

**MINUTES OF THE
CITY COUNCIL MEETING – VIA VIDEOCONFERENCING
**Monday, June 14, 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, Assistant Fire Chief Deroy Bennett, Police Chief Delvon Campbell, Public Works/Airport Director Greg Hall, Finance Director Ana Cañada, Human Resource Manager Mary Ann Henline, Development Review Coordinator Cheryl Fuss, Deputy City Secretary Asucena Garcia, City Secretary Diane Cockrell, City Attorney Andy Messer and Kristen Tribe representing the Wise County Messenger. Connected via videoconferencing: City Engineer Earl Smith.

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

**WWW.ZOOM.US/JOIN OR
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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 or via telephone by calling you may email your comments to be read at the meeting to: dcockrell@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 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 6:04 p.m.

MOMENT OF SILENCE

Mayor McQuiston declared a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor McQuiston led the pledge.

MAYOR MCQUISTON TO ADMINISTER OATH OF OFFICE TO POLICE OFFICERS JACOB CORNELISON AND MICHAEL HICKS.

Mayor McQuiston administered the Oath of Office to Police Officer's Cornelison and Hicks.

PRESENTATION FROM ROCKWATER DEVELOPMENT REGARDING REQUEST FOR PUBLIC IMPROVEMENT DISTRICT FORMATION FOR VISTA PARK DEVELOPMENT; DISCUSSION BY COUNCIL.

Rick Rosenburg with Development Planning and Financing Group Inc. presented a proposal regarding a Public Improvement District (PID) is an economic development tool created by the State of Texas to finance the construction of public improvements within a contiguous area. The developer provides funding for public improvements paid for by the landowners within the PID. The purpose of the PID is it facilitates attracting private investment by replacing funding traditionally provided by public entities. All costs are the responsibility of the PID. There is no cost or financial risk to the City, or residents living outside of the PID. Bonds are sold to finance these improvements. PID bonds provide up front and/or reimbursement financing capability and secured by a lien on the benefitted land. The Pay-As-You-Go – option provides an on-going revenue source for recurring reimbursement and/or operation and maintenance needs. Some of the benefits to the City include;

- Development that “pays for itself”
- Accelerates the timing of development
- PID debt is non-recourse to jurisdiction
- City retains 100% of its property and sales tax revenues
- Can generate funds for additional community benefits
- Ability to reimburse cost of administration
- No costs to the jurisdiction
- No impact on bond rating or bonding capacity

The proposed area is within the City limits of Decatur between W. Business 380 and West Thompson Street. A 90-acre master-planned community development. Approximately 348 50' single family detached residential lots. The estimated average home price of \$325,000. An estimated annual ad valorem taxes to city at buildout is \$678,600 and estimated PID eligible authorized improvements of \$14 million.

PLANNING AND ZONING REPORT:

1. HEAR STAFF COMMENTS AND CONSIDER TAKING ACTION REGARDING A REQUEST FOR A VARIANCE FROM CHAPTER 2, SECTION 201, “STREET IMPROVEMENTS (CURB/GUTTER),” OF THE CITY OF DECATUR’S DESIGN STANDARDS ON APPROXIMATELY 295.69 LINEAR FEET OF PROPERTY LOCATED ALONG SOUTH MURVIL STREET, WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 7R, BLOCK 5, LIPSEY ADDITION, AND MORE COMMONLY REFERRED TO AS 2803 S. MURVIL STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION V2021-04—MR. TOMMY BURKS, ON BEHALF OF AMANDA MEADOR) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND ABSENT.)**

Council member Carpenter moved to approve variance 2021-04 as presented. Council member Allen seconded the motion. The motion passed unanimously.

2. HEAR STAFF COMMENTS AND CONSIDER TAKING ACTION REGARDING A REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 295.69 LINEAR FEET OF PROPERTY LOCATED ALONG SOUTH MURVIL STREET, WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 7R, BLOCK 5, LIPSEY ADDITION, AND MORE COMMONLY REFERRED TO AS 2803 S. MURVIL STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION V2021-05—MR. TOMMY BURKS, ON BEHALF OF AMANDA MEADOR) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND ABSENT.)**

Council member Allen moved to approve variance 2021-05 as presented. Council member Carpenter seconded the motion. The motion passed unanimously.

3. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON A REQUEST FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) "WALL SIGNS." SPECIFICALLY, APPLICANT IS REQUESTING A WALL SIGN THAT EXCEEDS THE CITY'S TOTAL MAXIMUM ALLOWABLE SIGN AREA OF 86.88 SQ. FT. THE APPLICANT IS SEEKING A WALL SIGN THAT IS 87.27 SQ. FT. WHICH IS IN EXCESS OF THE MAXIMUM ALLOWABLE SIGN AREA BY 79.19 SQ. FT., AN INCREASE OF 166.07 SQ. FT. APPLICANT IS SEEKING THIS INCREASE TO MAKE THE BRAUM'S SIGN FIT THE CORPORATE BRANDING. THE SUBJECT PROPERTY IS LOCATED AT 701 S. WASHBURN STREET, DECATUR, TEXAS. **(VARIANCE APPLICATION 2021-06—STACI HAMMAN, ON BEHALF OF BRAUM'S)**

Council member Reeves moved to approve variance 2021-06 as presented. Council member Hayes seconded the motion. The motion passed unanimously.

4. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON A REQUEST FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) "WALL SIGNS." SPECIFICALLY, APPLICANT IS REQUESTING A WALL SIGN THAT EXCEEDS THE CITY'S TOTAL MAXIMUM ALLOWABLE SIGN AREA OF 86.88 SQ. FT. THE APPLICANT IS SEEKING A WALL SIGN THAT IS 55.50 SQ. FT. WHICH IS IN EXCESS OF THE MAXIMUM ALLOWABLE SIGN AREA BY 134.69 SQ. FT., AN INCREASE OF 190.19 SQ. FT. APPLICANT IS SEEKING THIS INCREASE TO MAKE THE BRAUM'S SIGN FIT THE CORPORATE BRANDING. THE SUBJECT PROPERTY IS LOCATED AT 701 S. WASHBURN STREET, DECATUR, TEXAS. **(VARIANCE APPLICATION 2021-07—STACI HAMMAN, ON BEHALF OF BRAUM'S)**

Council member Reeves moved to approve variance 2021-07 as presented. Council member Hayes seconded the motion. The motion passed unanimously.

5. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON A REQUEST FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) "WALL SIGNS." SPECIFICALLY, APPLICANT IS REQUESTING A WALL SIGN THAT EXCEEDS THE CITY'S TOTAL MAXIMUM ALLOWABLE SIGN AREA OF 86.88 SQ. FT. THE APPLICANT IS SEEKING A WALL SIGN THAT IS 55.40 SQ. FT. WHICH IS IN EXCESS OF THE MAXIMUM ALLOWABLE SIGN AREA BY 190.09 SQ. FT., AN INCREASE OF 276.97 SQ. FT. APPLICANT IS SEEKING THIS INCREASE TO MAKE THE BRAUM'S SIGN FIT THE CORPORATE BRANDING. THE SUBJECT PROPERTY IS LOCATED AT 701 S.

WASHBURN STREET, DECATUR, TEXAS. (VARIANCE APPLICATION 2021-08—STACI HAMMAN, ON BEHALF OF BRAUM'S)

Council member Reeves moved to approve variance 2021-08 as presented. Council member Hayes seconded the motion. The motion passed unanimously.

6. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON A REQUEST FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) "WALL SIGNS." SPECIFICALLY, APPLICANT IS REQUESTING A WALL SIGN THAT EXCEEDS THE CITY'S TOTAL MAXIMUM ALLOWABLE SIGN AREA OF 86.88 SQ. FT. THE APPLICANT IS SEEKING A WALL SIGN THAT IS 39.77 SQ. FT. WHICH IS IN EXCESS OF THE MAXIMUM ALLOWABLE SIGN AREA BY 229.86 SQ. FT., AN INCREASE OF 316.74 SQ. FT. APPLICANT IS SEEKING THIS INCREASE TO MAKE THE BRAUM'S SIGN FIT THE CORPORATE BRANDING. THE SUBJECT PROPERTY IS LOCATED AT 701 S. WASHBURN STREET, DECATUR, TEXAS. **(VARIANCE APPLICATION 2021-08-2021-09—STACI HAMMAN, ON BEHALF OF BRAUM'S)**

Council member Carpenter moved to approve variance 2021-09 (amending VA as shown on agenda) as presented. Council member Hilton seconded the motion. The motion passed unanimously.

