



CITY COUNCIL AGENDA

Monday, June 05, 2023 at 6:00 PM

City Hall – Council Chambers, 200 North Fifth, Crockett, TX 75835

Dr. Ianthia Fisher, Mayor

Dennis Ivey, Council Member
Darrell Jones, Council Member
Ernest Jackson, Council Member
Marquita Beasley, Council Member
Mike Marsh, Mayor Pro Tem

John Angerstein, City Administrator
Mitzi Stefka, City Secretary
William Pemberton, City Attorney
Clayton Smith, Police Chief
Jason Frizzell, Fire Chief

Notice is hereby given of a meeting of the City Council of Crockett to be held on **MONDAY, JUNE 5, 2023 at 6:00 PM** at City Hall – Council Chambers, 200 North Fifth, Crockett, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

OPEN MEETING WITH INVOCATION AND PLEDGE

RECOGNITION OF VISITORS

COMMENTS FROM AUDIENCE OR COUNCIL *(At this time, anyone will be allowed to speak on City related matters only; no personal matters or matters under litigation will be allowed. The length of time may not exceed three (3) minutes. NO Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.)*

APPROVAL OF MINUTES

1. REGULAR SESSION - MAY 15, 2023

EXECUTIVE SESSION

2. GOV. CODE 551.071(1)(b) - CONSULTATION WITH ATTORNEY

RECONVENE INTO REGULAR SESSION AND CONSIDER ACTION, IF ANY, ON EXECUTIVE ITEMS

BUSINESS

3. PUBLIC HEARING ON REQUEST FOR A SPECIFIC USE PERMIT FROM YOLANDA LANG FOR A MOBILE HOME TO BE LOCATED AT 303 S. MILLSIDE AVENUE, CROCKETT, TX , ALSO IDENTIFIED AS PARCEL 9863 BY THE HOUSTON COUNTY APPRAISAL DISTRICT
4. CONSIDER AND APPROVE REQUEST FOR A SPECIFIC USE PERMIT FROM YOLANDA LANG FOR A MOBILE HOME TO BE LOCATED AT 303 S. MILLSIDE AVENUE, CROCKETT, TX, ALSO IDENTIFIED AS PARCEL 9863 BY THE HOUSTON COUNTY APPRAISAL DISTRICT
5. PUBLIC HEARING ON REQUEST FROM DAVID BAKER FOR A ZONE CHANGE FROM AR – AGRICULTURAL-RESIDENTIAL DISTRICT TO C2 – COMMERCIAL DISTRICT FOR AN APPROXIMATELY 0.950 ACRE PARCEL LOCATED AT 2402 N. 4TH STREET, AND IDENTIFIED AS PARCEL 3029 BY THE HOUSTON COUNTY APPRAISAL DISTRICT
6. CONSIDER AND APPROVE REQUEST FROM DAVID BAKER FOR A ZONE CHANGE FROM AR – AGRICULTURAL-RESIDENTIAL DISTRICT TO C2 – COMMERCIAL DISTRICT FOR AN APPROXIMATELY 0.950 ACRE PARCEL LOCATED AT 2402 N. 4TH STREET, AND IDENTIFIED AS PARCEL 3029 BY THE HOUSTON COUNTY APPRAISAL DISTRICT

7. CONSIDER AND APPROVE THE CITY OF CROCKETT HOSTING AN INDEPENDENCE DAY FIREWORKS SHOW "FREEDOM OVER CROCKETT" ON SATURDAY, JULY 1ST, 2023 IN FRONT OF THE CIVIC CENTER AND ENTERING INTO A CONTRACT WITH PYRO SHOWS OF TEXAS INC.
8. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 13, LICENSED AND BUSINESS REGULATIONS, ARTICLE I, SECTION 13-1 OF THE CROCKETT CODE TO PROVIDE EXTENDED HOURS FOR THE SALE OF MIXED BEVERAGES AND MALT BEVERAGES FOR ON-PREMISES CONSUMPTION; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE
9. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 13, LICENSES AND BUSINESS REGULATIONS, ARTICLE I, OF THE CROCKETT CODE TO ASS SECTION 13-2 TO PROVIDE EXTENDED HOURS FOR PRIVATE CLUBS FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE
10. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 15, OFFENSES AND MISCELLANEOUS PROVISIONS; ADDING ARTICLE III, SECTION 15-1 OF THE CROCKETT CODE TO REQUIRE PERMITS FOR SPECIAL EVENTS; TO IMPOSE A PERMIT FEE; TO PROVIDE EXEMPTIONS AND EXCEPTIONS FROM REQUIRED PERMITS; TO REQUIRE INSURANCE AS A CONDITION OF PERMIT ISSUANCE; TO PROVIDE FOR REVOCATION OF PERMITS; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE
11. CONSIDER AND APPROVE THE ENGAGEMENT AGREEMENT WITH POWELL LAW GROUP TO ASSIST THE CITY IN REDISTRICTING ITS PRECINCT BOUNDARIES, IF NECESSARY, SECONDARY TO THE U.S. 2020 CENSUS AND ENCUMBER THE NECESSARY FUNDING FROM CONTINGENCY FUNDS
12. CONSIDER AND APPROVE REAPPOINTMENT OF MEMBERS TO PARKS AND RECREATION BOARD
13. CONSIDER AND APPROVE REAPPOINTMENT OF MEMBERS TO BOARD OF ADJUSTMENTS COMMISSION
14. CONSIDER AND APPROVE PAYMENT OF INVOICES FROM CROCKETT ECONOMIC AND INDUSTRIAL DEVELOPMENT CORPORATION

ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Crockett will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Mitzi Stefka, City Secretary, at 936-544-5156.

CERTIFICATION

I certify that a copy of the June 5, 2023 agenda of items to be considered by the Crockett City Council was posted for viewing at Crockett City Hall on June 1, 2023 at 3:30 PM.

Mitzi Stefka, City Secretary

I certify that the agenda items to be considered by the City Council was removed from the City Hall window on the ____ day of _____, 2023. _____ Title _____

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 15th DAY OF MAY 2023 IN THE CITY HALL COUNCIL CHAMBERS, LOCATED AT 200 NORTH FIFTH IN THE CITY OF CROCKETT, HOUSTON COUNTY TEXAS AT 6:00 P.M.

THE COUNCIL MET IN REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT: IANTHIA FISHER, GENE CALDWELL, DARRELL JONES, ERNEST JACKSON, MARQUITA BEASLEY & MIKE MARSH. CITY OFFICIALS PRESENT: CITY ADMINISTRATOR JOHN ANGERSTEIN, CITY SECRETARY MITZI STEFKA, CITY ATTORNEY BILL PEMBERTON, POLICE CHIEF CLAYTON SMITH, FIRE CHIEF JASON FRIZZELL AND FIRE MARSHAL LEE STANDLEY

OPEN MEETING WITH INVOCATION AND PLEDGE

Mayor Fisher called the formal session open. Council member Jackson gave the invocation and all joined in the pledge.

RECOGNITION OF VISITORS

Mayor Fisher recognized all visitors present.

COMMENTS FROM AUDIENCE OR COUNCIL (*At this time, anyone will be allowed to speak on City related matters only; no personnel matters or matters under litigation will be allowed. The length of time may not exceed three minutes. NO Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.*)

- Virginia Lewis – Concerns about CEIDC investigation.
- Sarah Davis – Concerns about recognition of minority-owned businesses in Crockett.
- Natrina Hicks – Concerns about Precinct 1 city council candidate eligibility.
- Harry Fred Scott – Concerns about redistricting.
- Joe Martin – Concerns about conditions of Ann, Grace and Twin streets.

1. APPROVAL OF MINUTES: SPECIAL SESSION – APRIL 25, 2023

Council member Beasley made a motion to approve the minutes of the March 27, 2023 Special Session and April 3, 2023 Regular Session. Council member Jackson seconded the motion. Motion passes 5-0.

2. CANVASS ELECTION RETURNS

Mayor Fisher and all members of the city council canvassed the election returns from Early Voting and the May 6, 2023, General Election. After review, a motion was made by Mayor Pro Tem Marsh to approve the canvass of the votes as follows:

		<u>Early Votes</u>	<u>Ballot by Mail</u>	<u>Election Day</u>	<u>Total</u>
Pct. 1	Connie Strban	88	1	64	153
	Ianthia Fisher	60	32	52	144
	Samantha Wiley	42	1	36	79
	Dennis Ivey	83	2	66	151
	Joe Don James	24	0	14	38
Pct. 2	Connie Strban	26	0	21	47
	Ianthia Fisher	94	0	46	140
	Darrell Jay Jones	85	9	35	129
	Gene Caldwell	35	0	30	65
Pct. 3	Connie Strban	6	0	2	8
	Ianthia Fisher	52	0	49	101
Pct. 4	Connie Strban	0	0	1	1
	Ianthia Fisher	20	0	26	46
Pct. 5	Connie Strban	57	0	40	97
	Ianthia Fisher	80	0	39	119

Council member Beasley seconded the motion. Motion passes 5-0

3. ADMINISTER OATH OF OFFICE TO COUNCIL

City Administrator John Angerstein administered the Oath of Office to Dennis Ivey, Darrell Jones, and Ianthia Fisher. Mr. Angerstein thanked Gene Caldwell for his service and Dennis Ivey took his seat as Precinct 1 Council member.

4. CONSIDER AND APPROVE TEXAS FILM FRIENDLY POLICY

Liza Clark and Wade Thomas presented information about the Texas Film Friendly Policy. Council member Jones made a motion to approve the Texas Film Friendly Policy. Council member Beasley seconded the motion. Motion passes 5-0.

5. CONSIDER AND APPROVE NOMINATIONS TO THE KEEP CROCKETT BEAUTIFUL BOARD OF DIRECTORS

Carolyn Ivey, Catina Brice, Samantha Wiley, and James Henry were nominated for the Keep Crockett Beautiful Board of Directors. Council member Beasley made a motion to approve the nominations to the board. Council member Jackson seconded the motion. Motion passes 5-0.

6. CONSIDER AND APPROVE FISCAL YEAR 2023 BUDGET CALENDAR

Mr. Angerstein presented his proposal for the fiscal year 2023-2024 budget calendar. Council member Beasley made a motion to approve the calendar as presented. Mayor Pro Tem Marsh seconded the motion. Motion passes 5-0.

7. CONSIDER AND APPROVE CIVIL RIGHTS RESOLUTION NO. R-05B-23
ADOPTING THE FOLLOWING POLICIES:

1. Citizen Participation Plan and Grievance Procedures
2. Excessive Force Policy
3. Fair Housing Policy
4. Section 504 Policy and Grievance Procedures
5. Code of Conduct Policy

AND AFFIRM ITS COMMITMENT TO CONDUCT A PROJECT-SPECIFIC ANALYSIS AND TAKE ALL APPROPRIATE ACTION NECESSARY TO COMPLY WITH PROGRAM REQUIREMENTS FOR THE FOLLOWING:

6. SECTION 3 ECONOMIC OPPORTUNITY
7. LIMITED ENGLISH PROFICIENCY
8. ACTIVITY TO AFFIRMATIVELY FURTHER FAIR HOUSING CHOICE

Mr. Angerstein noted this resolution and policies are a requirement by the State to be eligible for CDBG funding. These policies are currently in place; the City also adopts a proclamation declaring the month of April as Fair Housing Month. Council member Beasley made a motion to approve Civil Rights Resolution No. R-05B-23 and affirm its commitment to conduct a project-specific analysis and comply with program requirements. Council member Jackson seconded the motion. Motion passes 5-0.

