

**MINUTES OF THE
CITY COUNCIL MEETING – VIA VIDEOCONFERENCING
Monday, February 14, 2022
*Amended Regular Meeting 6:00 p.m.**

PRESENT: Mayor Mike McQuiston, Council members, Eddie Allen, Ben Bennington, Will Carpenter, Darlene Hilton and Melinda Reeves.

ABSENT: Jake Hayes

OTHERS PRESENT: City Manager Brett Shannon, Police Chief Delvon Campbell, Assistant Fire Chief Deroy Bennett, EDC Executive Director Holtzboog, Public Works/Airport Director Greg Hall, Finance Director Ana Cañada, Library Director Dawn Wilbert, Human Resource Director MaryAnn Henline, Technology Services Technician Sebastian Davis, Planning Coordinator Cheryl Fuss, City Secretary Asucena Garcia, Attorney Robin Cross, and Richard Greene representing the Wise County Messenger. Connected via videoconferencing: City Engineer Earl Smith, Planning Director Dedra Ragland, and Attorney Robert Dransfield with Norton Rose Fulbright.

This meeting will be held using videoconferencing/teleconferencing technology with public access via: [WWW.ZOOM.US/JOIN OR MEETING/WEBINAR ID: 882 4164 2850](http://WWW.ZOOM.US/JOIN_OR_MEETING/WEBINAR_ID:88241642850) PASSCODE: 563791

You may email your comments to be read at the meeting to: agarcia@decaturtx.org before 3:00 p.m. on the date of the meeting, 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 SEND A CHAT MESSAGE THAT YOU HAVE A COMMENT AT THE BEGINNING OF THE MEETING. 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 Asucena Garcia, City Secretary, so that the speaker may be recognized by the Mayor 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.

REGULAR MEETING 6:00 p.m.

CALL TO ORDER

Mayor McQuiston called the meeting to order at 6:00 p.m.

MOMENT OF SILENCE

Mayor McQuiston declared a moment of silence.

PLEDGE OF ALLEGIANCE

Council member Bennington led the pledge.

1. CONSIDER AND TAKE APPROPRIATE ACTION ON A PERFORMANCE AGREEMENT BETWEEN THE CORPORATION FOR ECONOMIC DEVELOPMENT OF THE CITY OF DECATUR, TEXAS AND GT PRODUCTS.

Council member Reeves moved to approve the performance agreement as presented.
Council member Hilton seconded the motion. The motion passed unanimously.

- **2. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDINANCE OF THE CITY OF DECATUR, TEXAS AUTHORIZING THE ISSUANCE OF THE CITY OF DECATUR, TEXAS TAX AND LIMITED WATERWORKS AND SEWER SYSTEM REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND A LIMITED PLEDGE OF THE NET REVENUES OF THE CITY'S WATERWORKS AND SEWER SYSTEM; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

Murphy Davis with Sentry Management informed Council the bonds will be a 30 year note and the expected rate is 3.162 percent. After an initial debt service payment of \$1.8 million, the annual cost will be \$1.75 million.

Council member Allen moved to approve the ordinance as presented. Council member Carpenter seconded the motion. The motion passed unanimously.

3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A RESOLUTION ORDERING AND CALLING FOR A JOINT GENERAL ELECTION BETWEEN THE CITY OF DECATUR, THE DECATUR INDEPENDENT SCHOOL DISTRICT, AND WISE COUNTY WATER SUPPLY DISTRICT TO BE HELD ON MAY 7, 2022 FOR THE PURPOSE OF ELECTING A MAYOR (AT-LARGE) AND THREE (3) COUNCIL MEMBERS: PLACE 1, PLACE 3 (SINGLE MEMBER GEOGRAPHICAL DISTRICTS) AND PLACE 5 (AT-LARGE) FOR TWO (2) YEAR TERMS EACH TO SERVE AS MEMBERS OF THE DECATUR CITY COUNCIL; AUTHORIZING THE MAYOR TO EXECUTE A JOINT ELECTION AGREEMENT WITH WISE COUNTY ELECTIONS OFFICE TO CONDUCT THE ELECTION; SETTING FORTH POLLING DATES, TIMES AND LOCATIONS FOR EARLY VOTING AND ELECTION DAY VOTING; PROVIDING FOR PUBLICATION OF NOTICES AS REQUIRED BY LAW AND PROVIDING PROCEDURES TO CONDUCT THE ELECTION IN ACCORDANCE WITH CITY CHARTER AND STATE LAW.

Council member Carpenter moved to approve the resolution as presented. Council member Bennington seconded the motion. The motion passed unanimously.

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A CUSTOMER SERVICE AGREEMENT BETWEEN THE DECATUR POLICE DEPARTMENT AND UTILITY ASSOCIATES, INC.

Council member Allen moved to approve the agreement with Utility Associates as presented.
Council member Hilton seconded the motion. The motion passed unanimously.

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE TEXAS SUBDIVISION AND SPECIAL DISTRICT ELECTION AND RELEASE FORMS, FOR SETTLEMENT WITH ENDO/PAR AND TEVA AND ANY FUTURE RELEASE FORMS AS PART OF THE GLOBAL OPIOID SETTLEMENT LED BY THE TEXAS ATTORNEY GENERAL; AUTHORIZING SUBMISSION OF SETTLEMENT PARTICIPATION FORMS; AND PROVIDING AN EFFECTIVE DATE.

Council member Carpenter moved to approve the resolution as presented. Council member Reeves seconded the motion. The motion passed unanimously.

Convened into Executive Session at 6:53 p.m.

6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REVISIONS TO THE CITY OF DECATUR'S PERSONNEL POLICIES.

No action taken.

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REVISIONS TO THE CITY OF DECATUR'S VACATION PAYOUT POLICY.

No action taken.

Reconvened into Regular Session at 8:24 p.m.

8. PRESENT YEARLY REPORT REGARDING POLICE RACIAL PROFILING REVIEW STATISTICS FOR JANUARY 2021 THRU DECEMBER 2021 AND DISCUSS WITH COUNCIL AND STAFF.

Report was provided.

9. **CONSENT AGENDA** – ALL CONSENT AGENDA ITEMS LISTED ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

- A. CONSIDER TAKING ACTION ON A REQUEST TO FINAL PLAT LOT 1 AND LOT 2, BLOCK 1, ROSE AVENUE ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, BEING A 19.199-ACRE TRACT OF LAND IN THE J.B. WILLIAMS SURVEY, ABSTRACT NO. 880, WISE COUNTY, TEXAS, AND MORE COMMONLY REFERRED TO AS 1555 W. US HIGHWAY 380, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. (APPLICATION FP2022-01—MR. RYAN VOORHEES, ON BEHALF OF DECATUR OZF) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)

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 JANUARY 24, 2022.

- C. CONSIDER APPROVAL OF BILLS AND INVOICES FOR JANUARY 2022.

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

10. **EXECUTIVE SESSION:** IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:

CONSULTATION WITH ATTORNEY. § 551.071: CONSULTATION WITH 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 THIS CHAPTER RE:

1) REVIEW OF PLANNING AND DEVELOPMENT SERVICES DEPARTMENT; 2) OPENGOV CONTRACT; 3) CITY POLICIES

11. **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.

ACTION FROM EXECUTIVE SESSION

No action taken.

12. 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.

13. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

ADJOURNMENT

There being no further business, Mayor McQuiston declared the meeting adjourned at 8:32 p.m.





Mike McQuiston, Mayor



Asucena Garcia, TRMC, City Secretary