



CITY OF DECATUR, TEXAS

REGULAR - CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
September 25, 2023
AND VIA VIDEOCONFERENCE/TELECONFERENCE

Videoconferencing 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 (MEETING/WEBINAR ID: 817 5047 6447 PASSCODE: 823992) or watch live at: <https://decaturtx.new.swagit.com/views/212/>

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 Asucena Garcia, City Secretary, so that the speaker may be recognized by the Mayor at the appropriate time. Speakers will each be allowed a 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 Council'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

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

PRESENTATIONS, RECOGNITION

Presentation of Proclamation for World Teacher Day

1. HEAR PRESENTATION FROM KIMLEY HORN REGARDING THE WASTEWATER MASTER PLAN UPDATE, IMPACT FEES, AND RATE STUDY.
2. HEAR PRESENTATION FROM EXECUTIVE ECONOMIC DEVELOPMENT DIRECTOR KEVIN HOLZBOG REGARDING YEAR IN REVIEW.
3. CONSIDER FIRST READING OF ORDINANCE NO. 2023-10-32 ANNEXING THE HEREINAFTER DESCRIBED TERRITORY IDENTIFIED AS BEING AN APPROXIMATE 2.183 ACRE TRACT KNOWN AS A PORTION OF THE RIGHT-OF-WAY OF OLD DENTON ROAD GENERALLY BETWEEN THE 1400 BLOCK THROUGH THE 1600 BLOCK OF OLD DENTON ROAD, WISE COUNTY, TEXAS, EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE THE DESCRIBED PROPERTY, AND ADOPTING A SERVICE PLAN.
4. CONSIDER TAKING ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY OF

DECATUR, TEXAS, REPEALING ORDINANCE 2023-03-07 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 AMENDMENTS TO THE FIRE AND PUBLIC SAFETY FEES, BUILDING INSPECTION FEES, MUNICIPAL AIRPORT HANGAR FEES, WATER TAMPER FEE AND GARAGE SALE PERMIT FEE, AND A 3% CREDIT CARD TRANSACTION FEE; TO BE EFFECTIVE OCTOBER 1, 2023. **ORDINANCE 2023-09-27**

5. CONSIDER TAKING ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS PROVIDING FOR AN AMENDMENT TO THE CITY'S FY 2022-2023 BUDGET, ADOPTED VIA ORDINANCE NO. 2022-09-21, TO APPROPRIATE AND BUDGET FUNDS FOR SERIES 2022 BOND EXPENSES IN THE WATER AND SEWER FUND, CONSTRUCTION/IMPACT FEES FUND, AND EDC FUND FOR SERIES 2023 EXPENSES; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE. **ORDINANCE 2023-09-28**
6. CONSIDER SECOND READING AND TAKE APPROPRIATE ACTION REGARDING AN ORDINANCE PROVIDING AN AMENDMENT TO APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DAY CARE IN A C-2, THOROUGHFARE BUSINESS ZONING DISTRICT, ON APPROXIMATELY 0.679 ACRES OF LAND LOCATED AT 503 N. US HIGHWAY 81-287 BUSINESS. **(SPECIFIC USE PERMIT APPLICATION 2023-04—MR. WAYNE KAUFFMAN, ON BEHALF OF CORNERSTONE COMMUNITY ACTION AGENCY.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 6-0.) SUP2023-04 ORDINANCE 2023-09-29**
7. CONSIDER SECOND READING AND TAKE APPROPRIATE ACTION REGARDING AN ORDINANCE PROVIDING AN AMENDMENT TO APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DAY CARE IN A C-2, THOROUGHFARE BUSINESS ZONING DISTRICT, ON APPROXIMATELY 8.0 ACRES OF LAND LOCATED AT 3483 S. FM 51. **(SPECIFIC USE PERMIT APPLICATION 2023-05—MRS. BRITTANY JONES, ON BEHALF OF EAGLE DRIVE BAPTIST CHURCH.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 6-0.) SUP2023-05 ORDINANCE 2023-09-30**
8. CONSIDER SECOND READING AND TAKE APPROPRIATE ACTION REGARDING AN ORDINANCE PROVIDING AN AMENDMENT TO REZONE APPROXIMATELY 0.129 ACRES OF LAND LOCATED AT 1303 S. TRINITY STREET FROM SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (SF-2) TO TWO-FAMILY RESIDENTIAL ZONING DISTRICT (2F). **(ZONING CHANGE APPLICATION 2023-06—MR. STEN JUHL, ON BEHALF OF SCJM, LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 6-0. ZC2023-06 ORDINANCE 2023-09-31**
9. **V2023-11** CONSIDER TAKING ACTION ON A REQUEST FOR A DESIGN STANDARDS VARIANCE FROM SECTION 107, "LANDSCAPE DESIGN," OF THE CITY OF DECATUR, TEXAS DESIGN STANDARDS. SPECIFICALLY, APPLICANT IS REQUESTING TO REDUCE THE LANDSCAPE STRIP FROM TEN FEET (10') TO FIVE FEET (5') ON APPROXIMATELY 300 LINEAR FEET ALONG CHARLES ST., A PUBLIC STREET, WHERE ADJACENT TO THE NORTH BOUNDARY OF A 7.89 ACRE TRACT OF LAND IN THE AJ WALKER SURVEY, ABSTRACT NO. 860, CITY OF DECATUR, WISE COUNTY, TEXAS, AND PROPOSED AS LOT 1, BLOCK 1 AND LOT 1, BLOCK 2, DECATUR POLICE STATION, AND MORE COMMONLY KNOWN AS 1601 S. CHURCH STREET, DECATUR, TEXAS. **(APPLICATION V2023-11—CHIEF OF POLICE DELVON CAMPBELL, ON BEHALF OF CITY OF DECATUR) (THE PLANNING AND ZONING COMMISSION RECOMMEND CONDITIONAL APPROVAL AS LONG AS STRUCTURAL INTEGRITY OF THE WALL IS MAINTAINED, 6-0.)**
10. **V2023-12** CONSIDER TAKING ACTION ON A REQUEST FOR A DESIGN STANDARDS VARIANCE FROM SECTION 107, "LANDSCAPE DESIGN," OF THE CITY OF DECATUR, TEXAS