8. CONSIDER AND APPROVE THE ENGAGEMENT AGREEMENT WITH POWELL LAW GROUP TO ASSIST THE CITY IN REDISTRICTING ITS PRECINCT BOUNDARIES, IF NECESSARY, SECONDARY TO THE U.S. 2020 CENSUS AND ENCUMBER THE NECESSARY FUNDING FROM CONTINGENCY FUNDS

Mayor Pro Tem Marsh made a motion to approve the engagement agreement with Powell Law Group to assist the city in redistricting its precinct boundaries, if necessary, secondary to the U.S. 2020 Census and encumber the necessary funding from contingency funds. Council member Ivey seconded the motion. Motion fails 2-3. Council members Jones, Jackson and Beasley voted against the motion. Council member Jackson made a motion to table the item until the city could meet with Crockett ISD and discuss the matter. Council member Beasley seconded the motion. Motion passes 3-2. Council member Ivey and Mayor Pro Tem Marsh voted against the motion.

9. CONSIDER AND APPROVE THE REPAIRS TO WATER WELL #1 AT COLLEGE HILL AND APPROVE THE EXPENDITURE TO BE PAID FROM UTILITY RESERVES

Mr. Angerstein explained the extent of the damage to water well #1 and the steps necessary to repair the well. Council member Jackson made a motion to approve the repairs to water well #1 at College Hill and approve the expenditure to be paid from utility reserves. Council member Jones seconded the motion. Motion passes 5-0.

10. CONSIDER AND APPROVE PAYMENT OF INVOICES FROM CROCKETT ECONOMIC AND INDUSTRIAL DEVELOPMENT CORPORATION

Council member Beasley made a motion to approve payment of invoices from Crockett Economic and Industrial Development Corporation. Council member Jackson seconded the motion. Motion passes 5-0.

11. CONSIDER AND APPROVE BIDS FOR MOWING OF CROCKETT AND INDUSTRIAL DEVELOPMENT CORPORATION PROPERTIES

Mr. Angerstein presented three bids that were received for mowing the CEIDC properties:

Justin Jansky Pasture Mowing

- Finish Mowing - \$725
- Pasture Mowing - \$2650
- Right of Way Mowing - \$450

Munsinger Custom Hay Baling & Mowing

- Finish Mowing - \$525
- Pasture Mowing - \$1,700
- Right of Way Mowing - \$400

Larry Robbins

- Finish Mowing - \$980
- Pasture Mowing - \$5,115
- Right of Way Mowing - \$350

Mayor Pro Tem Marsh made a motion to accept the bid from Munsinger Custom Hay Baling and Mowing for mowing of Crockett Economic and Industrial Development Corporation properties. Council member Ivey seconded the motion. Motion passes 5-0.

12. POLICE DEPARTMENT MANPOWER & CRIMINAL INCIDENT REPORT FOR APRIL 2023

Police Chief Smith reported for the month of April 2023; 15 total manpower, 2754 total manpower hours, 506 total calls and 6 total accidents. A breakdown of the criminal reports is included in the packets. Chief Smith also reiterated that the investigation of Crockett Economic and Industrial Development Corporation is still ongoing.

13. FIRE DEPARTMENT MONTHLY ACTIVITY & STATUS REPORT FOR APRIL 2023

Fire Chief Frizzell reported for the month of April 2023 the following: 52 total calls. A breakdown is included in the packets. He stated that the increased number of calls in the city was due to the severe storms during the month.

14. UPDATE AND DISCUSSION ON STREET CONSTRUCTION PROJECTS

Mr. Angerstein provided an update on all current and scheduled street construction and other major projects within the city.

EXECUTIVE SESSION

15. GOV. CODE 551.074 - PERSONNEL MATTERS. CONSIDER DUTIES OF FIRE MARSHAL

Mayor Fisher stated Council would convene into Executive Session per: Gov. Code Section 551.074 – Personnel Matters. Consider Duties of Fire Marshal.
Time was 7:50 P.M.

RECONVENE INTO REGULAR SESSION AND CONSIDER ACTION, IF ANY, ON EXECUTIVE ITEMS

Mayor Fisher reconvened the meeting into open session. Time was 8:15 P.M.

Council member Beasley made a motion to move building official duties to the Fire Marshal, adjust his pay rate to level of LE9 and grant an employment agreement. Council member Ivey seconded the motion. Motion passes 5-0.

ADJOURNMENT

Without objection, Mayor Fisher adjourned the meeting at 8:16 P.M.

Dr. Ianthia Fisher, Mayor


ATTEST:

Mitzi Stefka, City Secretary



City of Crockett
Planning & Zoning Commission and City Council
Action Taken for Specific Use Permit Application

Item 3.


Applicant's/Property Owner's Information.	
Applicant's Full Name: Yolanda Lang	
Property Owner's Full Name: Yolanda Lang	
Property Address Under Consideration: 303 S. Millside Ave, Parcel 9863	
Nature of Specific Use Permit Request: Mobile Home	
Present Zoning District: R-2	Requested Zoning District (if applicable): N/A
Criteria for Specific Use Permit. (Used as basis for approving a specific use permit.)	
Will the proposed use adversely affect the character and appropriate use of the area or neighborhood in which it would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe adverse impact:	
Will the proposed use substantially depreciate the value of adjacent and nearby properties for use in accordance with regulations of the zoning district in which they are located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe reason for substantial depreciation:	
Will the proposed use be in keeping with the spirit and intent of City ordinance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, explain:	
How will the proposed use affect the traffic circulation of the district in which it is proposed? <input checked="" type="checkbox"/> No negative impact <input type="checkbox"/> Negative Impact If negative impact, explain:	
How will the proposed use affect the public utilities of the district in which it is proposed? <input checked="" type="checkbox"/> No negative impact <input type="checkbox"/> Negative Impact If negative impact, explain:	
How will the proposed use affect the health, safety and general welfare of the community? <input checked="" type="checkbox"/> No negative impact <input type="checkbox"/> Negative Impact If negative impact, explain:	
 Code Enforcement Officer or Designee	5/16/2023 Date (mm/dd/yyyy)



City of Crockett
Planning & Zoning Commission and City Council
Action Taken for Specific Use Permit Application

Item 3.

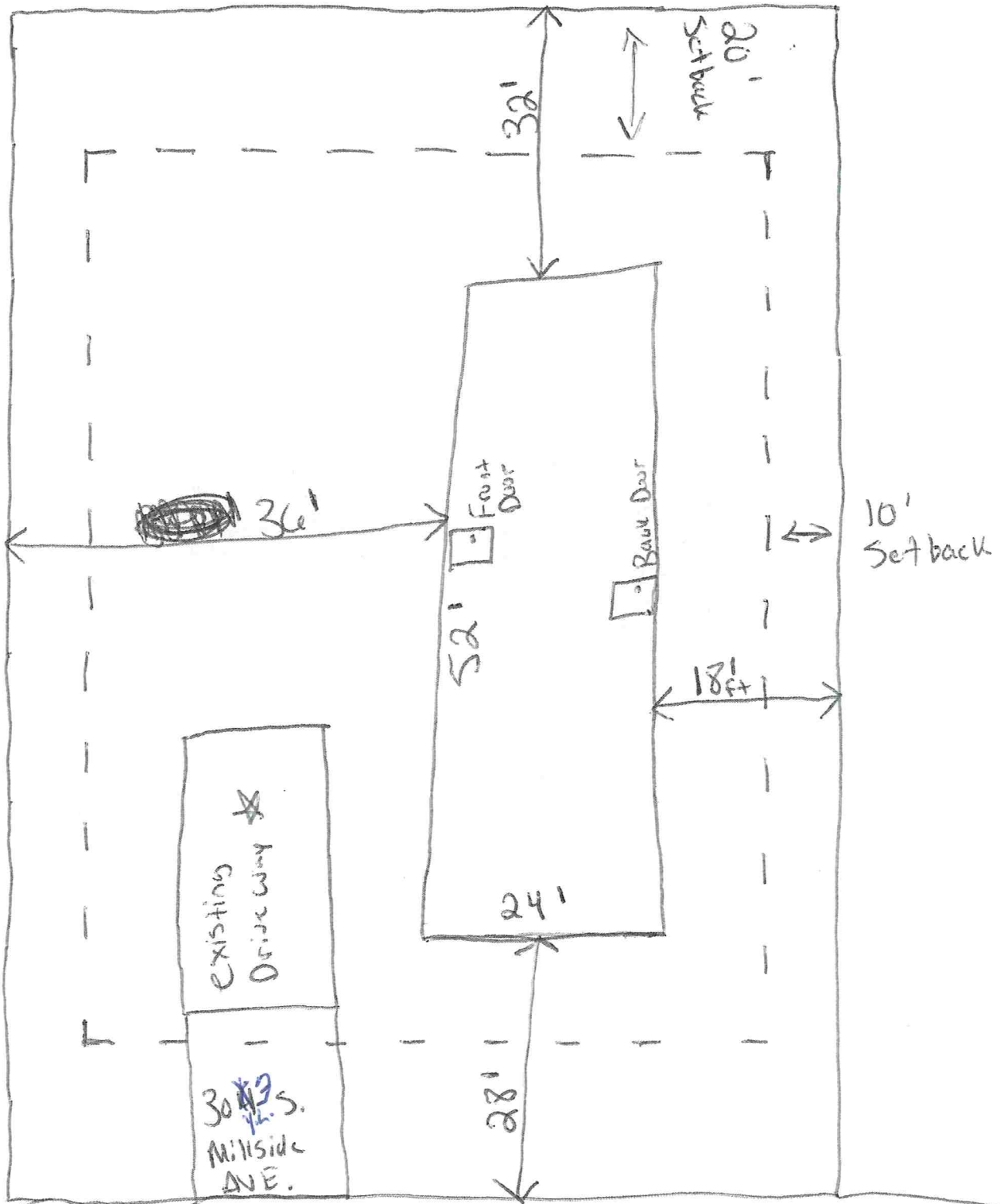
Planning & Zoning Commission's Public Hearing Action	
Date of Public Hearing: May 16, 2023	
Number of property owners who were mailed notices of public hearing because, per HCAD tax rolls, they own land lying within 300 feet of the property for which proposed change is sought: <u>12</u>	
Number of residents, other than applicant, at hearing who spoke:	
in favor of application approval <u>0</u>	
opposed to application approval <u>0</u>	
Comments: Two of the 12 property owners, Shirley Whitting and Dorothy Evans, for the James Edward Evans Estate, came by City Hall in person prior to the public hearing to express support for the specific use permit.	
Planning & Zoning Commission's Motion:	
<input checked="" type="checkbox"/> Recommend approval of permit. Special Conditions:	
<input type="checkbox"/> Recommend disapproval of permit. Reasons:	
<input type="checkbox"/> Table application for following reasons:	
Motion Made by: <u>Connie Strban</u>	Motion Seconded by: <u>Wade Thomas</u>
Vote on Motion. For: <u>4</u>	Against: <u>0</u>
<u><i>David Ty</i></u> P&Z Chairman	<u>05/16/2023</u> Date (mm/dd/yyyy)
Action Taken by City Council	
Date of City Council Meeting: June 5, 2023	
<input type="checkbox"/> Approve permit. Special Conditions:	
<input type="checkbox"/> Disapprove permit. Reasons:	
<input type="checkbox"/> Table application for following reasons:	
Motion Made by:	Motion Seconded by:
Vote on Motion. For: _____	Against: _____
_____ Mayor	_____ Date (mm/dd/yyyy)

