



CITY OF DECATUR, TEXAS

****AMENDED WORKSHOP AND REGULAR - CITY COUNCIL MEETING**
Decatur City Hall - 201 E. Walnut, Decatur, TX
October 24, 2022
AND VIA VIDEOCONFERENCE/TELECONFERENCE

Vide Conferencing 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.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

WORKSHOP 5:30 p.m.

MONTHLY DEPARTMENT REPORTS – City Manager, Fire Department, Planning and Zoning, Inspections, Public Works/Airport and Finance.

City Manager Report – Hear and discuss quarterly report by City Manager Nate Mara.

Fire Department – Hear and discuss quarterly report by Chief Deroy Bennett including relevant and follow-up discussion with Council and other staff.

Planning – Hear and discuss quarterly report as presented by Planning Director Ragland, including relevant and follow-up discussion with Council and other staff regarding the following items:

- Planning applications processed, including plats, zoning changes, sign variances, subdivision variances, design standards variances, and annexation cases; site plans/building permit reviews; and ordinance/policy amendments for June, July, August and September.

****Inspections** - Hear and discuss quarterly report by Chief Building Official Wayne Smith including relevant and follow-up discussion with Council and other staff.

Public Works and Airport – Hear and discuss quarterly report by Greg Hall, Public Works Director/Airport Manager, including relevant and follow-up discussion with Council and other staff.

Finance – Hear and discuss quarterly report by Ana Canada, Finance Director, including relevant and follow-up discussion with Council and other staff.

REGULAR MEETING 6:00 p.m.

1. HEAR A PRESENTATION FROM THE PARKS BOARD REGARDING PROJECT UPDATES AT HARMON AND RENSHAW PARK AND PROVIDE A TIMELINE FOR FUTURE PROJECTS.

****2.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND TWS LAND PARTNERS, LP, FOR AN APPROXIMATE 165 ACRE TRACT OF LAND IDENTIFIED AS THE PALOMA TRAILS DEVELOPMENT; AND AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS

3. CONSIDER AND TAKE ACTION ON A RESOLUTION ADOPTING AN UPDATED INVESTMENT POLICY FOR FISCAL YEAR 2022-2023; AND PROVIDING AN EFFECTIVE DATE.

4. CONSIDER AND TAKE ACTION ON A RESOLUTION OF THE CITY COUNCIL EXPRESSING SUPPORT FOR GRANT APPLICATIONS OF THE CITY OF RUNAWAY BAY TO OBTAIN FUNDING FOR IMPROVEMENTS TO THE CITY OF RUNAWAY BAY WASTEWATER SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

5. CONSIDER FIRST READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS AMENDING ARTICLE II, "WEEDS AND WILD GROWTH OF VEGETATION" OF CHAPTER 10, "NUISANCES" OF THE CODE OF ORDINANCES TO PROHIBIT THE ACCUMULATION OF WEEDS AND OTHER OBJECTIONABLE MATTER, PROVIDING A METHOD FOR NOTICE, ABATEMENT, AND FILING OF LIEN BY THE CITY; PROVIDING FOR AN APPEAL PROCESS; PROVIDING ADDITIONAL AUTHORITY FOR ABATEMENT OF DANGEROUS WEEDS WITHOUT NOTICE; PROVIDING A PENALTY FOR VIOLATION NOT TO EXCEED \$2,000 PER DAY FOR EACH VIOLATION THAT OCCURS OR EXISTS ON A DAY OR PART OF A DAY; AND PROVIDING AN EFFECTIVE DATE.

6. CONSIDER FIRST 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 ACCOUNT FOR THE ACCEPTED ARPA FUNDS IN THE GENERAL FUND; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT TO ORDINANCE NO. 2022-09-21; PROVIDING FOR THE FILING OF THE AMENDED FY 2022-2023 BUDGET; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Planning and Zoning Report:

7. CONSIDER A SECOND READING AND TAKE APPROPRIATE ACTION REGARDING AN ORDINANCE GRANTING 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.)**

8. CONSIDER A SECOND READING AND TAKE APPROPRIATE ACTION REGARDING AN ORDINANCE PROVIDING 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.)**
9. CONSIDER A 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, 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.)**

10. CONSIDER A 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, 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.)**

OPEN PUBLIC HEARING:

11. HOLD A PUBLIC HEARING, HEAR COMMENTS, AND CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOT 2R-1, BLOCK 68, SOUTH DECATUR ADDITION, BEING APPROXIMATELY A 0.195 ACRE TRACT OF LAND IN THE CITY OF DECATUR, WISE COUNTY, TEXAS AND BEING A REPLAT OF PART OF LOT 2, BLOCK 68, SOUTH DECATUR ADDITION AND MORE COMMONLY REFERRED TO AS 1203 S. STATE STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION RP2022-06—MR. STEN JUHL, ON BEHALF OF MORNING GLORY INV. GROUP AND SCJM LLC) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**

CLOSE PUBLIC HEARING:

12. CONSIDER AND TAKE APPROPRIATE ACTION ON RESOLUTION NO. 2022-10-20 "FINDING AND DECLARING THAT THERE EXISTS A NEED FOR THE HOUSING AUTHORITY OF THE CITY OF DECATUR, TEXAS, TO FUNCTION" AND APPROVAL OF CERTIFICATE OF APPOINTMENT/REAPPOINTMENT OF COMMISSIONERS.
Barbara Foster, 1 year, expires June 1, 2023 (Reappoint as Resident Commissioner)
Jeff Sickling, 1 year, expires June 1, 2023 (Reappoint)
Christie Rhine, 1 year expires, June 1, 2023 (Appointment replacing Deidra Deaton)
Dwight Reeves, 2 years, expires, June 1, 2023
Jerry Watson, 2 years, expires June 1, 2023 (Chairman)
13. CONSIDER TAKING ACTION TO APPOINT WILLIAM CROSS TO THE PARKS ADVISORY BOARD. IF APPOINTED HE WILL REPLACE ROBIN LEWIS AND HIS TERM WILL EXPIRE 5/31/2023.
14. DISCUSSION AND ACCEPTANCE OF QUARTERLY INVESTMENT REPORT.
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.

- **16. EXECUTIVE SESSION** – 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:
§ 551.074 (1) **PERSONNEL MATTERS. §551.074: TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE: MESSER, FORT AND MCDONALD CONTRACT.**

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.

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, October 21, 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.**