTI-FAMILY PD). THE MCCULLAR MUTI-FAMILY PD WOULD BE LOCATED EAST OF DEER PARK ROAD AND NORTH OF WEST THOMPSON STREET, DECATUR, TEXAS. **(APPLICATION PD2019-02—MR. SHANNON NAVE'S REQUEST ON BEHALF OF MARSHA GAGE AND MCCULLAR REALTY CO.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0, CHAIRMAN LEMOND ABSENT.)**

No public input.

Council member McQuiston moved to approve the zoning change of PD2019-02 as presented. Council member Carpenter seconded the motion. The motion passed unanimously.

6. HEAR AND CONSIDER STAFF REPORT, PUBLIC COMMENT, SERVICE PLAN AND FIRST READING OF AN ORDINANCE ON **VOLUNTARY ANNEXATION PETITION 2019-01**—BRETT SHANNON'S REQUEST, ON BEHALF OF THE CITY OF DECATUR, TO INSTITUTE VOLUNTARY ANNEXATION PROCEEDINGS TO ENLARGE AND EXTEND THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE THE DESCRIBED PROPERTY, AND ADOPT A SERVICE PLAN AND TO AMEND THE OFFICIAL COMPREHENSIVE LAND USE MAP TO INCLUDE THE FOLLOWING LAND USE DESIGNATION FOR THE ANNEXED PROPERTY TO BECOME EFFECTIVE UPON THE EFFECTIVE DATE OF ANNEXATION; AND TO AMEND THE CITY OF DECATUR ZONING ORDINANCE AND THE OFFICIAL ZONING MAP FOR THE ANNEXED PROPERTY WITH SUCH ZONING TO BECOME EFFECTIVE UPON THE EFFECTIVE DATE OF ANNEXATION TO ESTABLISH ZONING DISTRICT FOR THE PROPERTY, TO WIT:

GENERALLY LOCATED 252' WEST OF THE CENTERLINE OF COLLEGE AVE. (FM730) AND 604' SOUTH OF THE CENTERLINE OF US HWY 81-287 WHERE ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S SOUTHEASTERN EXTRATERRITORIAL JURISDICTION (ETJ). (A2019-01). THE PROPOSED COMPREHENSIVE PLAN LAND USE DESIGNATION IS LOW DENSITY RESIDENTIAL (LDR) (CP2019-01). THE PROPOSED ZONING IS SINGLE FAMILY RESIDENTIAL-1 (SF-1) (ZC2019-03). **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0, CHAIRMAN LEMOND ABSENT.)**

No public input. No action taken.

7. HEAR AND CONSIDER STAFF REPORT, PUBLIC COMMENT AND FIRST READING OF AN ORDINANCE REGARDING **COMPREHENSIVE PLAN AMENDMENT APPLICATION 2019-01**—BRETT SHANNON'S REQUEST, ON BEHALF OF THE CITY OF DECATUR, TO AMEND THE OFFICIAL COMPREHENSIVE LAND USE MAP TO INCLUDE THE FOLLOWING LAND USE DESIGNATION FOR THE ANNEXED PROPERTY TO BECOME EFFECTIVE UPON THE EFFECTIVE DATE OF ANNEXATION, TO WIT:

GENERALLY LOCATED 252' WEST OF THE CENTERLINE OF COLLEGE AVE. (FM730) AND 604' SOUTH OF THE CENTERLINE OF US HWY 81-287 WHERE ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S SOUTHEASTERN EXTRATERRITORIAL JURISDICTION (ETJ). (A2019-01). THE PROPOSED COMPREHENSIVE PLAN LAND USE DESIGNATION IS LOW DENSITY RESIDENTIAL (LDR) (CP2019-01). THE PROPOSED ZONING IS SINGLE FAMILY RESIDENTIAL-1 (SF-1) (ZC2019-03). **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0, CHAIRMAN LEMOND ABSENT.)**

No public input. No action taken.