	<p>City of Crockett Application for Specific Use Permit for Mobile Home Placement</p>
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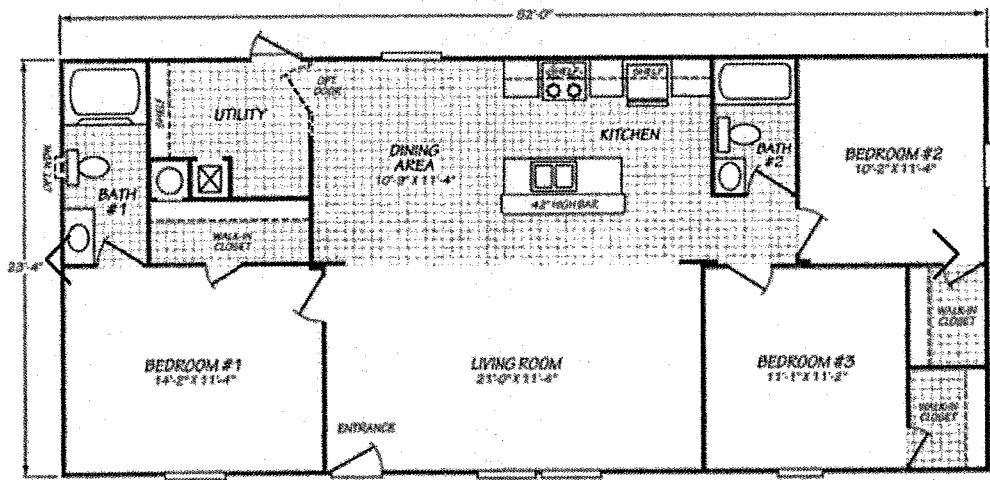
Instructions: Schedule an initial feasibility review discussion with the Code Enforcement Official at City Hall (936-544-5156, Ext. 207). If proceeding with the application after the discussion, submit this completed form to the Code Enforcement Official along with:

- a copy of the property deed;
- a survey plat prepared by a licensed surveyor showing the boundaries of the property and that sufficient room is available for setbacks required by City Code;
- a small-scale drawing of the property indicating dimensions of the mobile home, placement of mobile home on property, setbacks from property lines, dimensions and location of existing buildings, location of existing streets, and location of driveway access to the mobile home (a survey plat identifying all of this information may substitute for the drawing); and
- \$100 fee to cover costs of application review and processing (cash, check or money order made out to City of Crockett, or credit card).

Part I. Applicant's/Property Owner's Personal Information	
Applicant's Full Name: Yolanda Lang	
Mailing Address: 1406 Cole Creek Lane Apt. 803 Crockett, TX 75835	
Email Address: yolandalang32@yahoo.com	Phone Number: 469-939-1224
Are you the property owner for the property where the mobile home will be placed? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
<i>If no, provide the following information for property owner.</i>	
Property Owner's Full Name:	
Mailing Address:	
Email Address:	Phone Number:
Part II. Proposed Mobile Home Placement Information	
Property Address: 30135 Millside Ave. Crockett, TX 75835	
Present Zoning District: Y-L	Requested Zoning District (if applicable):
Required Setbacks for Present Zoning District: Front & Back: 20' / Sides: 10'	
Is there already a primary residential structure on the lot on which the mobile home would be placed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
If yes, will the existing primary residential structure be demolished before placing the mobile home on the lot? <input type="checkbox"/> No <input type="checkbox"/> Yes (City Ordinance allows only one primary residential structure per lot.)	
Year Model of Mobile Home: 2023 (Must not be more than 5 years prior to application.)	
Will the mobile home be placed to face the street? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	



Millside Ave.

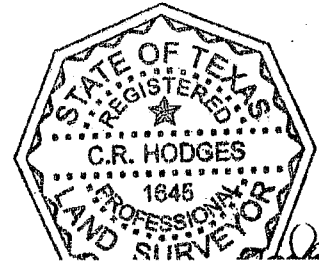
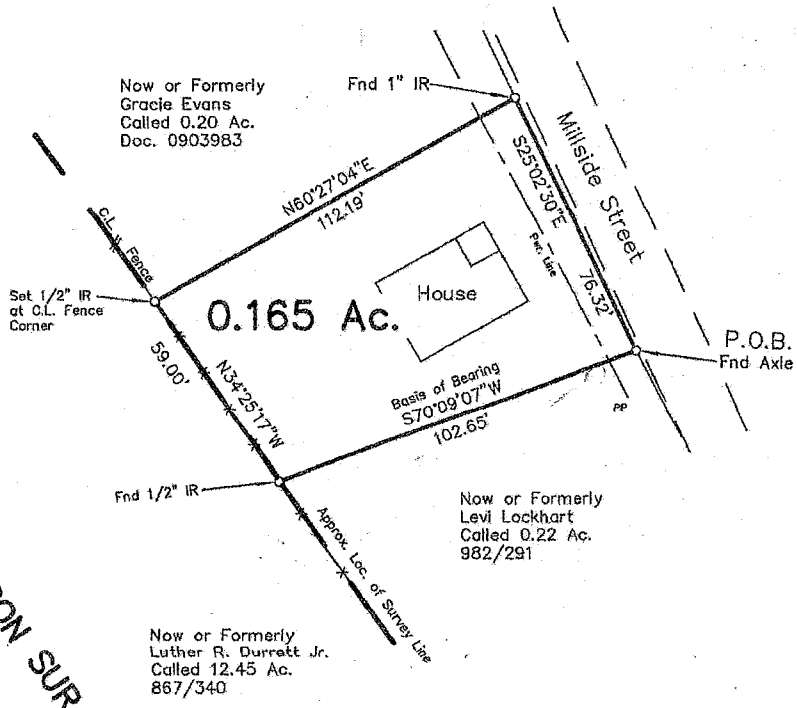


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R.C. STOKES SUBDIVISION
Unrecorded Subdivision
Prep. by O.C. Wakefield
June 26, 1926

A.E. GOSSETT SUR., A-423

FRANK JOHNSON SUR., A-46



Field Notes for 0.165 Acre
A.E. GOSSETT SURVEY, A-423
City of Crockett
Houston County, Texas

0.165 acre out of and a part of the A.E. GOSSETT SURVEY, A-423, City of Crockett, Houston County, Texas, and being out of and a part of Lot 91, of the R.C. Stokes Subdivision, an unrecorded subdivision, prepared by O.C. Wakefield, June 26, 1926, which 0.165 acre on the West Side of Millside Street, more particularly described by metes and bounds as follows:

BEGINNING on an iron axle, found for the South East corner of this lot and the North East corner of the now or formerly Levi Lockhart called 0.22 acre lot and also being in the West line of Millside Street;

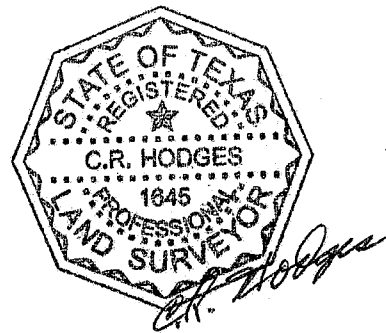
THENCE S 70 deg. 09 min. 07 sec. W, 102.65 feet to a ½ inch iron rod found for corner, same being in the West line of the said A.E. GOSSETT SURVEY, A-423, and the East line of the FRANK JOHNSON SURVEY, A-46;

THENCE N 34 deg. 25 min. 17 sec. W, 59.00 feet to a ½ inch iron rod set for corner, same being the North West line of the said FRANK JOHNSON SURVEY, A-46;

THENCE N 60 deg. 27 min. 04 sec. E, 112.91 feet to a 1 inch iron rod found for corner, same being the South East corner of the now or formerly Gracie Evans, called 0.20 acre lot and also being in the West line of the said Millside Street;

THENCE S 25 deg. 02 min. 30 sec. E, 76.32 feet to the place of beginning and containing 0.165 acre of land more or less.

Field Notes Prepared February 14, 2017.

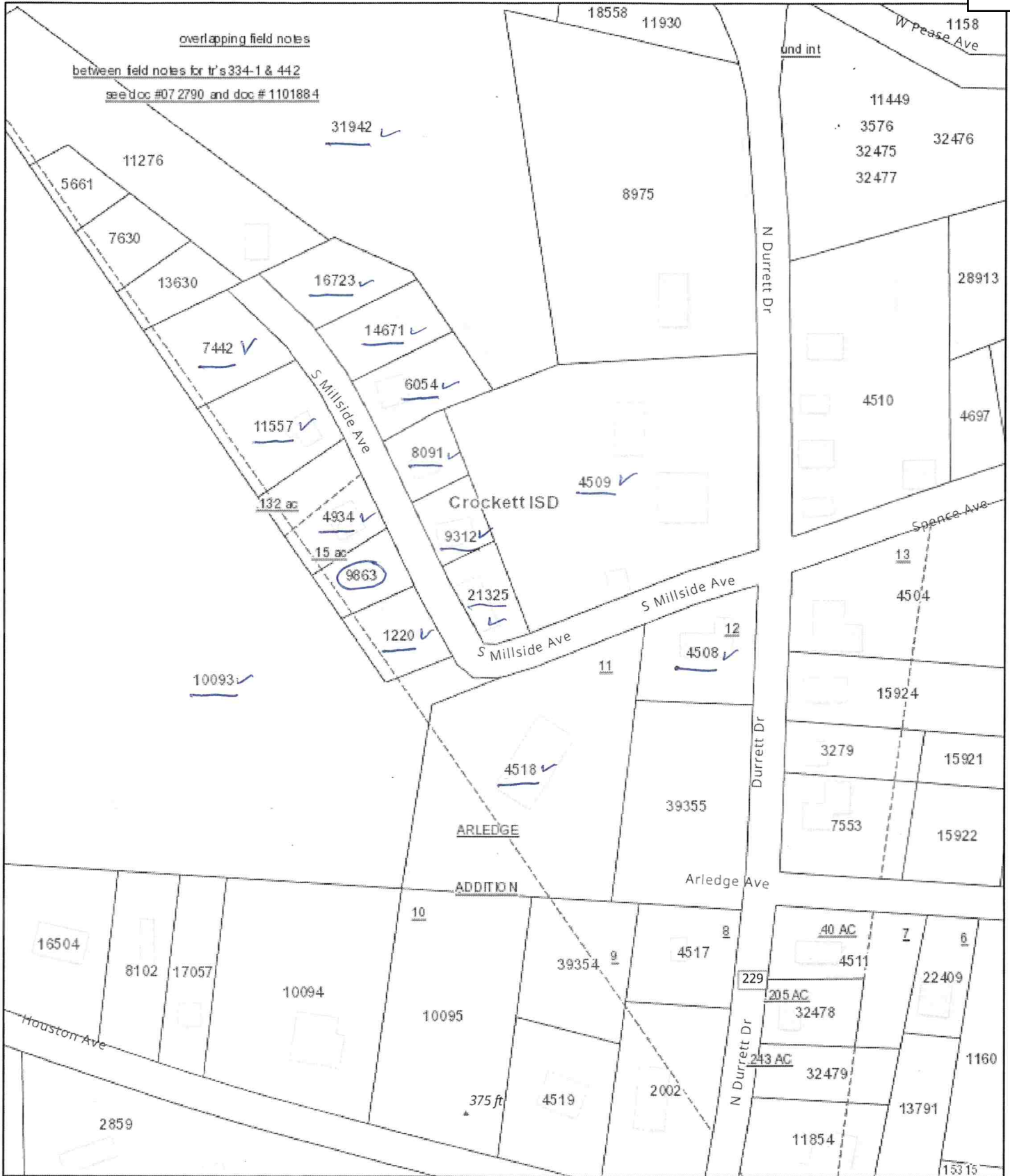


303 M. Millside - Parcel
9863

Houston CAD

Properties w/in
300' - underline

Item 3.



