



CITY OF DECATUR, TEXAS

REGULAR - CITY COUNCIL MEETING VIA - VIDEOCONFERENCING

Decatur City Hall
201 E. Walnut, Decatur, TX
Monday, March 22, 2021
REGULAR MEETING
6:00 p.m.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

*General Agenda Comments – **ALL ATTENDEES WILL BE SCREENED AT THE DOOR AND ASKED TO WEAR MASKS – SOCIAL DISTANCING MEASURES WILL BE OBSERVED***

The videoconferencing option of this meeting is a trial being used to allow Council members, staff and public participants to join the meeting in person or by videoconferencing or you may email your comments to be read at the meeting to: dcockrell@decaturtx.org before 3:00 p.m. on Monday, March 22nd 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.

Join the meeting via Videoconferencing at the following link from your computer, tablet or smartphone:
<https://global.gotomeeting.com/join/484881789>

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.

*New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/484881789>

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 A PERFORMANCE AGREEMENT BETWEEN THE DECATUR EDC AND AQUALINE MANUFACTURING CORP. FOR CONVEYANCE OF PROPERTY WITHIN THE EAGLES LANDING BUSINESS PARK TO AQUALINE FOR THE OPERATION OF A DISTRIBUTION AND CORPORATE OFFICE; AND AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS.

2. CONSIDER TAKING ACTION ON A PERFORMANCE AGREEMENT BETWEEN THE DECATUR EDC AND KRESS FT. WORTH TO REIMBURSE \$20,000 TO KRESS FOR THE COSTS OF CONSTRUCTION AND INSTALLATION TO EXTEND A NATURAL GAS LINE FROM N. MILLER STREET TO THE MIDDLE OF NORTH MARKET STREET TO CONNECT TO AN EXISTING NATURAL GAS LINE ON NORTH MARKET STREET.
3. CONSIDER TAKING ACTION ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, ADOPTING TAX ABATEMENT GUIDELINES AND CRITERIA; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.
4. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 1, 2021, CITY GENERAL ELECTION ELECTED TO OFFICE; CANCELING THE ELECTION IN THE CITY OF DECATUR FOR THE OFFICE OF COUNCILMEMBER FOR PLACES 2, 4 AND 6; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.
5. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE REPEALING ORDINANCE 2020-05-10 AMENDING THE CITY OF DECATUR SCHEDULE OF FEES AND ADOPTING A NEW CITY OF DECATUR SCHEDULE OF FEES AS SET FORTH IN EXHIBIT "A"; PROVIDING FOR AN IMPOUND NOTIFICATION FEE; PROVIDING FOR AMENDMENTS TO FEES IMPOSED BY THE CITY FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES, PROVIDING AMENDMENTS TO TRASH BAG FEES, PROVIDING AMENDMENTS TO DEPOSITS REQUIRED FOR TENANTS, PROVIDING FOR AMENDMENTS TO FIRE AND PUBLIC SAFETY RELATED FEES FOR CONSTRUCTION AND MODIFICATION PERMITS (TABLE 4); AND RATIFYING AND REAFFIRMING ALL OTHER FEES SET FORTH IN EXHIBIT "A" WITHOUT AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.
6. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, REPEALING SECTION 14-101, "TRANSFER OF SERVICE FEE", AND AMENDING SECTIONS 14-98, "WATER DEPOSITS", AND 14-104, "DUE DATE FOR BILLS; DELINQUENCY; RECONNECTION", OF ARTICLE III, "RATES, CHARGES AND BILLING PROCEDURE", OF CHAPTER 14, "UTILITIES", OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS, TO PROVIDE FOR REMOVAL OF THE WATER SERVICE TRANSFER FEE, TO PROVIDE FOR REFUNDS OF DEPOSITS, TO CHANGE THE DUE DATE OF BILLS FOR WATER AND SEWER SERVICES FROM THE TENTH TO THE FIFTEENTH DAY OF EACH MONTH, AND TO CHANGE THE TIMING OF DISCONNECTION/DISCONTINUATION OF SERVICES FROM THIRTY DAYS AFTER THE DUE DATE OF A BILL TO TEN DAYS AFTER THE NOTICE OF DELINQUENCY FOR NONPAYMENT OF SERVICES PROVIDED; AND PROVIDING AN EFFECTIVE DATE.
7. HEAR PRESENTATION FROM PARKS ADVISORY BOARD AND FOLLOW UP DISCUSSION ON FUTURE PARK IMPROVEMENTS.
8. CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON MARCH 8, 2021.
9. CONSIDER TAKING ACTION TO APPOINT WAYNE STONE TO FILL THE VACANT REGULAR (ZONING) BOARD OF ADJUSTMENT SEAT, TERM TO EXPIRE OCTOBER 1, 2021.

EXECUTIVE SESSION

10. 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:

- a) **Texas Government Code § 551.071(1) and (2): Consultation with Attorney.** To seek the advice of the City's Attorney about pending or contemplated litigation or a settlement offer (§551.071(1)); and To consult with 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 (§551.071(2)): Annexation statute and development agreements; interpretation of the most recent Executive Order issued by Governor Abbott and the effects of the Order concerning opening and regulating City facilities and providing services to the public.
- b) **Texas Government Code § 551.074: Personnel Matters.** Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee regarding: Appointment of a Planning and Zoning Commissioner

RECONVENE INTO OPEN SESSION In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session.

11. Consider and take appropriate action, if any, on matters discussed in Executive Session.
12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST FROM MR. AND MRS. DIXON TO TERMINATE DEVELOPMENT AGREEMENTS FOR WCAD IDS R000008572 AND R000008571 AS REQUESTED; AUTHORIZE PREPARATION OF NECESSARY DOCUMENTS; AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS.
- 13 CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST FROM MR. AND MRS. BRYAN TO TERMINATE DEVELOPMENT AGREEMENT FOR WCAD IDS R000193567 AND R000046934 AS REQUESTED; AUTHORIZE PREPARATION OF NECESSARY DOCUMENTS; AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS.

PLANNING AND ZONING REPORT:

This item was tabled at the March 8th meeting for a date certain to this the March 22nd meeting.

14. CONSIDER TAKING ACTION TO APPOINT A PERSON TO FILL THE VACANT PLANNING AND ZONING COMMISSION SEAT, TERM TO EXPIRE OCTOBER 1, 2022. **(THE PLANNING AND ZONING COMMISSION RECOMMEND THAT JARED LUCIER BE SELECTED TO FILL THE VACANT SEAT BY UNANIMOUS VOTE, 5-0.)**

END OF PLANNING AND ZONING REPORT.

15. DISCUSS AND PROVIDE DIRECTION AND TAKE ANY APPROPRIATE ACTION REGARDING IMPACT OF GA-34 ON EXISTING CITY DISASTER ORDINANCE AND MAYORAL DECLARATIONS, , REGULATION OF CITY FACILITIES, INCLUDING REQUIREMENTS FOR MASKS IN CITY FACILITIES, OPENING CITY FACILITIES AND PROVIDING SERVICES TO THE PUBLIC.
16. 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.
17. 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, March 19, 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.