8. HEAR AND CONSIDER STAFF REPORT, PUBLIC COMMENT AND FIRST READING OF AN ORDINANCE REGARDING **ZONING APPLICATION 2019-03**—BRETT SHANNON'S REQUEST, ON BEHALF OF THE CITY OF DECATUR, TO AMEND THE OFFICIAL ZONING MAP TO INCLUDE THE FOLLOWING ZONING DISTRICT FOR THE ANNEXED PROPERTY TO BECOME EFFECTIVE UPON THE EFFECTIVE DATE OF ANNEXATION, TO WIT:

GENERALLY LOCATED 252' WEST OF THE CENTERLINE OF COLLEGE AVE. (FM730) AND 604' SOUTH OF THE CENTERLINE OF US HWY 81-287 WHERE ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S SOUTHEASTERN EXTRATERRITORIAL JURISDICTION (ETJ). (A2019-01). THE PROPOSED COMPREHENSIVE PLAN LAND USE DESIGNATION IS LOW DENSITY RESIDENTIAL

(LDR) (CP2019-01). THE PROPOSED ZONING IS SINGLE FAMILY RESIDENTIAL-1 (SF-1) (ZC2019-03). **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0, CHAIRMAN LEMOND ABSENT.)**

No public input. No action taken.

CLOSE PUBLIC HEARING

9. CONSIDER TAKING ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, AS REFLECTED IN SCHEDULE A OF THE PROPOSED BUDGET.

Council member McQuiston moved to approve the ordinance to adopt the budget as presented. Council member Holloway seconded the motion. The motion passed unanimously.

10. CONSIDER TAKING ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS APPROVING THE APPRAISAL ROLL; LEVYING AD VALOREM TAXES FOR 2019 AT \$0.649 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR CURRENT EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING DUE AND DELINQUENT DATES AND PROVIDING AN EFFECTIVE DATE.

Council member Reeves moved to approve the ordinance approving the tax rate of \$0.649 as presented. Council member Carpenter seconded the motion. The motion passed unanimously.

11. CONSIDER APPROVAL OF ROUTINE AIRPORT MAINTENANCE PROGRAM (RAMP) AGREEMENT BETWEEN THE CITY OF DECATUR AND THE TEXAS DEPT OF TRANSPORTATION AVIATION DIVISION AND AUTHORIZE CITY MANAGER TO EXECUTE AGREEMENT.

Council member McQuiston moved to approve the RAMP agreement as presented. Council member Davidson seconded the motion. The motion passed unanimously.

12. CONSIDER APPROVAL OF AN AGREEMENT FOR LEASE OF SPACE BETWEEN THE CITY OF DECATUR FIRE DEPARTMENT AND THE BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM (TEXAS A&M FOREST SERVICE OCCUPYING SPACE IN THE FIRE DEPARTMENT BUILDING) AND AUTHORIZE CITY MANAGER TO EXECUTE AGREEMENT.

Council member Davidson moved to approve the lease agreement as presented. Council member Holloway seconded the motion. The motion passed unanimously.

13. 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 AUGUST 26, 2019.

B. CONSIDER APPROVAL OF BILLS AND INVOICES FOR AUGUST 2019.

Council member Carpenter moved to approve the consent agenda as presented. Council member Hayes seconded the motion. The motion passed unanimously.

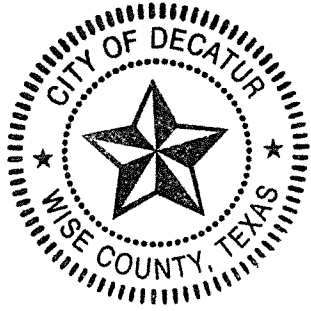
14. RECEIVE CITY MANAGER SHANNON EVALUATION PACKET AND INSTRUCTION/ DIRECTION FROM MAYOR WOODRUFF.

Mayor Woodruff instructed Council to bring the performance evaluation for Mr. Shannon to the September 23rd Council meeting.

15. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

ADJOURNMENT

There being no further business, Mayor Woodruff declared the meeting adjourned at 7:03 p.m.





Martin B. Woodruff, Mayor



Diane Cockrell, TRMC, CMC, City Secretary