4/27/2023, 11:56:05 AM

- School Districts
- History Line
- History Labels

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS.

Gonzalo Diaz Jr.- **Parcel 4508**
203 Quail CV
Kyle, TX 78640

Gwendolyn Pierce &
Becky W. Hopkins
Parcel 7442
2611 Santa Anagela Ct
Chula Vista CA 91914

James Edward Evans Est
Parcel 21325
300 S. Millside Ave.
Crockett, TX 75835-1416

*- Dorothy
Evans came s/15
For - spoke to Rita*

Shanna Glawson
c/o Ace Bail Bonds
Parcel 4509
707 S. 4th Street
Crockett, TX 75835

Reynaldo & Gloria A. Ponce
Parcel 10093
8411 Mosshang Ct.
Houston, TX 77040

Reynaldo & Juan C. Ponce
Parcel 4518
8411 Mosshang Ct.
Houston, TX 77040

Curtis Griffin Est
c/o Gregory Griffin
Parcel 6054
928 Texas Street
Crockett, TX 75835

Dorothy Jean Evans Washington
Parcel 4934, 9312, & 8091
19720 Lasierra Blvd.
San Antonio, TX 78256

Shirley Whitting
Parcel 16723
310 S. Millside Ave.
Crockett, TX 75835

*- came by
s/16 - spoke
to Rick -
no concern*

Ignite Enterprises & Dev, Inc
Parcel 31942.
194 Royal Pines
Lufkin, TX 75904


Levi Lockhart, Jr.
Parcel 1220
925 Dodson Dr.
Crockett, TX 75835

James Parker Estate
c/o Jessie Parker
Parcel 11557
1518 W. 2nd Street
Clovis, NM 88101-7021



City of Crockett
Planning & Zoning Commission and City Council
Action Taken for Zoning Change Application

Item 5.

Applicant's/Property Owner's Information.	
Applicant's Full Name: David Baker	
Property Owner's Full Name: David W. Baker and Frances C. Baker	
Property Address Under Consideration: 2402 N 4 th Street (Parcel 3029)	
Description of Proposed Land Use Activity: Commercial Retail Sales – Portable Buildings	
Present Zoning District: AR Requested Zoning District (if applicable): C2	
Criteria for Zone Change. (Used as basis for approving a zone change.)	
Will the proposed zoning change adversely affect the character and appropriate use of the area or neighborhood in which it would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe adverse impact: No adverse impact anticipated. Parcel 3029 is the NE corner of N. 4 th /Hwy 19/Hwy 287 & Norman Lane. The SE corner parcel at this intersection is already zoned C-2 and other commercial businesses are located along the highway between Norman Lane and Loop 304.	
Will the proposed zoning change substantially depreciate the value of adjacent and nearby properties for use in accordance with regulations of the zoning district in which they are located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe reason for substantial depreciation: No substantial depreciation anticipated for same reasons as answer to first question.	
Will the proposed use be in keeping with the spirit and intent of City ordinance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, explain: Yes, the proposed use of retail sales is allowed within the C-2 District.	
How will the proposed zoning change affect the traffic circulation of the district in which it is proposed? <input checked="" type="checkbox"/> No negative impact <input type="checkbox"/> Negative Impact If negative impact, explain: The southeast corner of this intersection is already C-2 and changing the northeast corner to C-2 to allow retail sales is not anticipated to have a significant impact on traffic circulation.	
How will the proposed zoning change affect the public utilities of the district in which it is proposed? <input checked="" type="checkbox"/> No negative impact <input type="checkbox"/> Negative Impact If negative impact, explain:	
How will the proposed zoning change affect the health, safety, and general welfare of the community? <input checked="" type="checkbox"/> No negative impact <input type="checkbox"/> Negative Impact If negative impact, explain: See answer to the first question.	
 Code Enforcement Officer or Designee	4/10/2023 Date (mm/dd/yyyy)



City of Crockett
Planning & Zoning Commission and City Council
Action Taken for Zoning Change Application

Item 5.

Planning & Zoning Commission's Public Hearing Action

Date of Public Hearing: 4/25/2023 - recessed 5/16/2023 - reconvened

Number of property owners who were mailed notices of public hearing because, per HCAD tax rolls, they own land lying within 300 feet of the property for which proposed change is sought: 10

Number of residents, other than applicant, at hearing who spoke:
 in favor of application approval 0
 opposed to application approval 3 * 1 by email also opposed

Comments: * Carter Hall would approve if certain conditions re: to fencing, lighting, & permanent office, etc were met.

Planning & Zoning Commission's Motion:

Recommend approval of requested zoning change. Special Conditions:

Recommend disapproval of requested zoning change. Reasons:

Table application for following reasons:

Motion Made by: Wade Thomas Motion Seconded by: Connie Strban

Vote on Motion. For: 4 Against: 0

David Lopez
 P&Z Chairman

05/16/2013
 Date (mm/dd/yyyy)

Action Taken by City Council

Date of City Council Meeting: 5/1/2023

Approve zoning change. Special Conditions:

Disapprove zoning change. Reasons:

Table application for following reasons:

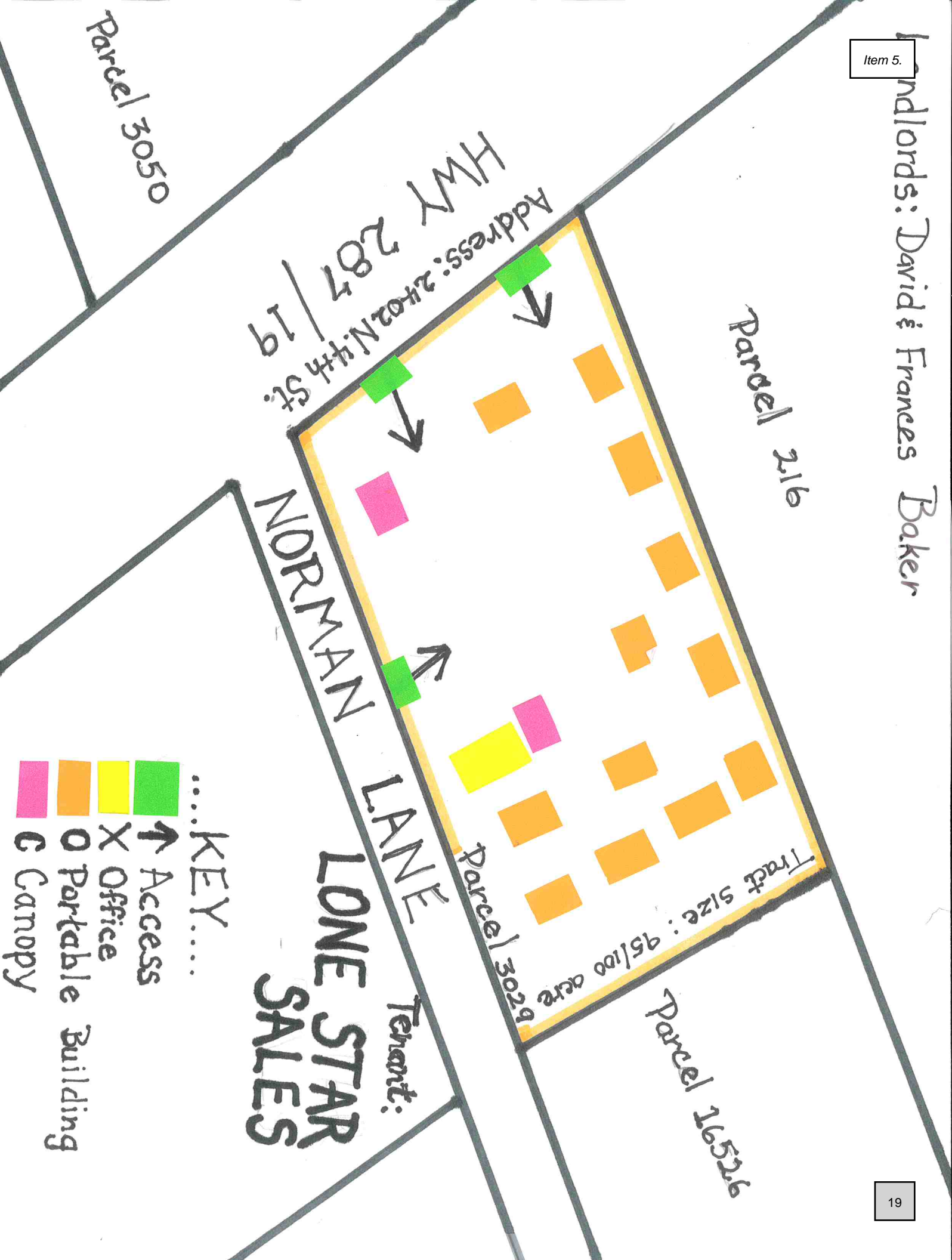
Motion Made by: _____ Motion Seconded by: _____

Vote on Motion. For: _____ Against: _____


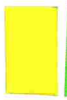


 Mayor

 Date (mm/dd/yyyy)

Landlords: David & Frances Baker



....KEY....

-  Access
-  Office
-  Portable Building
-  Canopy



3029

(1 of 2)

Parcels: 3029

[View Detailed Property Information](#)

Property Information:

Parcels ID: 3029
Account Number: 00423-01680-00000-000000
Stated Area: 0.854 a
Legal Acreage: 0.95
Legal Description: A E GOSSETT AB 423 .95 AC
Tract or Lot:
Block:
Abstract Number:
Abstract Subdivision Code:
Primary Category Code: C1
Location Code: 55
Property Location: 2402 4TH ST N, -

Owner Information:

Owner: BAKER DAVID W
In Care of:
Sequence: 1
Interest: 1.00
Exempt: 0
Mailing Address: 629 SPRING CREEK DR , CROCKETT TX 75835-6565

