



CITY OF DECATUR, TEXAS

WORKSHOP AND REGULAR - CITY COUNCIL MEETING

Decatur City Hall - 201 E. Walnut, Decatur, TX

October 10, 2022

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: 882 4164 2850 PASSCODE: 563791) 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.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

WORKSHOP 5:30 p.m.

QUARTERLY DEPARTMENT REPORTS - Conference Center, Library, Main Street and Police Department

Conference Center report by Conference Center Director Carla Johnson, including relevant information and follow-up discussion with Council and other staff.

Library report by Library Director, Dawn Wilbert including relevant information and follow-up discussion with Council and other staff.

Main Street report by Main Street Director, Frieda Lasater including relevant information and follow-up discussion with Council and other staff.

Police Department report by Police Chief Delvon Campbell including relevant information and follow-up discussion with Council and other staff.

REGULAR MEETING 6:00 p.m.

1. PRESENTATION AND DISCUSSION REGARDING THE PALOMA TRAILS DEVELOPMENT AS PROPOSED BY TWS LAND PARTNERS LP.
2. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROFESSIONAL SERVICES AGREEMENT WITH TWS LAND PARTNERS, LP FOR REIMBURSEMENT OF CITY OF DECATUR EXPENSES INCURRED FOR PROFESSIONAL SERVICES RELATED TO THE PALOMA TRAILS DEVELOPMENT; AND AUTHORIZE THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS.
3. CONSIDER TAKING ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS ABANDONING A UTILITY EASEMENT LEGALLY DESCRIBED IN EXHIBIT A; PROVIDING FOR RECORDATION IN THE WISE COUNTY LAND RECORDS TO SERVE AS A QUITCLAIM DEED; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECT THE ABANDONMENT OF THE UTILITY EASEMENT; AND PROVIDING FOR INDEMNIFICATION. **ORDINANCE 2022-10-24**
4. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION ACCEPTING A PETITION FOR AND CALLING A PUBLIC HEARING ON THE ADVISABILITY OF THE PUBLIC IMPROVEMENTS AND CREATION OF VISTA PARK PUBLIC IMPROVEMENT DISTRICT NO. 1 WITHIN THE CITY OF DECATUR PURSUANT TO CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE AND AUTHORIZING THE MAILING AND PUBLICATION OF NOTICE OF THE PUBLIC HEARING. **RESOLUTION 2022-09-19**
5. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF DECATUR AND CONNIE T. ARNOLD, FOR AN OUT-BUILDING LOCATED IN PUBLIC ACCESS, DRAINAGE AND UTILITY EASEMENTS LOCATED AT 3002 SOUTH FM 51, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.

PUBLIC HEARING ITEMS:

6. HOLD A PUBLIC HEARING, HEAR COMMENTS, AND CONSIDER FIRST READING OF AN ORDINANCE REGARDING A REQUEST FOR VOLUNTARY ANNEXATION OF AN APPROXIMATE 157.31 ACRES OF LAND LOCATED WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION INTO THE CORPORATE LIMITS OF THE CITY OF DECATUR; GRANTING TO ALL THE INHABITANTS OF THE PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING THE INHABITANTS BY ALL OF THE ORDINANCES, RESOLUTIONS, ACTS, AND REGULATIONS OF THE CITY; ADOPTING A MUNICIPAL SERVICES AGREEMENT; PROVIDING INSTRUCTIONS FOR FILING THIS ORDINANCE AND FOR CORRECTING THE OFFICIAL MAP AND BOUNDARIES OF SAID CITY. THE PROPERTY TO BE ANNEXED IS GENERALLY LOCATED IN THE H.D. DONALD SURVEY, ABSTRACT NO. 1158 AND THE JOHN C. LOGAN SURVEY, ABSTRACT NO. 494, WISE COUNTY, TEXAS AND GENERALLY LOCATED AT THE INTERSECTION OF U.S. HIGHWAY 380 AND BUSINESS U.S. 380, ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S EASTERN EXTRATERRITORIAL JURISDICTION (ETJ), WISE COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS ON THE SURVEY LOCATED AT THE PLANNING & DEVELOPMENT SERVICE BUILDING, 1601 S. STATE ST., BLDG. C, DECATUR, TEXAS. **(ANNEXATION APPLICATION A2022-01— MR. SAM SATTERWHITE, ON BEHALF OF PROPERTY OWNERS JAMES CHRISTOPHER KNAPP, DARCY LEE KNAPP FRICKS AND SHELLY LYNN KNAPP, ET AL.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**
7. HOLD A PUBLIC HEARING, HEAR COMMENTS, AND CONSIDER FIRST READING OF AN ORDINANCE REGARDING AN AMENDMENT TO APPENDIX "D," "COMPREHENSIVE PLAN,"

OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS, TO AMEND THE COMPREHENSIVE PLAN AND THE FUTURE LAND USE MAP OF THE CITY, FOR AN APPROXIMATE 165.51 ACRES OF LAND, WHICH IS CURRENTLY LOCATED PRIMARILY WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY, BUT FOR WHICH THE PROPERTY OWNER HAS REQUESTED ANNEXATION INTO THE CITY'S CORPORATE LIMITS, TO CHANGE THE LAND USE DESIGNATIONS ON THE PROPERTY FROM AGRICULTURAL AND RURAL LIVING (AR - ETJ), ESTATE LIVING (EL - ETJ), COMMUNITY COMMERCIAL (CC - ETJ), COMPACT NEIGHBORHOOD (CN - ETJ) AND TRADITIONAL NEIGHBORHOOD (TN - ETJ) TO COMPACT NEIGHBORHOOD (CN) AND ACTIVITY CENTER (AC) LAND USE DESIGNATIONS. THE PROPERTY IS GENERALLY LOCATED IN THE H.D. DONALD SURVEY, ABSTRACT NO. 1158 AND THE JOHN C. LOGAN SURVEY, ABSTRACT NO. 494, WISE COUNTY, TEXAS AND GENERALLY LOCATED AT THE INTERSECTION OF U.S. HIGHWAY 380 AND BUSINESS U.S. 380, ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S EASTERN EXTRATERRITORIAL JURISDICTION (ETJ), WISE COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS ON THE SURVEY LOCATED AT THE PLANNING & DEVELOPMENT SERVICE BUILDING, 1601 S. STATE ST., BLDG. C, DECATUR, TEXAS. THE COMMISSION RECOMMENDATION FOR THIS ITEM IS SUBJECT TO THE CITY COUNCIL'S APPROVAL OF THE REQUEST FOR ANNEXATION. **(COMPREHENSIVE PLAN AMENDMENT APPLICATION 2022-02— MR. SAM SATTERWHITE, ON BEHALF OF PROPERTY OWNERS JAMES CHRISTOPHER KNAPP, DARCY LEE KNAPP FRICKS AND SHELLY LYNN KNAPP, ET AL.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**

8. HOLD A PUBLIC HEARING, HEAR COMMENTS, AND CONSIDER FIRST READING OF AN ORDINANCE REGARDING AN AMENDMENT TO APPENDIX "B," "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS, THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY, TO ZONE AN APPROXIMATE 165.51 ACRES OF LAND, WHICH IS CURRENTLY LOCATED PRIMARILY WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY, BUT FOR WHICH THE PROPERTY OWNER HAS REQUESTED ANNEXATION INTO THE CITY'S CORPORATE LIMITS, TO A PLANNED DEVELOPMENT (PD) ZONING DISTRICT WITH BASE ZONING DISTRICTS OF SF-1, MF, AND C-2. THE PROPERTY IS GENERALLY LOCATED IN THE H.D. DONALD SURVEY, ABSTRACT NO. 1158 AND THE JOHN C. LOGAN SURVEY, ABSTRACT NO. 494, WISE COUNTY, TEXAS AND GENERALLY LOCATED AT THE INTERSECTION OF U.S. HIGHWAY 380 AND BUSINESS U.S. 380, ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S EASTERN EXTRATERRITORIAL JURISDICTION (ETJ), WISE COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS ON THE SURVEY LOCATED AT THE PLANNING & DEVELOPMENT SERVICE BUILDING, 1601 S. STATE ST., BLDG. C, DECATUR, TEXAS. THE COMMISSION RECOMMENDATION FOR THIS ITEM IS SUBJECT TO THE CITY COUNCIL'S APPROVAL OF THE REQUEST FOR ANNEXATION AND THE ACCOMPANYING PROPOSED COMPREHENSIVE PLAN AND FUTURE LAND USE MAP AMENDMENT. **(PLANNED DEVELOPMENT APPLICATION 2022-01— MR. SAM SATTERWHITE, ON BEHALF OF PROPERTY OWNERS JAMES CHRISTOPHER KNAPP, DARCY LEE KNAPP FRICKS AND SHELLY LYNN KNAPP, ET AL.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**
9. HOLD A PUBLIC HEARING, HEAR COMMENTS, AND CONSIDER FIRST READING OF AN ORDINANCE REGARDING AN AMENDMENT TO APPENDIX "B," "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS, THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY, TO REZONE AN APPROXIMATE 0.195 ACRES OF LAND LOCATED AT 1203 S. STATE STREET, DECATUR, TEXAS, AN APPROXIMATE 0.062 ACRES OF LAND GENERALLY LOCATED TO THE CENTERLINE OF STATE STREET AND 0.047 ACRES OF LAND GENERALLY LOCATED TO THE CENTERLINE OF PRINCE STREET AND ADJACENT TO 1203 S. STATE STREET, DECATUR, TEXAS, FROM A SF-1, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, TO A 2F, TWO-FAMILY RESIDENTIAL ZONING DISTRICT. THE PROPERTY IS MORE COMMONLY REFERRED TO AS 1203 S. STATE STREET, DECATUR, TEXAS. **(APPLICATION ZC2022-**

03—MR. STEN JUHL, ON BEHALF OF MORNING GLORY INV. GROUP AND SCJM LLC) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)