DESIGN STANDARDS. SPECIFICALLY, APPLICANT IS REQUESTING TO REDUCE THE LANDSCAPE STRIP FROM TEN FEET (10') TO ZERO FEET (0') ON APPROXIMATELY 391.74 LINEAR FEET ALONG HATCHER ST., A PUBLIC STREET, WHERE ADJACENT TO THE EAST BOUNDARY OF A 7.89 ACRE TRACT OF LAND IN THE AJ WALKER SURVEY, ABSTRACT NO. 860, CITY OF DECATUR, WISE COUNTY, TEXAS, AND PROPOSED AS LOT 1, BLOCK 1 AND LOT 1, BLOCK 2, DECATUR POLICE STATION, AND MORE COMMONLY KNOWN AS 1601 S. CHURCH STREET, DECATUR, TEXAS. **(APPLICATION V2023-12—CHIEF OF POLICE DELVON CAMPBELL, ON BEHALF OF CITY OF DECATUR) (THE PLANNING AND ZONING COMMISSION RECOMMEND CONDITIONAL APPROVAL AS LONG AS STRUCTURAL INTEGRITY OF THE WALL IS MAINTAINED, 6-0.)**

11. **V2023-15** HEAR STAFF REPORT, CONSIDER AND TAKE ACTION ON A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-31(2) WALL SIGNS. SPECIFICALLY, APPLICANT IS REQUESTING A CUMULATIVE WALL SIGN AREA THAT EXCEEDS THE MAXIMUM ALLOWABLE AREA. BASED ON INFORMATION PROVIDED BY THE APPLICANT, THE REGULATIONS ALLOW A MAXIMUM SIGN AREA OF 67.5 SQ. FT. THE SUBJECT PROPERTY IS LOCATED AT 708 E. HALE STREET, TEXAS. **(VARIANCE APPLICATION 2023-15—KENT JESTER, ON BEHALF OF MAVERICK FUELS)**
12. **PP2023-05** CONSIDER TAKING ACTION REGARDING A REQUEST TO PRELIMINARY PLAT LOT 1, BLOCK 1 AND LOT 1, BLOCK 2, DECATUR POLICE STATION, BEING A 7.89-ACRE TRACT OF LAND IN ALL OF BLOCKS 110 AND 118 AND PORTIONS OF CHURCH, SHORT AND TRINITY STREETS, SOUTH DECATUR ADDITION, IN THE CITY OF DECATUR, WISE COUNTY, TEXAS LOCATED AT LOCATED AT 1601 SOUTH CHURCH STREET. **(PRELIMINARY PLAT APPLICATION 2023-05—CHIEF OF POLICE DELVON CAMPBELL, ON BEHALF OF CITY OF DECATUR) (THE PLANNING AND ZONING COMMISSION RECOMMEND CONDITIONAL APPROVAL PENDING ZBA APPROVAL OF THE FRONT YARD SETBACK VARIANCES ALONG HATCHER AND CHARLES STREETS, 6-0.)**