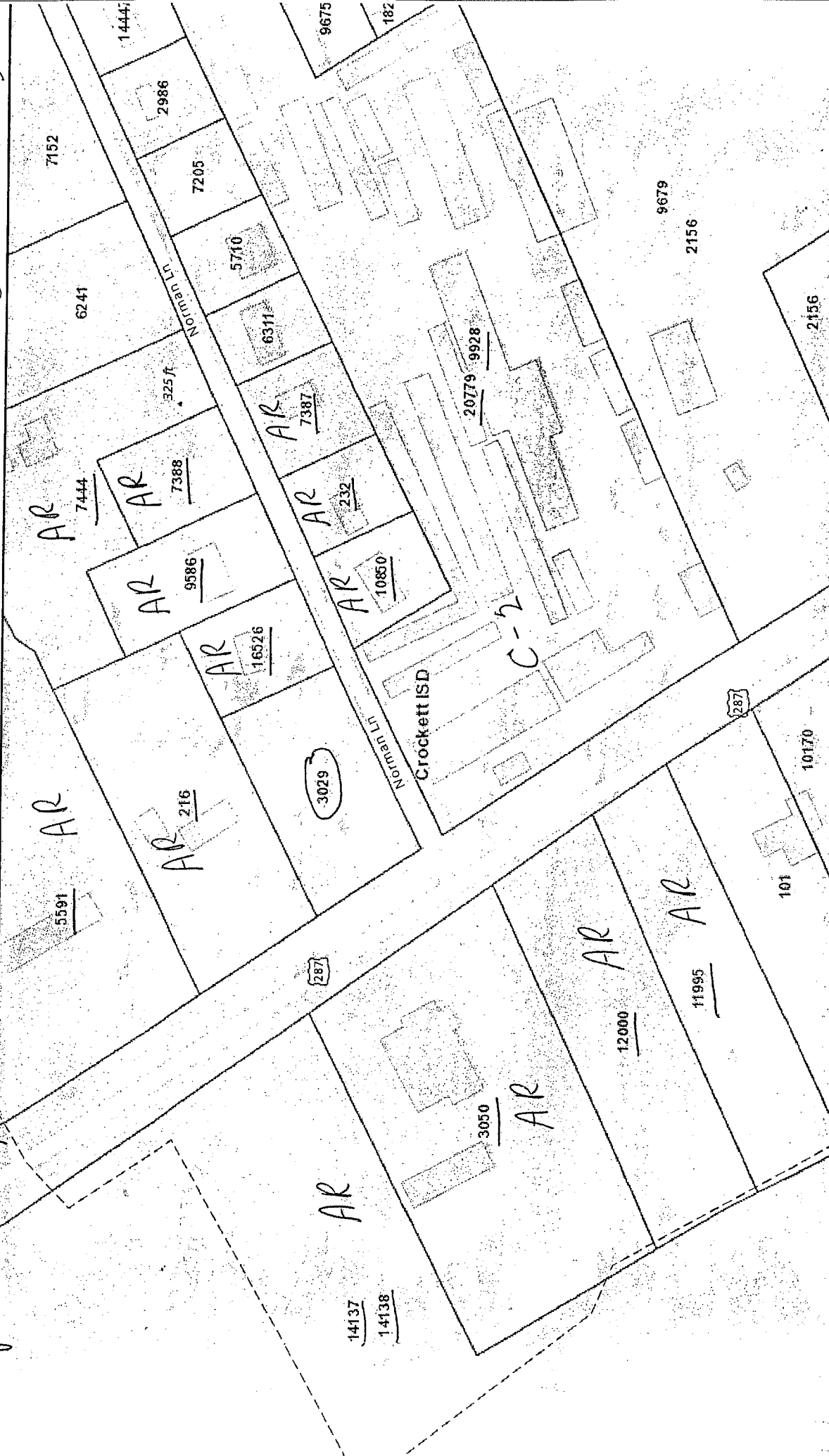
Deed & Sales:

Deed Volume:
Deed Page:
Market Value:

Users Codes:

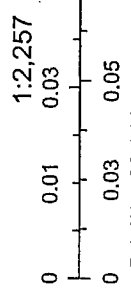
- 1:
- 2:
- 3:
- 4:
- 5:
- 6:

Properties w/in 300' of Houston CAD Parcel 3029 (underlined)



3/2023, 2:22:08 PM

- School Districts
- History Labels
- History Line
- Parcels



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, NCE, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GS Intermap and the GIS user community, Esri Community, Baylor University, Texas Parks & Wildlife, © OpenStreetMap contributors, Microsoft Corporation, and the GIS user community.

Item 5.

2JMLH, Ltd.
Parcels 7444 & 7388
703 Norman Lane
Crockett, TX 75835-5021

4M Crockett SS LLC
Parcels 20779, 7387 & 9928
2300 N. 4th Street
Crockett, TX 75835

Barbara Beeler Est &
David W. Baker
Parcels 14138 & 14137
629 Springcreek Dr.
Crockett, TX 75835

Jessica Cervantes
Parcel 11995
2305 N. 4th Street
Crockett, TX 75835

Michael R & Linda L Daniels
Parcel 5591
232 US Hwy. 287 N
Crockett, TX 75835-5544

Billy P. Hollan
Parcel 216
2410 N. 4th Street
Crockett, TX 75835

Oscar Lemus &
Maria Diosdando
Parcel 16526
1805 Neal St
Navasota, TX 77868

Joshua E. Payeur
Parcels 232 & 10850
PO Box 493
Grapeland, TX 75844

James & Deborah Ruple Jr.
Parcel 9586
603 Norman Ln
Crockett, TX 75835

David & Joyce Sharp
Parcel 12000
31737 Montano Ct
Magnolia, TX 77354-2319

A. *Description.* The C-2 district is intended to provide retail shops and stores that provide goods and services for the residents of the general community. The C-2 district serves the need for commercial activities that may not be met by those activities presently located in Crockett's City Center Shopping District.

B. *Uses permitted by right.*

1. All uses permitted by right and specific use in the C-1 neighborhood commercial district.
 2. Apparel sales and rentals.
 3. Amusements.
 4. Automobile laundry.
 5. Automobile repair—Minor.
 6. Automobile sales and rentals.
 7. Automobile service station.
 8. Department stores.
 9. Drive-in restaurants.
 10. Farm machinery, implements and supply sales.
 11. Funeral sales.
 12. Meeting and assembly halls.
 13. Plant nurseries and garden supply sales.
 14. Plumbing equipment sales and servicing.
 15. Printing and reproduction services.
 16. Retail sales in general.
 17. Sports or special events stadiums.
 18. Theaters—Indoors.
 19. Mini-warehouses.
- C. *Specific uses.*
1. Communication towers for cellular telephones, radio, television and other communications.
 2. Drive-in theaters.
 3. Private clubs.
 4. Sexually oriented businesses, as defined in chapter 15.5 of the Crockett Code.

Refer to the land use matrix for land uses permitted by right or requiring specific use permit.

D.

Area, coverage and height regulations. All buildings in the C-2 district must conform to the requirements listed in the land use district standards.

- E. *Mandatory project plan requirements.* Individuals requesting a specific use permit or a zoning amendment to achieve C-2 status must comply with the project plan requirements as prescribed in section 303 of this ordinance.
- F. *Access to C-2 sites.* Not more than two (2) entrance/exit points of access to a C-2 site will be permitted, except as allowed on state highways in the access design standards of the state highway department.
- G. *Screening requirement.* A screening fence is required between any commercial, manufacturing or industrial use and a developed residential use in accordance with section 305 of this ordinance.

(Ord. No. O-5B-86, § 1, 5-19-86; Ord. No. O-9-95, § 3, 7-25-95; Ord. No. O-04-09, § 6, 4-20-09; Ord. No. O-08C-10, § 1, 8-16-10)

- A. *Screening between commercial or industrial land and residential land required.* Where there is a common side or rear lot line or lot lines between developed residential land and land to be developed to a commercial or industrial use, the owner of said commercial or industrial land shall erect a fence that properly screens adjacent residential lots from adverse influences such as noise, vehicular lights, trespass and other adverse influences as part of the normal operation of buildings dedicated to said nonresidential usage.
- B. *Screening between single-family residential and apartment uses.* Where there is a common side or rear lot line or lot lines between developed single-family residential land and land to be developed into apartment usage, the owner of the apartment land shall erect a fence that will properly screen adjacent single-family residential land from adverse influences such as noise, vehicular lights, trespass, and other adverse influences as part of the normal operation of the apartment project.
- C. *Screening material.* Such screening shall be made of brick or wood, shall be at least six (6) feet in height, and shall form a solid and continuous screen between the residential and nonresidential land uses. In the case of rear lot lines such screening fence shall be continued from one side lot line along the rear lot line to the other side lot line. In the case of side lot lines, such screening fence shall be continued from the rear lot line along the side lot line to the front setback but no farther than a point fifteen feet from the street right-of-way line. Each such screening fence shall be maintained in good condition by the owner of said commercial, industrial or apartment project, for as long a time period as may be needed to protect adjacent residential land uses.

Rita Walker

From: John Angerstein
Sent: Monday, May 15, 2023 9:40 AM
To: Rita Walker
Subject: FW: Driveways on 287 N

From: Danny R Luna <Danny.Luna@txdot.gov>
Sent: Monday, May 15, 2023 8:11 AM
To: John Angerstein <angersteinj@crocketttxas.org>
Subject: Re: Driveways on 287 N

John,

Everything looks good, there's no permits required for us. I do want some type of all-weather material put on both driveways.

Thanks,

Danny R Luna

Texas Department of Transportation

Houston County Maintenance Supervisor

936-544-2264 | Danny.Luna@txdot.gov

1123 E. Loop 304 | Crockett, TX 75835

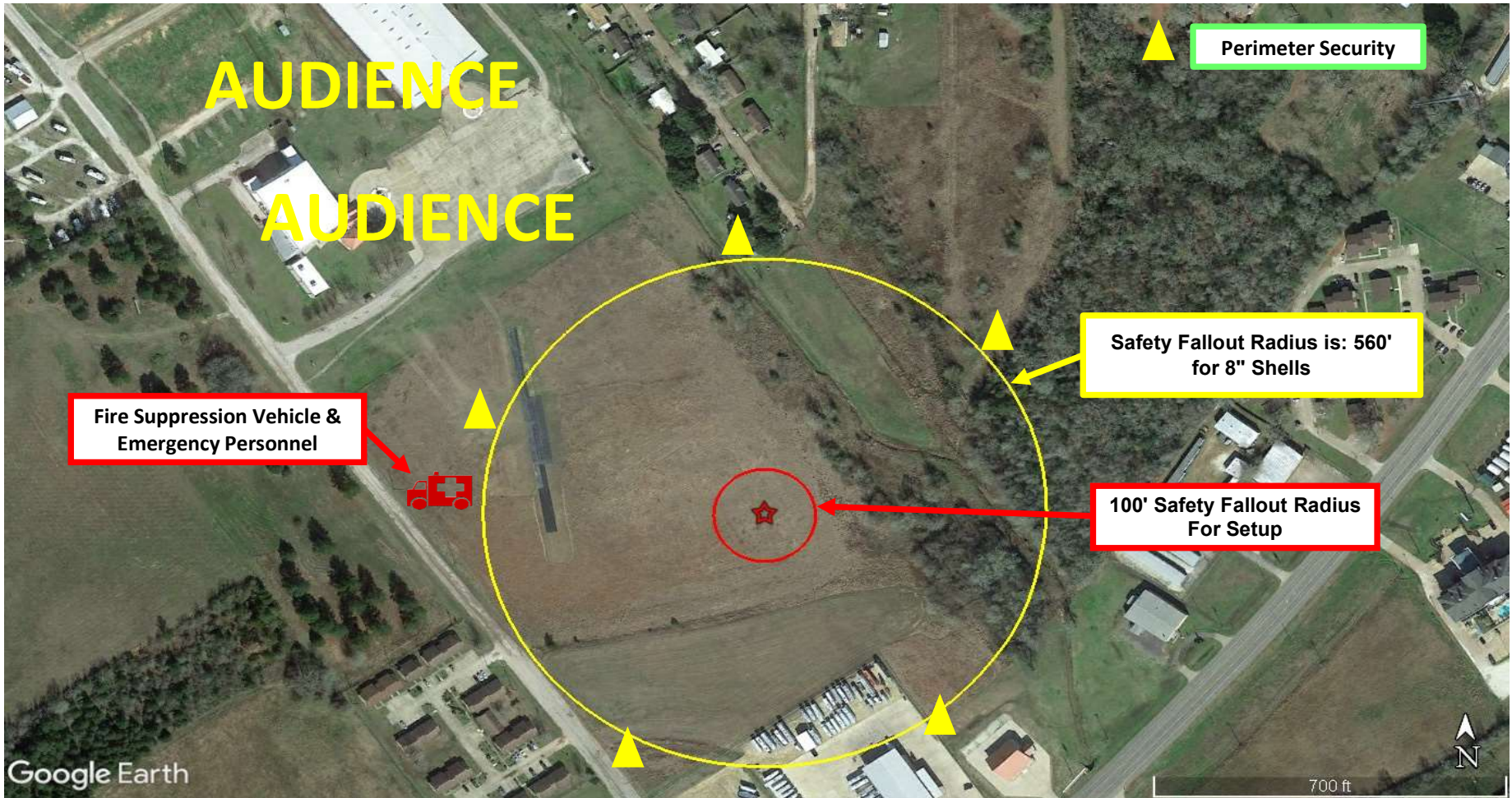
Work Schedule: In Office Monday - Thursday 7:00 am - 5:30 pm