OPEN PUBLIC HEARING:

7. HEAR STAFF REPORT, HOLD PUBLIC HEARING COMMENTS AND CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOT 7R, BLOCK 5, LIPSEY ADDITION, BEING APPROXIMATELY A 0.910-ACRE TRACT OF LAND IN THE CITY OF DECATUR, WISE COUNTY, TEXAS AND BEING A REPLAT OF LOT 7 AND A PORTION OF LOTS 1, 2, 3 AND 8, BLOCK 5, LIPSEY ADDITION AND MORE COMMONLY REFERRED TO AS 2803 S. MURVIL ST., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION RP2021-03—MR. TOMMY BURKS, ON BEHALF OF MS. AMANDA MEADOR) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND ABSENT.)**

Council member Allen moved to approve plat 2021-03 as presented. Council member Hilton seconded the motion. The motion passed unanimously.

8. HEAR STAFF REPORT, HOLD PUBLIC HEARING AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DECATUR, BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DECATUR, GRANTING ZONING CHANGE ON A PLANNED DEVELOPMENT FORMERLY KNOWN AS THE MCCULLAR MULTI-FAMILY PLANNED DEVELOPMENT (MCCULLAR MULTI-FAMILY PD), ORDINANCE 2019-09-21, A TRACT OF LAND IDENTIFIED AS BEING APPROXIMATELY 16.65-ACRE TRACT OF LAND CURRENTLY ZONED AS THE MCCULLAR MULTI-FAMILY PD AND CONSISTING OF THE FOLLOWING LAND USE DESIGNATIONS: AN APPROXIMATE 7.38 ACRES OF LAND ZONED FOR PARK/OPEN SPACE, AN APPROXIMATE 0.93 ACRES DESIGNATED FOR RIGHT OF WAY AND AN APPROXIMATE 8.34 ACRES OF LAND ZONED FOR MULTI-FAMILY USE. THE PROPOSED CHANGE WOULD REZONE THE APPROXIMATE 16.65-ACRE TRACT FROM THE ABOVE STATED DESIGNATIONS TO BISHOP HEIGHTS MULTI-FAMILY PLANNED DEVELOPMENT (BISHOP HEIGHTS MULTI-FAMILY PD) FOR MULTI-FAMILY AND COMMERCIAL USE. THE BISHOP HEIGHTS MULTI-FAMILY PD WOULD BE LOCATED EAST OF DEER PARK ROAD AND NORTH OF WEST THOMPSON STREET, DECATUR, TEXAS. **(APPLICATION PD2021-02—MR. TROY LEWIS' REQUEST ON BEHALF OF NS MF PARTNERS – DECATUR LLC) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND ABSENT.)**

First reading held

9. HEAR STAFF REPORT, HOLD PUBLIC HEARING AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DECATUR, BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DECATUR, GRANTING ZONING CHANGE ON A PLANNED DEVELOPMENT FORMERLY KNOWN AS THE RODDEN ESTATES PLANNED DEVELOPMENT (RODDEN ESTATES PD), ORDINANCE 2019-09-20, A TRACT OF LAND IDENTIFIED AS BEING APPROXIMATELY 89.66 ACRE TRACT OF LAND CURRENTLY ZONED AS THE RODDEN ESTATES PD AND CONSISTING OF THE FOLLOWING LAND USE DESIGNATIONS: AN APPROXIMATE 68.93 ACRES OR 21 LOTS OF 4,000 SF TOWNHOME, 51 LOTS OF 5,500 SF, 94 LOTS OF 7,500 SF AND 36 LOTS OF 20,000 SF OF LAND ZONED FOR SINGLE FAMILY USE, AN APPROXIMATE 20.45 ACRES OF LAND ZONED FOR PARK/DRAINAGE AND AN APPROXIMATE 0.28 ACRES DESIGNATED FOR RIGHT OF WAY. THE PROPOSED CHANGE WOULD REZONE THE APPROXIMATE 89.66-ACRE TRACT FROM THE ABOVE STATED DESIGNATIONS TO VISTA PARK PLANNED DEVELOPMENT (VISTA PARK PD) FOR SINGLE-FAMILY AND COMMERCIAL USE. THE VISTA PARK PD WOULD BE LOCATED EAST OF DEER PARK ROAD AND NORTH OF WEST THOMPSON STREET, DECATUR, TEXAS. **(APPLICATION PD2021-03—MR. JODY BOYD’S REQUEST ON BEHALF OF MARSHA RODDEN) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, VICE-CHAIRMAN CRESWELL ABSTAINED AND CHAIRMAN LEMOND ABSENT.)**

