



# CITY OF DECATUR, TEXAS

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**REGULAR - CITY COUNCIL MEETING**  
**Decatur City Hall - 201 E. Walnut, Decatur, TX**  
**Monday, May 10, 2021**  
**REGULAR MEETING**  
**6:00 p.m.**  
**AND VIA VIDEOCONFERENCE/TELECONFERENCE**

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

*General Agenda Comments – **WEARING MASKS IS RECOMMENDED – SOCIAL DISTANCING MEASURES ARE REQUESTED***

**This meeting will be held using videoconferencing/teleconferencing technology with public access via:**

**[WWW.ZOOM.US/JOIN](http://WWW.ZOOM.US/JOIN) OR**

**Please click this URL to join.**

**<https://us02web.zoom.us/j/88241642850?pwd=SUNvcTJFQTVPRiJRVDxNVIEbGpGdz09>**

**Passcode: 563791**

**Or (888)788-0099 (TOLL FREE)**

**MEETING/WEBINAR ID: 882 4164 2850 PASSCODE: 563791**

**This videoconferencing meeting is being used to allow Council, staff and public participants to join the meeting in the following manner:**

**Anyone may join the meeting via videoconferencing at [www.zoom.us/join](http://www.zoom.us/join) or via telephone by calling **US: +1 346 248 7799** You may email your comments to be read at the meeting to: [dcockrell@decaturtx.org](mailto:dcockrell@decaturtx.org) **before 3:00 p.m. on Monday, May 10<sup>th</sup> give your name, address phone number and agenda item number, limiting comments to 3 minutes.****

**If you have questions you can call 940-393-0204 before noon on the date of the meeting.**

*If you join the meeting via Videoconferencing and want to address the Council on an agenda item, you will need to have your camera on and hold up your hand when the Mayor calls for public comment and you will be recognized by the Mayor to address the Council and will be allowed 3 minutes to complete your comments.*

*Anyone wishing to speak on a posted agenda item must complete a speaker card with his/her name and address and must identify the agenda item number for which he/she would like to speak. A card must be submitted to Diane Cockrell, City Secretary, so that the speaker may be recognized by the Chair at the appropriate time. Speakers will each be allowed a total of three (3) minute time period to provide comments regarding the posted agenda item for which the request to speak was submitted and may speak during this item or during the Commission's consideration of individual items in accordance with City Council Rules of Procedure. The three (3) minute time period will be extended to six (6) minutes if a translator is required for a non-English speaker to communicate his/her comments regarding the posted agenda item for which the request to speak was filed.*

1. OATHS OF OFFICE TO BE ADMINISTERED TO COUNCIL MEMBERS: PLACE 2 – JAKE HAYES, PLACE 4 – WILL CARPENTER, PLACE 6 – MELINDA REEVES.
2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE APPOINTMENT OF A CITY COUNCIL MEMBER TO SERVE AS MAYOR PRO TEM FOR THE PERIOD OF ONE YEAR IN ACCORDANCE WITH SECTION 2.07 OF THE CITY'S CHARTER.

**PLANNING AND ZONING REPORT:**

**OPEN PUBLIC HEARING:**

3. HEAR STAFF REPORT, CONDUCT PUBLIC HEARING AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING APPENDIX "B," "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS GRANTING A ZONING CHANGE AND AMENDING THE ZONING MAP FROM A CO, OFFICE ZONING DISTRICT TO A SF-2, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT FOR AN APPROXIMATE 0.26 ACRES OF LAND AND INCLUDING APPROXIMATELY 0.08 ACRES TO THE CENTERLINE OF MAIN ST. AND 0.03 ACRES TO THE CENTERLINE OF AN ALLEY, WHERE ADJACENT TO THE SUBJECT TRACT. THE PROPERTY IS MORE COMMONLY REFERRED TO AS 304 E. MAIN ST., DECATUR, TEXAS. (APPLICATION ZC2021-01 – MR. DARRELL MCCANDLESS, ON BEHALF OF MR. RICHARD BLACK) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0.)