From: John Angerstein <angersteinj@crocketttxas.org>
Sent: Tuesday, May 9, 2023 11:39 AM
To: Danny R Luna <Danny.Luna@txdot.gov>; craig.emmons@txdot.gov <craig.emmons@txdot.gov>
Cc: Dwb629@gmail.com <Dwb629@gmail.com>
Subject: Driveways on 287 N

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon. We have had a request from Mr. Baker who owns parcel 3029, on the corner of Norman Lane and 287N. This property is zoned for residential and it is being requested to rezone to commercial. They are wanting to put a storage building sales lot there. There are 2 driveways onto 287N, are these driveways good for commercial entrance to be used for a medium duty truck with 30 or 40 ft float delivering 2 or 3 storage buildings? Please look at the shoulder and clearances to be sure that this is feasible and whether any permits for changes need to be made or not. I attached a drawing from them.

Thanks



SECURED AREA A MINIMUM OF 560' FROM ALL SIDES OF THE FIRING SITE. NO SCHOOLS, CHURCHES, HOSPITALS, LICENSED CHILD CARE, HEALTH CARE, DETENTION, CORRECTIONAL FACILITY OR ASYLUMS WITHIN 600' FROM ALL SIDES OF THE FIRING SITE. NO HAZARDOUS MATERIALS WITHIN 1,120' FROM ALL SIDES OF THE FIRING SITE. PERIMETER SECURITY IS THE RESPONSIBILITY OF CITY OF CROCKETT.



Customer: Crockett Area Chamber of Commerce
 Show Date: Saturday, July 1, 2023
 Show Address: 1100 Edmiston Drive Crockett, TX 75835
 Show Site Lat / Long: 31.302855°, -95.450377°
 Show Time: 9:15 PM
 Rain Date: TBD

Show Name: City of Crockett IDC 0701 2023
 Maximum Device Size: 8
 Safety Fallout Radius: 560'
 Storage Required: Yes
 Diagram Created: 06/01/23
 Diagram Created By: Brad Kuhn

PYRO SHOWS OF TEXAS, INC.
Contract Agreement

This Agreement made on **May 26, 2023** by and between **PYRO SHOWS OF TEXAS INC.**, a Texas Corporation, whose address is **6601 Nine Mile Azle Road, Fort Worth, Texas 76135**, and hereinafter referred to as "**PYRO SHOWS**" and **Crockett Area Chamber of Commerce** with its principal place of business located at **P.O. Box 307 Crockett, TX 75835** hereinafter referred to as "Customer".

In consideration of the mutual promises and undertakings set forth herein, receipt of said consideration being acknowledged, the parties hereby agree as follows:

- I. **FIREWORKS DISPLAY:** PYRO SHOWS agrees to furnish to Customer a fireworks display, hereinafter referred to as "Show", pursuant to the project/sales order # **#23-TX-0701-C-25000-000151** dated **May 26, 2023**. The Show will be given on **July 1, 2023**. Rain date/postponement date: **No Rain Date Selected 0, 0**
- II. **TARIFF PROVISION:** Because our pyrotechnics are products which are primarily imported into the U.S., PYRO SHOWS is legally responsible for payment of any applicable tariffs (a border tax imposed on the buyer) for pyrotechnics. From the date of execution of the contract herein, in the event of additional cost due to increased price of product as imposed by manufacturer and/or tariffs levied for imported products. Available options are as follows: Customer may opt to increase their budget to absorb tariff - OR - Customer may maintain the current budget of their show with a corresponding reduction in the amount of product included in their show. Should Customer elect to defer, modify, or cancel Show, Customer shall notify Pyro Shows no less than ninety (90) days prior to Show date to cancel or reduce the size of show.
- III. **CANCELLATION:** PYRO SHOWS shall determine what weather conditions prohibit PYRO SHOWS from proceeding with the Show; in which case, PYRO SHOWS agrees to present the Show on the following day or previously agreed upon postponement date. In addition to contracted Show cost, Customer shall remit the actual additional expenses PYRO SHOWS shall incur in presenting the show on subsequent occasion to include labor, lodging, per diem, etc.; in no event shall these additional expenses be less than ten percent (10%) of the contracted price of the Show. In the event the Show must be RESCHEDULED to a mutually agreed upon date other than the previously agreed upon rain date, in addition to contracted Show cost, Customer shall remit the actual additional expenses PYRO SHOWS shall incur in presenting the Show on subsequent occasion to include labor, lodging, per diem etc.; in no event shall these expenses be less than thirty percent (30%) of the contracted price of the Show. Should Customer elect to CANCEL the Show for any reason, Customer must provide PYRO SHOWS with a thirty (30) days' written notice by certified mail, return receipt, to PYRO SHOWS' address as set forth above. Customer agrees that PYRO SHOWS shall incur substantial expense in preparation for the Show and, accordingly, agrees to pay PYRO SHOWS fifty (50%) of the total contract price for the show as liquidated damages for cancellation due to the fault of the Customer.
- IV. **SECURITY AREA:** Customer agrees to furnish sufficient space for PYRO SHOWS to properly conduct the Show as determined by NFPA 1123-2014 (hereinafter "Security Area"). Customer agrees to provide adequate security protection to preclude persons unauthorized by PYRO SHOWS from entering the Security Area. For the purposes of the Agreement, "Unauthorized Persons" shall mean anyone other than the employees of PYRO SHOWS or persons specifically designated in writing by the sponsor or the Authority Having Jurisdiction (AHJ), and submitted and approved, to PYRO SHOWS prior to the event. Any expenses for security or stand-by fire protection shall be the responsibility of the Customer.
- V. **SITE CLEANUP:** PYRO SHOWS shall be responsible for basic cleanup of the launch area to include policing of the fallout zone for any unexploded ordnance and removal of all large paper debris, wood, wire, foil, racks, mortars and firing equipment used in the setup for the show. Customer shall be responsible for cleanup of debris located in and around fallout zone.
- VI. **INDEMNIFICATION AND HOLD HARMLESS:** Customer agrees to hold PYRO SHOWS harmless from any damages caused to Customer which result as a consequence of unauthorized persons entering the Security Area. Furthermore, Customer agrees to defend and indemnify PYRO SHOWS from any and all claims brought against PYRO SHOWS for damages caused wholly or in part by Unauthorized Person who have entered the Security Area.
- VII. **AMENDMENT & ASSIGNMENT:** This agreement is deemed personal and confidential to Customer, his heirs, executors and administrators only, and may not be sold, assigned, amended, or transferred without the prior written consent of PYRO SHOWS.

PYRO SHOWS OF TEXAS, INC.
Contract Agreement

- VIII. COMPLIANCE WITH THE LAWS AND REGULATIONS:** Promptly upon the execution of this Agreement, Customer shall apply for the approval hereof to any agency, officer or authority of any government if such approval is required by any applicable law, ordinance, code or regulation. Customer agrees to indemnify and hold harmless PYRO SHOWS from against all claims, suits, and causes of action, demands, penalties, losses or damages which may arise or accrue because of the failure or neglect of customer to obtain such approval. This Agreement is made expressly subject to and Customer expressly agrees to comply with and abide by all applicable laws, ordinances, codes and regulations insofar as the same may be applicable to the terms and conditions of this Agreement, including all rules and regulations now existing or that may be promulgated under and in accordance with any such law or laws.
- IX. PERMITS AND LICENSES:** PYRO SHOWS shall process the necessary permits and licenses to enable PYRO SHOWS to perform fully hereunder unless otherwise forbidden by any other applicable statute, rule or otherwise. It is hereby stipulated that this Agreement is to be construed and governed by the laws of the State of Texas, and any suit involving this contract shall be brought in the Courts of Tarrant County in the State of Texas, and the Customer hereby submits itself to the jurisdiction of said Courts and waives its rights to proceed against PYRO SHOWS in and other actions, in any other jurisdiction. For Shows that include licensed music accompaniment, Customer agrees to verify with their organization, venue, sponsor, and/or municipality, the permission to simulcast music and agrees to pay any and all fees associated with the broadcast of said music in the public environment of the Show.
- X. LATE PAYMENT:** PYRO SHOWS shall charge, and Customer agrees to pay, one and one half percent (1 1/2%) per month late payment fee for each month until PYRO SHOWS is paid the amount set forth in Paragraph XIV herein. The stated late payment fee shall begin to run from the applicable date(s) established in Section XIV, unless this provision is prohibited by law.
- XI. ADVERTISEMENT AND PROMOTIONS:** Customer agrees that when promoting fireworks performed by PYRO SHOWS, Customer will name PYRO SHOWS as the fireworks provider in promotional advertising media. Customer agrees to allow PYRO SHOWS to use Customer's name as Customer.
- XII. COMPLAINTS:** In the event that Customer has a complaint concerning the Show, or any material or product used in or pursuant to the Show, or of the conduct of the Show by PYRO SHOWS, or any act or omission of PYRO SHOWS or its agents, either directly or indirectly, without limitation, Customer shall make complaint known to PYRO SHOWS in writing by certified mail to PYRO SHOWS' address as set forth above, within ten (10) days after the date of the Show. In the event that Customer fails to register any complaint in the time and in the manner specified, Customer agrees that it shall not claim such complaint as cause for an offset or withhold any payment due to PYRO SHOWS hereunder on account of or because of such complaint or any matter arising from, relating to or a consequence of the complaint. Furthermore, Customer agrees that should PYRO SHOWS have to collect any amount due PYRO SHOWS hereunder which Customer claims as an offset or which is withheld by Customer on account of, or because of, a complaint not registered with PYRO SHOWS in the time and in the manner specified herein, by law or through an Attorney-at-Law, PYRO SHOWS shall be entitled to collect attorneys' fees in the amount of 15% of the amount owing PYRO SHOWS or the maximum amount allowed by law, whichever is greater, along with all cost of collection.
- XIII. INSURANCE:** Pyro Shows will provide General Liability Insurance and Automobile Liability in the amount of \$10,000,000.00, combined single limit, covering its activities and services in connection with the show described in this contract. Pyro Shows also agrees to include Customer as additional Insured under the terms of this coverage. Pyro Shows, Inc. will provide a Certificate of Insurance. All entities listed on the certificate will be deemed an additional Insured per this contract.
- XIV. PAYMENT TERMS:** **Crockett Area Chamber of Commerce** shall pay PYRO SHOWS \$ 25,000.00 plus applicable taxes in the amount of \$ 0.00 for a grand total of \$ 25,000.00 according to the terms and conditions set forth for presenting the Show. Customer shall submit a 50% deposit (\$ 12,500.00) upon return of signed contract by **June 5, 2023**. Balance will be due in the PYRO SHOWS office upon Customer's receipt of invoice.
- TAXES:** Customer shall be responsible for all applicable sales taxes.