City Attorney Messer informed the council that an amendment to the ordinance was submitted on Friday afternoon and did not allow time for review. The Public Hearing will need to be continued to the next meeting. First reading held.

Jody Boyd made a presentation regarding the development.

10. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS AND/OR QUESTIONS RELATING TO 2020 ANNUAL DRINKING WATER QUALITY REPORT (CONSUMER CONFIDENCE REPORT) DISCUSSION BY COUNCIL.

No public input.

CLOSE PUBLIC HEARING:

11. CONSIDER AND TAKE ACTION ON A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A TAX EXEMPT LEASE-PURCHASE AGREEMENT BETWEEN THE CITY AND PNC EQUIPMENT FINANCE, LLC FOR A PIERCE-CUSTOM IMPEL PUMPER FOR THE FIRE DEPARTMENT AND AUTHORIZING FUNDING IN ACCORDANCE WITH THE ADOPTED CITY OF DECATUR BUDGET (REPLACING RESOLUTION 2020-09-11)

Fire Chief Nate Mara informed council the agreement was signed over 180 days ago also in a different fiscal year and that is why it is being presented to Council again.

Council member Hayes made a motion to approve and authorize City Manager Shannon to execute the purchase agreement as presented. Council member Allen seconded the motion. The motion passed unanimously.

12. DISCUSS AND TAKE ACTION TO APPOINT THREE COUNCIL MEMBERS TO THE BUDGET COMMITTEE.

Council member Hayes made a motion to appoint Council members Reeves, Hilton and Allen to the budget committee. Council member Carpenter seconded the motion. The motion passed unanimously.

13. **CONSIDER NOMINATION TO THE NCTCOG EMERGENCY PREPAREDNESS PLANNING COUNCIL (EPPC).**

Council member Reeves made a motion to appoint Mayor McQuiston to the EPPC council. Council member Hayes seconded the motion. The motion passed unanimously.

14. **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 MAY 24, 2021
- B. CONSIDER APPROVAL OF BILLS AND INVOICES FOR MAY 2021
- C. CONSIDER APPOINTMENT OF JEREMIAH GREENE TO PARKS ADVISORY BOARD WITH TERM TO EXPIRE MAY 31, 2023.

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

15. **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 8:06 p.m.

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:

§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.

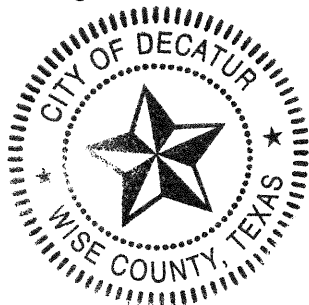
Reconvened into Regular Session at 9:56 p.m.

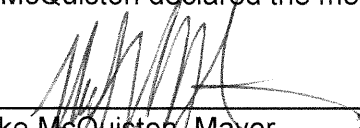
16. **CONSIDER AND TAKE APPROPRIATE ACTION, IF ANY, FROM EXECUTIVE SESSION.**
No action taken.

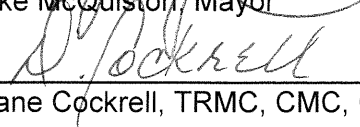
17. **COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.**
No request at this time.

ADJOURNMENT

There being no further business, Mayor McQuiston declared the meeting adjourned at 9:57 p.m.




Mike McQuiston, Mayor


Diane Cockrell, TRMC, CMC, City Secretary