OPEN PUBLIC HEARING:

13. **RP2023-04** HEAR PUBLIC COMMENTS, AND CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOTS 2R-1A AND 2R-2A, BLOCK 78, SOUTH DECATUR ADDITION, BEING APPROXIMATELY A 0.363 ACRE TRACT OF LAND LOCATED EAST OF SOUTH TRINITY STREET AND SOUTH OF EAST PRINCE STREET IN THE CITY OF DECATUR, WISE COUNTY, TEXAS FOR PROPERTY LOCATED AT 1303 SOUTH TRINITY STREET. **(REPLAT APPLICATION RP2023-04—MR. STEN JUHL, ON BEHALF OF SCJM, LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 6-0.**

CLOSE PUBLIC HEARING:

14. CONSIDER AND TAKE APPROPRIATE ACTION TO AUTHORIZE THE CITY MANAGER TO ISSUE A REQUEST FOR SEALED BIDS FOR COMPETITIVE PROPOSALS FOR CONSULTING SERVICES RELATED TO SPECIALIZED INFORMATION TECHNOLOGY SERVICES.
15. CONSIDER AND DISCUSS AUTHORIZING THE CITY MANAGER TO ISSUE REQUESTS FOR PROPOSALS (RFP) FOR ADMINISTRATIVE AND PLAN DEVELOPMENT SERVICES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT - MITIGATION (CDBG-MIT) GRANT PROGRAMS ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE (GLO).
16. 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 AND TAKE ACTION TO REAPPOINT TERRY BERUBE, JOHN LANIER, AND EILEEN CROSS TO THE PLANNING AND ZONING COMMISSION. IF REAPPOINTED, THEIR TERM WILL EXPIRE OCTOBER 2025.
- B. CONSIDER AND TAKE ACTION TO REAPPOINT MARK DUNCUM, MARTIN WOODRUFF AND DR. WILL IKERD AS REGULAR MEMBERS TO THE (ZONING) BOARD OF ADJUSTMENT. IF REAPPOINTED, THEIR TERM WILL EXPIRE OCTOBER 2025.
- C. CONSIDER AND TAKE ACTION TO APPOINT SAMER MOHAMED TO FILL THE VACANT ALTERNATE (ZONING) BOARD OF ADJUSTMENT SEAT, IF APPOINTED, HIS TERM WILL EXPIRE OCTOBER 2025.

END PLANNING AND ZONING REPORT - CONSENT AGENDA VOTE WILL INCLUDE THE FOLLOWING REGULAR COUNCIL CONSENT ITEMS:

- D. CONSIDER AND TAKE ACTION TO REAPPOINT MARTIN WOODRUFF AND DR. WILL IKERD TO THE BUILDING STANDARDS COMMISSION IF REAPPOINTED, THEIR TERM WILL EXPIRE OCTOBER 2025.
- E. CONSIDER AND TAKE ACTION TO APPOINT JOE GILLESPIE AS A REGULAR MEMBER, SAMER MOHAMED AS ALTERNATE, AND MOVE MARK DUNCUM AS A REGULAR MEMBER TO ALTERNATE FOR THE BUILDING STANDARDS COMMISSION TO SERVE A TWO YEAR TERM ENDING OCTOBER 1, 2025.
- F. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETINGS HELD AUGUST 14, 2023 AND AUGUST 28, 2023
- G. CONSIDER A REQUEST BY SHANNON BLACK TO HOLD A TURKEY TROT 5K AND 1K FUN RUN ON SATURDAY, NOVEMBER 23, 2023 CLOSING THE 100 BLOCKS OF STATE AND MAIN STREET FROM 7:00 TO 11:30 A.M., THE PROCEEDS WILL BENEFIT RAQUEL'S WINGS.
- H. CONSIDER A REQUEST BY SHAUN DAVIE TO CLOSE 100 BLOCK OF NORTH STATE AND 100 BLOCK OF WEST MAIN FROM 6:00 A.M. TO 7:00 P.M. FOR THE TOSSING FOR ACRES FUNDRAISER EVENT ON SATURDAY, OCTOBER 14, 2023.

17. 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.

18. **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:

§ 551.074: PERSONNEL MATTERS. DELIBERATION REGARDING THE APPOINTMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF PUBLIC OFFICER OR EMPLOYEE: EVALUATION OF CITY MANAGER

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.

19. 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 Thursday, September 21, 2023, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

Asucena Garcia

Asucena Garcia, TRMC, 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.**