10. HOLD A PUBLIC HEARING, HEAR COMMENTS, AND CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOT 13R AND LOT 14R, BLOCK 6, LIPSEY ADDITION, BEING APPROXIMATELY A 1.1184 ACRE TRACT OF LAND IN THE CITY OF DECATUR, WISE COUNTY, TEXAS AND BEING A REPLAT OF LOTS 13 AND 14, BLOCK 6, LIPSEY ADDITION AND MORE COMMONLY REFERRED TO AS 3107 AND 3109 S. MURVIL ST., DECATUR, TEXAS. **(REPLAT APPLICATION 2022-08—MS. KIMBERLY CHAMBERS, ON BEHALF OF KIMBERLY CHAMBERS ET AL AND KEITHA D'ANN STONE) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**
11. HOLD A PUBLIC HEARING, HEAR COMMENTS, AND CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOT 1R, BLOCK 8, LIPSEY ADDITION, BEING APPROXIMATELY A 0.560 ACRE TRACT OF LAND IN THE CITY OF DECATUR, WISE COUNTY, TEXAS AND BEING A REPLAT OF LOT 1, AND THE SOUTHEAST TEN (10) FEET OF THE ALLEY, BLOCK 8, LIPSEY ADDITION AND MORE COMMONLY REFERRED TO AS 3002 S. FM 51, DECATUR, TEXAS. **(REPLAT APPLICATION 2022-09—MR. ALLEN ARNOLD, ON BEHALF OF CONNIE ARNOLD) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**

NON-PUBLIC HEARING ITEMS:

12. **CONSENT AGENDA** – ALL CONSENT AGENDA ITEMS LISTED ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE RECOMMENDED IN 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. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 6-0.)**
 - A. **PP2022-03** CONSIDER TAKING ACTION ON A REQUEST TO PRELIMINARY PLAT LOT 1, BLOCK 1, DECATUR TA ADDITION, BEING AN APPROXIMATELY 17.479-ACRE TRACT OF LAND IN THE ANTONIO HERNANDEZ SURVEY, ABSTRACT NUMBER 401, CITY OF DECATUR, WISE COUNTY, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION PP2022-03—MR. MAJED KHALAF, ON BEHALF OF ELORR REALTY, LLC.)**
 - B. **RP2022-07** CONSIDER TAKING ACTION ON A REQUEST TO FINAL PLAT LOTS 3R-1R, 3R-2 & 3R-3, BLOCK 1, EAGLES LANDING BUSINESS PARK ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, BEING A REPLAT OF LOTS 3R & 3R-1, BLOCK 1, EAGLES LANDING BUSINESS PARK ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, AND MORE COMMONLY REFERRED TO AS 3601 THOM LAMBERT BLVD., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION RP2022-07—MR. KEVIN HOLZBOG, ON BEHALF OF DECATUR ECONOMIC DEVELOPMENT CORPORATION AND GC OMEGA RE, LLC)**
 - C. CONSIDER TAKING ACTION TO REAPPOINT CECIL LEMOND, WILL KLOSE, MASON WOODRUFF AND SHELBY HICKS TO THE PLANNING AND ZONING COMMISSION. IF REAPPOINTED, TERMS WILL EXPIRE OCTOBER 2024.
 - D. CONSIDER TAKING ACTION TO REAPPOINT DANNY CROSS AND MASON CLINESMITH AS REGULAR MEMBERS TO THE (ZONING) BOARD OF ADJUSTMENT. IF REAPPOINTED, TERMS WILL EXPIRE OCTOBER 2024.
 - E. CONSIDER TAKING ACTION TO REAPPOINT JULIE PERKINS AS AN ALTERNATE MEMBER TO THE (ZONING) BOARD OF ADJUSTMENT. IF REAPPOINTED, HER

TERM WILL EXPIRE OCTOBER 2024.

**CONSENT AGENDA VOTE WILL INCLUDE THE FOLLOWING REGULAR COUNCIL
CONSENT ITEMS:**

- F. CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF COUNCIL MEETINGS HELD SEPTEMBER 12 AND SEPTEMBER 26, 2022.
 - G. CONSIDER AND TAKE ACTION ON APPROVAL OF BILLS AND INVOICES FOR SEPTEMBER 2022.
13. CONSIDER AND TAKE ACTION ON AN INTERLOCAL ASSISTANCE AGREEMENT BETWEEN THE CITY OF DECATUR AND WISE COUNTY TEXAS ON BEHALF OF EMERGENCY MANAGEMENT FOR MITIGATION AND RECOVERY COORDINATOR SERVICES; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ANY NECESSARY COUNTERPARTS.
14. CONSIDER AND TAKE ACTION ON AN INTERLOCAL AGREEMENT BETWEEN WISE COUNTY AND THE CITY OF DECATUR FOR FIRE PROTECTION AND FIRST RESPONDER SERVICES FOR FISCAL YEAR 2022-2023 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.
15. CONSIDER AND TAKE ACTION ON AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF DECATUR AND WISE COUNTY FOR EXPANSION OF RENSHAW PARK; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ANY NECESSARY COUNTERPARTS.
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 **Thursday, October 6, 2022**, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

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.**