**PYRO SHOWS OF TEXAS, INC.
Contract Agreement**

IMPORTANT: Checks must be made payable to **PYRO SHOWS OF TEXAS, INC.** and mailed to P.O. Box 1776, LaFollette, TN 37766

All the terms and conditions set forth on any addendum attached to this Agreement are made part of this Agreement and incorporated by reference herein.


IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

PYRO SHOWS OF TEXAS, INC.

BY: _____
Chad Stanley, Vice President

DATE: _____

CUSTOMER

BY:  _____ **John Angerstein** _____ **City Manager** _____ **DATE:** May 26 2023 17:29 EST
Signature Printed Name Title

WARRANTY EXCLUSIONS

EXCEPT AS SPECIFICALLY PROVIDED HEREIN, THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

No representation of affirmation of fact including but not limited to statement regarding capacity, suitability for use, or performance of equipment or products shall be, or be deemed to be, a warranty by PYRO SHOWS for any purpose, nor give rise to any liability or obligation of PYRO SHOWS whatsoever.

IN NO EVENT SHALL PYRO SHOWS BE LIABLE FOR ANY LOSS OF PROFITS OR OTHER ECONOMIC LOSS, INDIRECT, SPECIAL, CONSEQUENTIAL, OR OTHER SIMILAR DAMAGES ARISING OUT OF ANY CLAIMED BREACH OF OBLIGATIONS HEREUNDER.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 13, LICENSES AND BUSINESS REGULATIONS, ARTICLE I, SECTION 13-1 OF THE CROCKETT CODE TO PROVIDE EXTENDED HOURS FOR THE SALE OF MIXED BEVERAGES AND MALT BEVERAGES FOR ON-PREMISES CONSUMPTION; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF CROCKETT, TEXAS HEREBY ORDAINS:

Section I:

Section 13-1 of the Crockett Code is hereby amended to read as follows:

Section 13-1. Establishments in Which Alcoholic Beverages are sold.

A. Definitions.

(1) In this section "establishment" means any privately owned place of business operating for profit to which the public is invited in which alcoholic beverages are sold or have been sold within the past twenty-four (24) hours, including, but not limited to, any place of amusement or entertainment, including dance halls and music venues.

(2) In this section "malt beverages" mean a fermented beverage of any name or description containing one-half of one percent or more of alcohol by volume, brewed or produced from malt, in whole or in part, or from any malt substitute.

(3) In this section "mixed beverages" means one or more servings of a beverage composed in whole or part of an alcoholic beverage in a sealed or unsealed container of any legal size for consumption on the premises where served or sold by the holder of a mixed beverage permit, the holder of a private club registration permit, or the holder of certain retailer late hours certificates.

(4) In this section "hotel" means the premises of an establishment:

(A) where, in consideration of payment, travelers are furnished food and lodging;

(B) in which are located:

(I) at least 10 adequately furnished completely separate rooms with adequate facilities so comfortably disposed that persons usually apply for and receive overnight accommodations in the establishment, either in the course of

usual and regular travel or as a residence; or

(ii) at least five rooms described by Subparagraph (i) if the building being used as a hotel is a historic structure as defined by Section 442.001, Texas Government Code; and

(C) which operates a regular dining room constantly frequented by customers each day.

(5) In this section "hotel bar" means an establishment that is located in a hotel and holds a permit or license providing for the on-premises consumption of alcoholic beverages.

B. Hours of Sale of Mixed Beverages.

(1) A mixed beverage permittee may sell and offer for sale mixed beverages between 7:00 a.m. and midnight on any day except Sunday. On Sunday, a mixed beverage permittee may sell mixed beverages between midnight and 1:00 a.m. and between 10:00 a.m. and midnight, except that an alcoholic beverage served to a customer between 10:00 a.m. and 12:00 noon on Sunday must be provided during the service of food to the customer.

(2) The holder of a mixed beverage permit who holds a retailer late hours certificate may also sell and offer to sell mixed beverages between midnight and 2:00 a.m. on any day.

C. Hours of Sale for Malt Beverages.

(1) The holder of a retail dealer's on-premise license may sell and offer to sell malt beverages for on-premise consumption between 7:00 a.m. and midnight on any day except Sunday. On Sunday, the holder of a retail dealer on-premise license may sell malt beverages between midnight and 1:00 a.m. and between noon and midnight, except that:

(A) permittees or licensees authorized to sell for on-premises consumption may sell malt beverages between 10:00 a.m. and noon, if the malt beverages are served to a customer during the service of food to the customer, and

(B) holders of a retail dealer's on-premise license may also sell malt beverages for off-premise consumption between 10:00 a.m. and noon.

(2) The holder of a malt beverage permit who holds a retailer late hours certificate may also sell and offer to sell malt beverages between midnight and 2:00 a.m. on any day.

D. Exception for Hotel Bars.

A hotel bar may sell or offer for sale alcoholic beverages at any time to a registered guest of the hotel.

SECTION II: Penalty for Violation

A. Fine

Any person violating the provisions of this section is guilty of a Class C misdemeanor and upon conviction, shall be fined not more than allowed by law.

B. Injunctive Relief

In addition, or as alternative thereto, the City may, in the event of such violation, obtain injunctive relief in an appropriate court with jurisdiction in Houston County, Texas.

SECTION III: Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION IV: Repealing Clause

All Ordinances, or parts of Ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION V: Effective Date.

A descriptive caption of this Ordinance shall be published two (2) times in the Grapeland Messenger, the official newspaper of the City of Crockett, within fourteen (14) days after the date of passage thereof, and said Ordinance shall become effective _____, 2023.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Crockett, Texas, on the _____ day of _____, 2023.

CITY OF CROCKETT

BY: DR. IANTHIA FISHER, MAYOR

ATTEST:

MITZI STEFKA, CITY SECRETARY


WILLIAM R. PEMBERTON,
CITY ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 13, LICENSES AND BUSINESS REGULATIONS, ARTICLE I, OF THE CROCKETT CODE TO ADD SECTION 13-2 TO PROVIDE EXTENDED HOURS FOR PRIVATE CLUBS FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF CROCKETT, TEXAS HEREBY ORDAINS:

Section I:

Section 13-2 of the Crockett Code is hereby added to read as follows:

Section 13-2. Private Clubs in Which Alcoholic Beverages are Consumed.

A. Definitions.

(1) In this section "private club" means any organization which holds a private club registration permit.

(2) In this section "alcoholic beverage" means alcohol or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

B. Hours of Consumption of Mixed Beverages.

A private club may permit consumption of alcoholic beverages between 7:00 a.m. and 2:00 a.m. on any day.

SECTION II: Penalty for Violation

A. Fine

Any person violating the provisions of this section is guilty of a Class C misdemeanor and upon conviction, shall be fined not more than allowed by law.

B. Injunctive Relief

In addition, or as alternative thereto, the City may, in the event of such violation, obtain injunctive relief in an appropriate court with jurisdiction in Houston County, Texas.

SECTION III: Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional,

such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION IV: Repealing Clause

All Ordinances, or parts of Ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION V: Effective Date.

A descriptive caption of this Ordinance shall be published two (2) times in the Grapeland Messenger, the official newspaper of the City of Crockett, within fourteen (14) days after the date of passage thereof, and said Ordinance shall become effective _____, 2023.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Crockett, Texas, on the _____ day of _____, 2023.

CITY OF CROCKETT

BY:

DR. IANTHIA FISHER, MAYOR

ATTEST:

MITZI STEFKA, CITY SECRETARY


WILLIAM R. PEMBERTON,
CITY ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 15, OFFENSES AND MISCELLANEOUS PROVISIONS; ADDING ARTICLE III, SECTION 15-1 OF THE CROCKETT CODE TO REQUIRE PERMITS FOR SPECIAL EVENTS; TO IMPOSE A PERMIT FEE; TO PROVIDE EXEMPTIONS AND EXCEPTIONS FROM REQUIRED PERMITS; TO REQUIRE INSURANCE AS A CONDITION OF PERMIT ISSUANCE; TO PROVIDE FOR REVOCATION OF PERMITS; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF CROCKETT, TEXAS HEREBY ORDAINS:

Section I:

Section 15-1 of the Crockett Code is hereby added to read as follows:

Section 15-1. Special Events.

A. Purposes and Policy.

Special events are of infrequent occurrence and temporary nature and may be associated with promotions, holidays, festivals, etc. Special events may be allowed by a special events permit jointly granted by the City Administrator and Chief of Police.

B. Definitions.

1. "Applicant" shall include the person or other entity applying for the special event permit. Applicant shall include, but not be limited to, the event's sponsor, organizer, or promoter.
2. "Athletic event" shall mean an occasion in which a group of persons collect to engage in or watch a sport or form of exercise on public property not designed for such activity and/or on a city street, sidewalk, alley, or other street right-of-way, which obstructs, delays or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws or controls. Athletic events include, but are not limited to, bicycle and foot races.
3. "Block party" shall mean a festive gathering on public property or a street which may or may not require the closure of a street, or a portion thereof, to vehicular traffic, and/or use of the street for the festivity, including barbecues, picnics, music or games.
4. "Entertainment areas" shall be the areas designated by the City Administrator and Chief of Police as an

- area within specific boundaries in which a permitted special event may take place. Special event vendors will be allowed within the boundaries of the entertainment areas with proper permitting and approval of the City Administrator and Chief of Police, which approval shall not be unreasonably withheld.
5. "Parade" shall mean a march or procession consisting of any number of persons, animals, or vehicles, or a combination thereof, on any city street, sidewalk, alley, or other right-of-way, which obstructs delays or interferes with the normal flow of pedestrian or vehicular traffic, or does not comply with traffic laws and controls.
 6. "Park" means all parks and bodies of water contained therein, squares, drives, parkways, boulevards, trails, golf courses, museums, aquaria, zoos, beaches, playgrounds, playfields, botanical gardens, greenbelts, parking lots, community centers and other park, recreation and open space areas and buildings and facilities comprising the parks and recreation system of the City under the management and control of the City of Crockett.
 7. "Permit application fee" shall mean the fee to be paid by the special event permit applicant at the time the application is filed with the City. The amount of such fee shall be set by the City Council.
 8. "Public place" means and includes parks, streets, avenues, ways, boulevards, drives, places, alleys, sidewalks, parking strips, squares, and right-of-way for public use and the space above or beneath its surface, whether or not opened or improved.
 9. "Refundable deposit" shall mean the amount of money required of a permittee by the City in order to assure adequate cleanup of the special event site. The deposit shall be returned to the permittee upon the completion of the event and joint approval by the City Administrator and Chief of Police of adequate clean up.
 10. "Special event" means any meeting activity, gathering, or group of persons, animals or vehicles, or any combination thereof, having a common purpose, design or goal, upon a public facility, street, sidewalk, park, waterway, or other place open to the public, where the special event substantially inhibits the usual flow of pedestrian or vehicular traffic or which occupies

any public area and preempts use by the general public. A special event shall include, but shall not be limited to, a festival, celebration, concert, parade, block party, athletic event or other similar gathering which meets one or more of the following criteria; 1) is reasonably expected to cause or result in a gathering of more than fifty (50) people; 2) is reasonably expected to have a substantial impact on a park, street, sidewalk or other public place; or 3) is reasonably expected to require the provision of substantial public services.