**CLOSE PUBLIC HEARING**

4. CONSIDER FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, REPEALING SECTION 4-26, "CODES ADOPTED", OF ARTICLE II, "BUILDING CONSTRUCTION STANDARDS", OF CHAPTER 4, "BUILDINGS AND BUILDING REGULATIONS", OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR RELATING TO BUILDING AND CONSTRUCTION REGULATIONS AND ADOPTING A NEW SECTION 4-26, "CODES ADOPTED", TO ADOPT THE 2018 EDITIONS OF THE INTERNATIONAL BUILDING, MECHANICAL, PLUMBING, RESIDENTIAL, FUEL GAS, ENERGY CONSERVATION, EXISTING BUILDING, AND SWIMMING POOL AND SPA CODES AND THE 2017 NATIONAL ELECTRICAL CODE, INCLUDING LOCAL AMENDMENTS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; ORDERING PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

**END OF PLANNING AND ZONING REPORT:**

5. CONSIDER FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, AMENDING SECTION 6-56, "FIRE PREVENTION CODE ADOPTED", OF ARTICLE III, "FIRE PREVENTION STANDARDS", OF CHAPTER 6, "FIRE PREVENTION AND PROTECTION", OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, WITH ALL LOCAL AMENDMENTS, FOR THE CITY OF DECATUR, TEXAS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; ORDERING PUBLICATION AND PROVIDING AN EFFECTIVE DATE.
6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST FROM MKM INVESTMENTS HOLDINGS, LLC (ORIGINAL AGREEMENT WITH TREY TAYLOR TO

TERMINATE A DEVELOPMENT AGREEMENT FOR WCAD IDS R000043888 AS REQUESTED; AUTHORIZE PREPARATION OF NECESSARY DOCUMENTS; AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS.

7. **CONSENT AGENDA** – All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
- A. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD APRIL 26, 2021.
  - B. CONSIDER APPROVAL OF BILLS AND INVOICES FOR APRIL 2020
  - C. CONSIDER RE-APPOINTMENT OF JASON WREN TO THE EDC BOARD FOR A TERM TO EXPIRE MAY 31, 2023.
  - D. CONSIDER RE-APPOINTMENT OF LIBRARY BOARD WITH TERMS TO EXPIRE MAY 31, 2023:
    - a. Jo Neil Henderson
    - b. Troy Bagwell
    - c. Betty Carson
  - E. CONSIDER RE-APPOINTMENT OF PARKS BOARD MEMBERS WITH TERMS TO EXPIRE MAY 31, 2023:
    - a. Ashlee Bohn
    - b. Marie Rieger
    - c. Robin Lewis
    - d. vacant
  - F. CONSIDER RE-APPOINTMENT FOR THE CONFERENCE CENTER ADVISORY BOARD WITH TERMS TO EXPIRE MAY 31, 2023:
    - a. Roy Eaton
    - b. Carey Williams
  - G. CONSIDER RE-APPOINTMENT FOR THE MAIN STREET ADVISORY BOARD WITH TERMS TO EXPIRE MAY 31, 2022:
    - a. Meagan Fuller
    - b. Candy Janopolous
  - H. CONSIDER RE-APPOINTMENT FOR THE MAIN STREET ADVISORY BOARD WITH TERMS TO EXPIRE MAY 31, 2023:
    - a. Erin Murphy
    - b. Julie Perkins
    - c. Kerry Clower
    - d. Christie Rhine
    - e. J.D. Clark
    - f. Marie Rieger
8. COUNCIL TO HEAR PUBLIC INPUT (please complete a Speaker Registration Form before speaking) each speaker will be limited to 3 minutes, the Open Meeting Act does not allow for discussion in response to the comments, comments should be directed to the Council as a whole rather than to individual members, and no action will be taken by the Council.
9. **EXECUTIVE SESSION** – In accordance with Texas Government Code, Section 551.001, et seq., City Council will recess into Executive Session (closed meeting) to discuss the following:

- a) § 551.071 (1) and (2): Consultation with Attorney. To consult with the City's Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act and for Council to seek the advice of its attorney about pending or contemplated litigation: Annexation statute and development agreements, MKM Investments Holdings, LLC petitions
  
- b) §551.074: Personnel Matters – Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee – semi-annual review of City Manager.

10. CONSIDER AND TAKE APPROPRIATE ACTION, IF ANY, FROM EXECUTIVE SESSION.

11. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

#### ADJOURNMENT

I hereby certify that the above agenda was posted on the official bulletin board at City Hall, 201 E. Walnut, Decatur Texas, on Friday, May 7, 2021, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

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Diane Cockrell, TRMC, CMC  
City Secretary

\*NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

**\*\*PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COUNCILMEMBERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY.**