



CITY OF DECATUR, TEXAS

REGULAR - CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
Monday, September 27, 2021

WORKSHOP 5:30 p.m.
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 the public and staff 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/> WEBINAR ID: 817 5047 6447 PASSCODE: 823992

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.

WORKSHOP 5:30 p.m.

MONTHLY DEPARTMENT REPORTS – Fire Department, Planning and Zoning and Public Works/Airport

Fire Department – Hear and discuss monthly report by Chief Nate Mara including relevant and follow-up discussion with Council and other staff.

Planning – Hear and discuss bi-monthly report by Planning Director Ragland, including relevant and follow-up discussion with Council and other staff HEAR AND DISCUSS MONTHLY REPORT BY PLANNING DIRECTOR RAGLAND, INCLUDING RELEVANT AND FOLLOW-UP DISCUSSION WITH COUNCIL AND OTHER STAFF REGARDING THE FOLLOWING ITEMS:

- PLANNING APPLICATIONS PROCESSED, INCLUDING PLATS, ZONING CHANGES, SIGN VARIANCES, SUBDIVISION VARIANCES, DESIGN STANDARDS VARIANCES AND ANNEXATION CASES; SITE PLANS/BUILDING PERMIT APPLICATIONS; ZONING BOARD OF ADJUSTMENT VARIANCES; AND ORDINANCE/POLICY AMENDMENTS FOR JULY THRU AUGUST, 2021.
- BUILDING PERMITS AND INSPECTIONS, CODE COMPLIANCE INSPECTIONS AND VIOLATIONS, ENVIRONMENTAL HEALTH PERMITS AND INSPECTIONS AND BSI TESTING AND REBATE REPORT FOR JULY THRU AUGUST, 2021.
 - Planning applications processed, including plats, zoning changes, sign variances, subdivision variances, design standards variances and annexation cases; site plans/building permit applications; Zoning Board of Adjustment variances; and ordinance/policy amendments for July thru August, 2021.
 - Building permits and inspections, code compliance inspections and violations, environmental health permits and inspections and BSI testing and rebate report for July thru August, 2021.

Public Works and Airport – Hear and discuss monthly report by Greg Hall, Public Works Director/Airport Manager, including relevant and follow-up discussion with Council and other staff.

REGULAR MEETING 6:00 p.m.

1. PRESENTATION OF A PROCLAMATION DECLARING OCTOBER 3RD THRU 9TH, 2021 AS FIRE PREVENTION WEEK.
2. PRESENTATION BY ROBERT DRANSFIELD OF NORTON ROSE FULBRIGHT, BOND COUNSEL FOR THE CITY, REGARDING FUTURE DEBT ISSUANCE AND DISCUSSION OF SAME.
3. CONSIDER TAKING ACTION ON SECOND 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 TAKING ACTION ON SECOND 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:

5. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE AMENDING APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC OR MIXED BEVERAGES FOR ON-PREMISES CONSUMPTION IN THE 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.**

END OF REPORT

6. CONSIDER TAKING ACTION ON A PERFORMANCE AGREEMENT BETWEEN THE DECATUR EDC AND OMEGA RESEARCH, INC. FOR CONVEYANCE OF PROPERTY WITHIN THE EAGLES LANDING BUSINESS PARK TO OMEGA RESEARCH, INC. FOR THE OPERATION OF A PROCESS CONTROL LABORATORY AND WAREHOUSE, QUALIFIED EXPENDITURES OF AT LEAST \$7,000,000.00, AND THE CREATION OF AT LEAST 13 FULL-TIME JOBS.
7. CONSIDER TAKING ACTION ON AN EDC PERFORMANCE AGREEMENT WITH BIGGAR HAT STORE, LLC FOR THE OPERATION OF A BIGGAR HAT STORE MANUFACTURING SPACE, QUALIFIED EXPENDITURES OF AT LEAST \$550,000.00 AND CREATION OF AT LEAST 10 FULL-TIME JOBS.
8. CONSIDER NOMINATIONS FOR WISE COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A TWO YEAR TERM BEGINNING JANUARY 1, 2022.
9. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON SEPTEMBER 13, 2021.
10. CONSIDER A REQUEST FROM THE DECATUR POLICE DEPARTMENT FOR THE CLOSURE OF THE 100 BLOCK OF NORTH STATE AND 100 BLOCK OF WEST MAIN STREETS ON TUESDAY, OCTOBER 5th, 2021 FROM 5:00 TO 10:00 P.M. FOR THE CELEBRATION OF NATIONAL NIGHT OUT.
11. 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.
12. **EXECUTIVE SESSION** – IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:
 - A. § 551.074: Personnel Matters. Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee: evaluation of City Manager
 - B. § 551.071(1): Consultation with Attorney. Consultation with the City Attorney about pending or contemplated litigation or a settlement offer: Universal AdCom Settlement

RECONVENE INTO OPEN SESSION - IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL WILL RECONVENE INTO REGULAR SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.

13. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE AN OFFER OF SETTLEMENT FROM UNIVERSAL ADCOM; AND AUTHORIZE THE MAYOR TO EXECUTE A RELEASE IN FAVOR OF UNIVERSAL ADCOM.

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 24, 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.**