11. "Special event permit" shall mean the permit issued by the City Administrator and Chief of Police after the applicant has met all applicable reviews and requirements set forth in this section.
12. "Special event vendor" shall be a permitted vendor allowed to operate within entertainment areas during permitted special events.
13. "Substantial impact" on a park or other public place means an event which would preclude in whole or in significant part the public's normal and customary use of such park or public place.
14. "Substantial public services" means a material increase in the amount, scope, or level of necessary fire, police, traffic control, crowd control, or other public services above those that would normally be required without the event. With respect to police resources, "substantial public services" means resources for crowd management or traffic control required for the event over and above the normal deployment of police in that geographic area of the city at the time of day during which the event will occur.

C. Exceptions.

The provisions of this section shall not apply to:

- (a) Funeral processions;
- (b) Groups required by law to be so assembled;
- (c) Pedestrian processions along a route that is restricted to sidewalks and crossing streets only at pedestrian crosswalks in accordance with traffic regulations and controls; and

- (d) Any special event protected by the First or Fourteenth Amendments to the United States Constitution.

D. Administration.

The City Administrator and Chief of Police shall, after consultation with appropriate departments and agencies, have joint authority regarding special event permits. The City Administrator and Chief of Police, acting together, may approve, modify, or condition an application for a special event permit. No application or permit shall be granted, modified or conditioned without the consent of both the City Administrator and Chief of Police.

E. Special Event Permit Required

A special event permit from the City Administrator and Chief of Police is required for any special event, as defined in this chapter, except that no special event permit shall be required if the event sponsor, organizer or applicant and the City have entered into a written agreement covering the same matters as would otherwise be included in a special event permit for such an event. Such special event permit shall be in addition to any street or park use permits, or other regular permits as may be required by ordinance.

When a special event permit is required, the City Administrator and Chief of Police shall, after reviewing the application and, if necessary, meeting with the applicant, advise the applicant of all other permits that appear to be required for the event based on information contained in the application, and assist the applicant in contacting other departments to apply for all other permits in a timely manner.

F. Permit Fee

The fee for issuance of a special events permit is \$100.00.

G. Exemptions.

Fees may be waived by joint action of the City Administrator and Chief of Police for special events sponsored by nonprofit agencies and which further the goals and objectives of the City.

H. Special Event Permit Application

- (a) Any person wishing to sponsor a special event must apply for a special event permit by filing an application with the City Administrator and Chief of Police at least thirty days prior to the date on which the event is to begin to occur.

- (b) The City Administrator and Chief of Police shall issue the special events permit once the application has been approved after review of appropriate agencies to include police, fire, public works, building, planning, parks and recreation and others as determined by the City Administrator and Chief of Police, and the applicant has agreed in writing to comply with the terms and conditions of the permit.
- (c) The City Administrator and Chief of Police shall approve, conditionally approve, or deny an application based on the recommendations of city departments involved in the review process.

I. Conditions Authorized

The City Administrator and Chief of Police may include in a special event permit, among other provisions, reasonable terms or conditions as to the time, place and manner of the event; the implementation of a plan presented by the applicant and approved by the City for crowd control, traffic control, and security; compliance with health and sanitary regulations as required by the Health Department for the event; coordination with the Fire Department or medical personnel for emergency treatment and evacuation of people who may need immediate care, cardio-pulmonary resuscitation or ambulance service; emergency communication; fire suppression equipment with structures; maintenance of unobstructed emergency passageways; and, where traffic congestion may be anticipated, encouraging the use of public transit and carpooling. In determining condition, the City Administrator and Chief of Police shall consider anticipated impacts of the event based on an assessment of the event, including size, scope, complexity, and history as well as the event's or event organizer's successful implementation of conditions included in previous permits. Conditions shall be based upon projected impacts on public safety, public places and public services, but shall not be based upon the programming content of the event or message that the proposed event may convey.

In order to accommodate other concurrent events, the rights of abutting owners, and the needs of the public to use streets, parks or other public places, the conditions may include, but are not limited to, reasonable adjustments in the date, time, route or location of the proposed event; accommodations of pedestrian or vehicular traffic using the street; and limitations on the duration of the event.

J. Denial or Revocation of Permit

1. Denial. A special event permit may be denied based upon a determination that:

- (a) The proposed event would unreasonably disrupt the orderly or safe circulation of traffic or as would present an unreasonable risk of injury or damage to the public; or
- (b) The event would seriously inconvenience the general public; or
- (c) The event would unreasonably infringe upon the rights of abutting properties; or
- (d) The proposed event is proximate to another previously permitted or previously scheduled event, so that the combined impacts and required public services exceed what the City, after reasonable efforts have been made to accommodate both events, can reasonably provide; or the proposed events would interfere with construction or maintenance work in the immediate vicinity, or unreasonably infringe upon the rights of abutting properties; or
- (e) There are not sufficient safety personnel or other necessary city staff to accommodate the event; or
- (f) The applicant failed to complete the application form after being notified of the additional information or documents required; or
- (g) The applicant supplies false or misleading information; the applicant fails to complete the application or to supply other required information or documents; or the applicant declares or shows an unwillingness or inability to comply with reasonable terms or conditions contained in the proposed permit; or
- (h) The applicant cannot meet, or is unwilling to meet, all of the requirements of this section or any special conditions imposed by any of the reviewing agencies; or
- (I) Other issues in the public interest were identified by the City Administrator and Chief of Police; or
- (j) Failure to prepay expenses.

2. Revocation. The City Administrator and Chief of Police may cancel or revoke a permit already issued upon written notice to the applicant stating the grounds for revocation if:

- (a) The applicant, in the information supplied, has made misstatement of a material fact; the applicant has failed to fulfill a term or condition of the permit in a timely manner; or the check submitted by an applicant in payment of the fee for a permit has been dishonored; or
- (b) The applicant requests the cancellation of the permit or cancels the event; or
- (c) An emergency or supervening occurrence requires the cancellation or termination of the event in order to protect the public health or safety. The City shall refund the permit fee in the event of a revocation caused by an emergency or supervening occurrence; the City shall refund the balance of the fee less its costs incurred if the cancellation occurs at the request of an applicant who is in compliance with this chapter.

K. Indemnification.

As a condition of the issuance of the special event permit, the applicant must agree to reimburse the City for any costs incurred by the City in repairing damage to City property occurring in connection with the permitted event.

The City Administrator and Chief of Police have the authority to require a refundable deposit as suggested by the Public Works Department for reimbursement of the costs for cleanup services.

The permittee agrees to defend, indemnify and save harmless the City, its appointed and elected officers and employees from and against all loss or expense, including but not limited to judgments, settlements, attorney's fees and costs by reason of any and all claims and demands upon the City, its elected officials or employees for damages because of personal or bodily injury, including death at any time therefrom, sustained by any person or persons and on account of damage to property or loss therefrom, arising out of any activity under or in connection with the special event.

L. Insurance Required

The permittee shall provide the City with proof of commercial general liability insurance in the amount of one million dollars combined single limits per occurrence, and an endorsement naming the City of Crockett as an additional insured must be provided.

Certificates of Insurance shall be submitted to the City for approval no less than fifteen working days prior to the event. Acceptability of insurance is subject to approval by the City's legal counsel.

M. Entertainment Areas & Special Event Vendors.

- (a) The City Administrator and Chief of Police shall have the right to designate the entertainment areas for permitted special events. Entertainment areas may include but not be limited to streets that have been approved for closure and public areas.
- (b) Special event vendors within entertainment areas will be allowed within the designated entertainment area with approved permit issued;
- (c) All special event vendors located in entertainment areas must apply for a special event vendor permit and be approved by the City Administrator and Chief of Police.
- (d) The fee for issuance of a special events vendor permit shall be set by ordinance of the City Council.
- (e) The City Administrator and Chief of Police reserve the right to determine the location of special event vendors within entertainment areas.

N. Penalty for Violation.

- (a) Fine

Any person or permittee violating provisions of this section is guilty of a class C misdemeanor and upon conviction, shall be fined not more than allowed by law.

- (b) Injunctive Relief

In addition, or as an alternative thereto, the City may, in the event of such violation, obtain injunctive relief in an appropriate court with jurisdiction in Houston County, Texas.

Section II: Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section III: Repealing Clause

All Ordinances, or parts of Ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section IV: Effective Date.

A descriptive caption of this Ordinance shall be published two (2) times in the Grapeland Messenger, the official newspaper of the City of Crockett, within fourteen (14) days after the date of passage thereof, and said Ordinance shall become effective _____, 2023.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Crockett, Texas, on the _____ day of _____, 2023.

CITY OF CROCKETT

BY:

DR. IANTHIA FISHER, MAYOR

ATTEST:

MITZI STEFKA, CITY SECRETARY

APPROVED:



WILLIAM R. PEMBERTON,
CITY ATTORNEY

Parks & Recreation Advisory Board Two-Year Term

SPENCER BURKE

1024 E Houston Ave
Crockett TX 75835-2240
Home: 546-7887 * Cell: 546-3967
spencer@sculltimber.com
Reappointed June 2021- Expires June 2023

CHRIS JONES

Cell: 852-4458
christianjones_2006@yahoo.com
Reappointed June 2021- Expires June 2023

LINDSEY RICE

103 Lazy Lane
Crockett TX 75835
Work: 546-0017 * Cell: (713)303-5572
lyndseymcc@aol.com
Reappointed June 2021- Expires June 2023

LARRY ROBBINS

PO Box 535
Crockett, TX 75835-0535
Cell: 546-1036
robbinslarry1953@gmail.com
Reappointed June 2021- Expires June 2023

DAVID TYER

701 E. Clark
Crockett TX 75835
Work: 544-3265 * Cell: 546-4086
davidtyer@gmail.com
Reappointed June 2021- Expires June 2023

ALTERNATES

JO DENMAN

303 N. Durrett
Crockett TX 75835
Cell: 546-1187
denmanjo986@gmail.com
Reappointed June 2021- Expires June 2023

KIMBERLY MARRS

Cell: 222-9648
kim_marrs@hotmail.com
Reappointed June 2021- Expires June 2023

Board of Adjustments

(5-Members & 2-Alternates Serve a 2-Year Term)

Quorum: Four (4) members

Bill Holcomb (Chair)

1001 E. Goliad
Crockett TX 75835
Cell: 546-1295
Email: bholcomb@valornet.com
Appointment: June 2021
Term Expires: June 2023

Michael Brenner

920 East Houston Avenue
Crockett TX 75835
Cell: 544-6225
Work: 544-5302
Email:
Re-Appointment: June 2021
Term Expires: June 2023

Jo Denman

303 N. Durrett
Crockett TX 75835
Cell: 546-1187
Email: denmanjo986@gmail.com
Appointment: June 2021
Term Expires: June 2023

David Tyer

413 E. Bell
Crockett TX 75835
Cell: 546-4086
Work: 544-3265
Email: davidtyer@gmail.com
Re-Appointment: June 2021
Term Expires: June 2023

Samantha Wiley

116 Woodland Circle
P.O. Box 713
Crockett TX 75835
Cell: 545-6951
Home: 546-9744
Email: samantha.wiley@ymail.com
Appointment: June 2021
Term Expires: June 2023

Alternates

Lois Ball

1401 N. 4th Street
Crockett, TX 75835
Cell: (936) 546-8007
Email: blois9231@gmail.com
Appointment: June 2021
Term Expires: June 2023

Karla Popoca

1209 E. Goliad
Crockett, TX 75835
Cell: 936-204-0488
Email:
kzelada2001@yahoo.com
Appointment: June 2021
Term Expires: June 2023