

**MINUTES OF THE  
CITY COUNCIL MEETING  
Monday, September 16, 2019  
REGULAR MEETING  
6:00 p.m.**

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

ABSENT: Jake Hayes

OTHERS PRESENT: City Manager Brett Shannon, Planning Director Dedra Ragland, City Engineer Earl Smith and City Secretary Cockrell.

CALL TO ORDER

Mayor Woodruff called meeting to order at 6:03 p.m.

MOMENT OF SILENCE

Mayor Woodruff declared a moment of silence.

PLEDGE OF ALLEGIANCE

Council member Carpenter led the pledge.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

OPEN PUBLIC HEARING:

1. 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.)**

Planning Director Ragland explained that a four-fifths presence initiates the annexation. First reading of the ordinance was held.

No public input.

2. 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.)**

Planning Director Ragland explained this Comprehensive Plan as low density residential on approximately 0.343 acres of land. First reading of the ordinance was held.

No public input.

3. 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.)**

Planning Director Ragland explained that the property will be zoned SF1 on 0.343 of an acre.

No public input.

### **CLOSE PUBLIC HEARING**

#### **ADJOURNMENT**

There being no further business, Mayor Woodruff declared the meeting adjourned at 6:17 p.m.

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Martin B. Woodruff, Mayor

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Diane Cockrell, TRMC, CMC, City Secretary

**MINUTES OF THE  
CITY COUNCIL MEETING  
Monday, September 23, 2019  
WORKSHOP 5:30 P.M.**

MONTHLY DEPARTMENT REPORTS – Library, Main Street and Police Department

Library report by Library Director, Patricia Peters including relevant information and follow-up discussion with Council and other staff.

Main Street report by Main Street Director, Frieda Lasater including relevant information and follow-up discussion with Council and other staff.

Police Department report by Captain, Delvon Campbell including relevant information and follow-up discussion with Council and other staff regarding operations.  
Reports were provided.

**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, Fire Chief Mike Richardson, Police Captain Delvon Campbell, Planning Director Dedra Ragland, Public Works and Airport Director Greg Hall, City Engineer Earl Smith, Building Official Wayne Smith, 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 6:01 p.m.

MOMENT OF SILENCE

Mayor Woodruff declared a moment of silence.

PLEDGE OF ALLEGIANCE

Council member Davidson led the pledge.

1. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE AMENDING 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.)**

Council member Carpenter moved to approve the Ordinance as presented. Council member McQuiston seconded the motion. The motion passed unanimously.

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 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 MULTI-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.)**

Council member Carpenter moved to approve the Ordinance as presented. Council member Davidson seconded the motion. The motion passed unanimously.

3. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2019-48**—MS. SUZANNE SHELTON'S REQUEST, ON BEHALF OF WENDY'S, 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 78.33 SQ. FT. BE INCREASED TO 98.43 SQ. FT., AN INCREASE OF 20.10 SQ. FT. THE SUBJECT PROPERTY IS GENERALLY LOCATED AT 1180 S. FM 51, DECATUR, TEXAS.

Council member Hayes moved to approve Variance Application 2019-48 as presented. Council member Reeves seconded the motion. The motion passed unanimously.

4. AUTHORIZE CITY MANAGER TO ENTER INTO A RIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH PETER PATEL, ON BEHALF OF VINA 1 LLC AND ECONOLODGE, FOR A POLE SIGN LOCATED IN FLUSCHE DRIVE, AN UNOPENED RIGHT-OF-WAY, ADJACENT TO PROPERTY PROPOSED AS LOT 1, BLOCK 2R, FLUSCHE ADDITION AND MORE COMMONLY REFERRED TO AS 1709 S. US HIGHWAY 81-287, CITY OF DECATUR, WISE COUNTY, TEXAS.

Council member Davidson moved to approve the right of way encroachment agreement as presented. Council member Carpenter seconded the motion. The motion passed unanimously.

5. CONSIDER NOMINATIONS FOR WISE COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A TWO YEAR TERM BEGINNING JANUARY 1, 2020.

No action taken.

6. CONSIDER AWARD OF A BID TO EAGLE LABS, INC. FOR ONE YEAR BEGINNING OCTOBER 1, 2019 WITH TWO ONE YEAR OPTIONS FOR THE PURCHASE OF CHEMICALS. (WATER TREATMENT)

Council member Carpenter moved to approve the bid to Eagle Labs as presented. Council member Holloway seconded the motion. The motion passed unanimously.

7. CONSIDER A REQUEST OF THE DECATUR POLICE DEPARTMENT FOR THE CLOSURE OF 100 BLOCK OF NORTH STATE AND 100 BLOCK OF WEST MAIN STREET CLOSED ON TUESDAY, OCTOBER 1<sup>st</sup> FROM 5:00 TO 10:00 P.M. FOR THE CELEBRATION OF NATIONAL NIGHT OUT.

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

8. CONSIDER REQUEST BY OLIVIA BLACK TO HOLD A TURKEY TROT 5K AND 1K FUN RUN ON THANKSGIVING, NOVEMBER 28<sup>TH</sup>, CLOSING THE 100 BLOCKS OF STATE AND MAIN STREET FROM 7:00 TO 11:30 A.M., THE PROCEEDS WILL BENEFIT RAQUEL'S WINGS.

Council member Davidson moved to approve street closing as presented. Council member Carpenter seconded the motion. The motion passed unanimously.

9. 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 SEPTEMBER 9, 2019 AND SEPTEMBER 16, 2019.
- B. CONSIDER PLANNING AND ZONING COMMISSION RE-APPOINTMENTS FOR TERRY BERUBE, JOHN LANIER AND EILEEN STANDRIDGE. THEIR TERMS WILL EXPIRE OCTOBER 1, 2021.
- C. CONSIDER ZONING BOARD OF ADJUSTMENT RESIGNATION OF MURVELLE CHANDLER (REGULAR MEMBER), RE-APPOINTMENT OF REGULAR MEMBER MARK DUNCUM AND APPOINT MARK ARY AS A REGULAR MEMBER (PREVIOUSLY SERVING AS AN ALTERNATE) THEIR TERMS WILL EXPIRE OCTOBER 1, 2021.

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

Council convened into Executive session at 6:30 p.m.

10. EXECUTIVE SESSION – IN ACCORDANCE WITH TEXAS GOVERNMENT CODE 551, SUBCHAPTER D – SUBSECTION 551.074 – PERSONNEL MATTERS – EVALUATION OF CITY MANAGER.

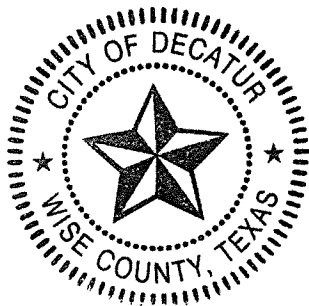
Council convened into open session at 8:35 p.m.


11. ACTION FROM EXECUTIVE SESSION

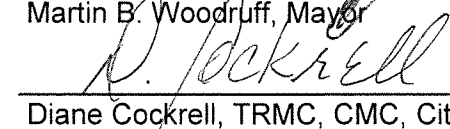
Council member Davidson moved to extend the City Manager's contract for one year and provide a 2% salary increase. Council member Carpenter seconded the motion. The motion passed unanimously.

ADJOURNMENT

There being no further business, Mayor Woodruff declared the meeting adjourned at 8:38 p.m.



  
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 Martin B. Woodruff, Mayor

  
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 Diane Cockrell, TRMC, CMC, City Secretary