



CITY OF DECATUR, TEXAS

REGULAR - CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
Monday, September 13, 2021
REGULAR MEETING
6:00 p.m.
AND VIA VIDEOCONFERENCE/TELECONFERENCE

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

This videoconferencing meeting is being used to allow City staff and the public to join the meeting. This meeting will be held using videoconferencing/teleconferencing technology with public viewing access via WWW.ZOOM.US/JOIN watch live at: <https://decaturtx.new.swagit.com/views/212/> MEETING/WEBINAR ID: 882 4164 2850
PASSCODE: 563791

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 SEND A CHAT MESSAGE THAT YOU HAVE A COMMENT AT THE BEGINNING OF THE MEETING, when the Mayor calls for public comment, 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. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, IN ACCORDANCE WITH THE CITY CHARTER AND STATE LAW; PROVIDING FOR THE FILING OF THE BUDGET AS REPRESENTED IN "SCHEDULE A"; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
2. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS APPROVING THE 2021 CERTIFIED APPRAISAL ROLL; LEVYING AD VALOREM TAXES FOR 2021 AT \$0.581692 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY TO PROVIDE REVENUES FOR CURRENT EXPENSES AND INTEREST AND SINKING FUND

REQUIREMENTS; PROVIDING DUE AND DELINQUENT DATES; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

3. CONSIDER FIRST READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS AMENDING ORDINANCE NO. 2020-09-13 BY APPROVING AN AMENDMENT TO THE FISCAL YEAR 2020-2021 BUDGET FOR THE CITY OF DECATUR (“CITY BUDGET”), IN ORDER TO PROPERLY ACCOUNT FOR THE APPROPRIATION OF FUNDS FROM SURPLUS UNAPPROPRIATED FUNDS WITHIN THE CITY BUDGET TO FUNDS DESIGNATED FOR PROPERTY TAX COLLECTION IN THE GENERAL FUND; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT TO ORDINANCE 2020-09-13; PROVIDING FOR THE FILING OF THE BUDGET; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
4. CONSIDER FIRST READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS, DECLARING THE PUBLIC NECESSITY FOR THE PROVISION OF ADEQUATE NEIGHBORHOOD AND COMMUNITY PARKS AND RECREATION FACILITIES; AMENDING CHAPTER 3, “GENERAL SUBDIVISION DEVELOPMENT”, OF APPENDIX A, “SUBDIVISIONS”, OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR BY ADDING A NEW SECTION, SECTION 303 TO BE ENTITLED, “PARKLAND DEDICATION AND DEVELOPMENT”, TO ADOPT PARKLAND DEDICATION REQUIREMENTS FOR THE CITY OF DECATUR; ADOPTING PARK DEVELOPMENT FEES FOR THE DEVELOPMENT OR REDEVELOPMENT OF PROPERTY; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A PENALTY FOR VIOLATIONS HEREOF AND EACH AND EVERY DAY A VIOLATION OCCURS ON CONTINUES SHALL CONSTITUTE A SEPARATE VIOLATION; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

PLANNING AND ZONING REPORT:

OPEN PUBLIC HEARING:

5. HEAR STAFF REPORT, CONDUCT A PUBLIC HEARING, AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING APPENDIX “B,” “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC OR MIXED BEVERAGES FOR ON-PREMISES CONSUMPTION IN A C-1A, DECATUR SQUARE BUSINESS ZONING DISTRICT, ON APPROXIMATELY 0.050 ACRES OF LAND BEING LEGALLY DESCRIBED AS CENTER PART OF LOT 3, BLOCK 3, ORIGINAL TOWN OF DECATUR, OR MORE COMMONLY REFERRED TO AS 107 S. TRINITY ST., DECATUR, TEXAS. (APPLICATION SUP2021-01—MR. BRENDAN MITCHELL’S REQUEST, ON BEHALF OF TCS OPERATIONS LLC AND BARRISTER HOLDINGS, LLC SERIES C) **THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, CHAIRMAN LEMOND ABSENT.**

CLOSE PUBLIC HEARING

6. SI2021-01 – CONSIDER TAKING ACTION ON PROPOSED SELECTION CRITERIA, PROCESS AND METHODOLOGY FOR CANDIDATES DESIRING TO SERVE ON THE PLANNING AND ZONING COMMISSION. **THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND ABSENT.**
7. CONSENT AGENDA – ALL CONSENT AGENDA ITEMS LISTED ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE RECOMMENDED IN ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT

AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA. **THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0.**

- A. CONSIDER TAKING ACTION ON A REQUEST TO FINAL PLAT LOT 1, BLOCK 1, CIRCLE S PLAZA, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS BEING AN APPROXIMATE 0.642-ACRE TRACT OF LAND OUT OF THE A. J. WALKER SURVEY, ABSTRACT NO. 860, WISE COUNTY, TEXAS, AND MORE COMMONLY REFERRED TO AS 1210 S. FM 51, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION FP2021-04—MR. HANK QUIGG, ON BEHALF OF 97 CIRCLE S CONVENIENCE STORES INC.)**

END PLANNING AND ZONING REPORT - CONSENT AGENDA VOTE WILL INCLUDE THE FOLLOWING REGULAR COUNCIL CONSENT ITEMS:

- B. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD AUGUST 23, 2021.
- C. CONSIDER APPROVAL OF BILLS AND INVOICES FOR AUGUST 2021.
8. CONSIDER AND TAKE ACTION TO AUTHORIZE CITY MANAGER TO EXECUTE AN ENGINEERING AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE 2021 WASTEWATER TREATMENT PLANT MASTER PLAN.
9. CONSIDER AND TAKE ACTION TO AUTHORIZE CITY MANAGER TO EXECUTE AN ENGINEERING AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE 2021 WATER TREATMENT FACILITIES MASTER PLAN.
10. CONSIDER AND TAKE ACTION TO RENEW THE MARKETING AGREEMENT FOR AN ADDITIONAL THREE YEARS WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. D/B/A SERVICE LINE WARRANTIES OF AMERICA, TO OFFER CITIZENS OF DECATUR EXTERNAL WATER SERVICE LINE WARRANTY, EXTERNAL SEWER/SEPTIC LINE WARRANTY AND INTERIOR PLUMBING AND DRAINAGE WARRANTY AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT. EFFECTIVE DATE 10/1/21.
11. CONSIDER TAKING ACTION ON A SITE LEASE AGREEMENT WITH FIRST STATE BANK FOR AN ATM TO BE LOCATED AT THE DECATUR VISITOR CENTER; AUTHORIZING THE MAYOR TO EXECUTE THE LEASE AGREEMENT SUBJECT TO COUNCIL APPROVAL OF REQUIRED AMENDMENTS TO THE CITY'S COMPREHENSIVE ZONING ORDINANCE.
12. DISCUSS POTENTIAL BOND PROJECTS, PROVIDE DIRECTION TO STAFF INCLUDING PRIORITIES, TIMING, COSTS AND RELATED MATTERS.
13. RECEIVE CITY MANAGER SHANNON'S EVALUATION PACKET AND INSTRUCTION/ DIRECTION FROM HUMAN RESOURCE DIRECTOR MARY ANN HENLINE.
14. 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, September 10, 2021, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

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.**