

**MINUTES OF THE  
CITY COUNCIL MEETING – VIA VIDEOCONFERENCING  
Monday, May 10, 2021  
REGULAR MEETING  
6:00 p.m.**

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

**ABSENT:**

**OTHERS PRESENT:** City Manager Brett Shannon, IT Director J.B. McKenzie, Fire Chief Nate Mara, Police Chief Delvon Campbell, Public Works/Airport Director Greg Hall, Building Official Wayne Smith, Human Resource Manager Mary Ann Henline, Conference Center Operations Manager Johnny Cohoon, EDC Executive Director Kevin Holzbog, Deputy City Secretary Asucena Garcia, City Secretary Diane Cockrell, City Attorney Melissa Cranfill and Kristen Tribe representing the Wise County Messenger. Connected via videoconferencing: Planning Director Dedra Ragland, and City Engineer Earl Smith.

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

[WWW.ZOOM.US/JOIN](http://WWW.ZOOM.US/JOIN) 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 10th 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.*

**REGULAR MEETING  
6:00 p.m.**

**CALL TO ORDER**

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

**MOMENT OF SILENCE**

Mayor McQuiston declared a moment of silence.

**PLEDGE OF ALLEGIANCE**

Council member Carpenter led the pledge.

1. OATHS OF OFFICE TO BE ADMINISTERED TO COUNCIL MEMBERS: PLACE 2 – JAKE HAYES, PLACE 4 – WILL CARPENTER, PLACE 6 – MELINDA REEVES.

Oaths administered by City Secretary Cockrell.

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.

Mayor McQuiston appointed Council member Reeves to serve as Mayor Pro Tem.

Council member Carpenter moved to approve the appointment. Council member Hayes seconded the motion. The motion passed unanimously.

**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.)

First reading held.

**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.

Building Official Wayne Smith informed Council the only addition is the 2018 version of the International building codes. Currently using the 2012 version. The international swimming pool and spa code is being added. This was adopted by Texas in 2019 as the state code for pools

and spas. We are adopting this to come into compliance. The amendments are standard and necessary to maintain the current department ISO rating.  
First reading held.

**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.

First reading held.

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.

Council member Allen moved to terminate the agreement with MKM and authorize City manager to execute. Council member Hayes seconded the motion. The motion passed 4-3-0 with Mayor McQuiston, Council members Reeves and Carpenter voting in opposition.

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 (2021)
  - 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

City Secretary Cockrell informed council Item B referenced the incorrect year, should be April 2021. Council member Hayes moved to approve the consent agenda with amendment to item B. Council member Carpenter seconded the motion. The motion passed unanimously.

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.

No public input.

Convened into Executive Session at 6:25 p.m.

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.

Reconvened into Regular Session at 8:20 p.m.

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

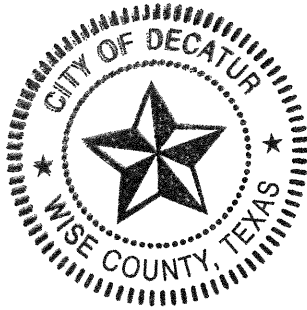
No action taken.

11. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

None request at this time.

ADJOURNMENT

There being no further business, Mayor McQuiston declared the meeting adjourned at 8:21 p.m.



  
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Mike McQuiston, Mayor

  
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Diane Cockrell, TRMC, CMC, City Secretary