



CITY OF DECATUR, TEXAS

REGULAR - CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
Monday, NOVEMBER 8, 2021

REGULAR MEETING 6:00 p.m.
AND VIA VIDEOCONFERENCE/TELECONFERENCE

This videoconferencing meeting 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](https://www.zoom.us/j/88241642850) watch live at: [https://decaturtx.new.swagit.com/views/212/ MEETING/WEBINAR](https://decaturtx.new.swagit.com/views/212/MEETING/WEBINAR) ID: 882 4164 2850
PASSCODE: 563791

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 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.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. CONSIDER AND TAKE ACTION TO AWARD A BID FOR CITY EMPLOYEE GROUP HEALTH AND DENTAL INSURANCE FOR THE ENROLLMENT PERIOD OF JANUARY 1, 2022 - DECEMBER 31, 2022, AND AUTHORIZE THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS.
2. CONSIDER AND TAKE APPROPRIATE ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS CHANGING THE NAME OF ENTERPRISE DRIVE, IN ITS ENTIRETY, AS IS SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF DECATUR, TO "THOM LAMBERT BOULEVARD"; AUTHORIZING THE CITY MANAGER

OR DESIGNEE TO ERECT NEW STREET SIGNS AND EXECUTE OTHER MATTERS NECESSARY TO EFFECTUATE THE INTENT OF THIS ORDINANCE; MAKING THIS ORDINANCE CUMULATIVE OF ALL OTHER ORDINANCES AFFECTING STREET NAMES; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

3. CONSIDER AND TAKE APPROPRIATE ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS REPEALING ORDINANCE NO. 2021-03-03 ADOPTING THE CITY OF DECATUR SCHEDULE OF FEES AND ADOPTING A NEW CITY OF DECATUR SCHEDULE OF FEES AS SET FORTH IN EXHIBIT "A" HERETO, TO PROVIDE FOR PARKLAND DEDICATION FEES; RATIFYING AND REAFFIRMING ALL OTHER FEES SET FORTH IN EXHIBIT "A" WITHOUT AMENDMENT; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER AND SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE
4. CONSIDER AND TAKE ACTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN ENGINEERING AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE 2021 SUBDIVISION ORDINANCE REWRITE.
5. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ENGAGEMENT LETTER WITH THE KNIGHT LAW FIRM FOR THE FIRM TO PROVIDE A LEGAL OPINION REGARDING WHETHER THE CITY IS IN NEED OF REDISTRICTING SERVICES, AND TO PROVIDE POTENTIAL REDISTRICTING SERVICES DEPENDENT UPON THE OPINION RESULTS, PURSUANT TO THE 2020 CENSUS.
6. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS APPROVING PARTICIPATION IN THE GLOBAL OPIOID SETTLEMENT; AND AUTHORIZING THE MAYOR DESIGNEE TO SIGN NECESSARY DOCUMENTS.

PLANNING AND ZONING REPORT:

7. **SI2021-02** HEAR STAFF REPORT AND CONSIDER FIRST READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS AMENDING ARTICLE IV, "UNSAFE, DANGEROUS OR HAZARDOUS BUILDINGS AND STRUCTURES", OF CHAPTER 10, "NUISANCES", OF THE CITY OF DECATUR'S CODE OF ORDINANCES BY AMENDING SECTIONS 10-102, 10-108 AND 10-110, REPEALING AND READOPTING SECTIONS 10-103 THROUGH 10-107, AND ADOPTING NEW SECTIONS RELATED TO THE CITY'S BUILDING STANDARDS COMMISSION TO PROVIDE UPDATED REGULATIONS COMPLIANT WITH STATE LAW; FURTHER AMENDING SECTION 2-148, "ESTABLISHED", OF DIVISION 10, "CITY OF DECATUR BOARD OF ADJUSTMENT", OF ARTICLE III, "BOARDS, COMMITTEES, COMMISSIONS", OF CHAPTER 2, "ADMINISTRATION", OF THE CODE OF ORDINANCES TO PROVIDE THAT THE BOARD OF ADJUSTMENT SHALL ALSO SERVE AS THE BUILDING STANDARDS COMMISSION; FURTHER AMENDING AND RENAMING SECTION 4-56, "AMENDMENTS TO BOARD OF ADJUSTMENT PROCEDURES", OF ARTICLE II, "BUILDING CONSTRUCTION STANDARDS", OF CHAPTER 4, "BUILDINGS AND BUILDING REGULATIONS", OF THE CODE OF ORDINANCES AS "AMENDMENTS TO BUILDING STANDARDS COMMISSION PROCEDURES" TO PROVIDE FOR APPEALS TO THE BUILDING STANDARDS COMMISSION; PROVIDING FOR THE INCORPORATION OF PREMISES; AUTHORIZING THE COMMISSION TO HEAR AND DETERMINE CASES CONCERNING ALLEGED VIOLATIONS OF CITY ORDINANCES REGULATING BUILDINGS CODES, FIRE SAFETY OF A BUILDING, DANGEROUSLY DAMAGED OR DETERIORATED BUILDINGS, AND SUBSTANDARD BUILDINGS; PROVIDING MINIMUM PROPERTY STANDARDS; PROVIDING PROCEDURES FOR PROCEEDINGS OF THE COMMISSION;

PROVIDING FOR AN APPEAL; AUTHORIZING THE COMMISSION TO ASSESS CIVIL PENALTIES; PROVIDING A CRIMINAL PENALTY NOT TO EXCEED \$2,000 FOR EACH DAY OR PART THEREOF WHEN A VIOLATION EXISTS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

END PLANNING AND ZONING REPORT

8. **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, 4-0, VICE-CHAIRMAN CRESWELL ABSENT.**

- A. CITY COUNCIL TO CONSIDER TAKING ACTION ON A REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 29,237.22 LINEAR FEET OF PROPERTY LOCATED ALONG ENTERPRISE DR., ADJACENT TO THE EAST BOUNDARY OF LOTS 1R, 4X, 5, 6 & 7, BLOCK 1, THE SOUTH BOUNDARY OF LOT 2R-1, BLOCK 1 AND THE WEST BOUNDARY OF LOTS 3R & 3R-1, BLOCK 1, EAGLES LANDING BUSINESS PARK ADDITION, AND MORE COMMONLY REFERRED TO AS EAGLES LANDING BUSINESS PARK, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION V2021-14—MR. KEVIN HOLZBOG, ON BEHALF OF DECATUR ECONOMIC DEVELOPMENT CORPORATION AND CARDINAL PAINTS)**
- B. CITY COUNCIL TO CONSIDER TAKING ACTION ON A REQUEST TO PRELIMINARY PLAT LOT 1, BLOCK 1, CEFCO ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, BEING AN APPROXIMATE 6.7245-ACRE TRACT OF LAND IN THE JOSEPH H. MOORE SURVEY, ABSTRACT NO. 538, CITY OF DECATUR, WISE COUNTY, TEXAS, AND MORE COMMONLY REFERRED TO AS 2202 W. US HIGHWAY 380, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION PP2021-07—MR. JORDAN SCHAEFER, ON BEHALF OF C.L. GAGE, GEORGE GAGE AND CEFCO)**
- C. CITY COUNCIL TO CONSIDER TAKING ACTION ON A REQUEST TO FINAL PLAT LOTS 3R AND 3R-1, BLOCK 1, EAGLES LANDING BUSINESS PARK ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, BEING A REPLAT OF LOT 3, BLOCK 1, EAGLES LANDING BUSINESS PARK ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, AND MORE COMMONLY REFERRED TO AS 3601 ENTERPRISE DR., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION RP2021-04—MR. KEVIN HOLZBOG, ON BEHALF OF DECATUR ECONOMIC DEVELOPMENT CORPORATION AND OMEGA RESEARCH)**

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

- D. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD OCTOBER 25, 2021.
- E. CONSIDER APPROVAL OF BILLS AND INVOICES FOR OCTOBER 2021.

9. CONSIDER AND CAST VOTES TO ELECT MEMBERS TO SERVE ON THE WISE COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A TERM OF TWO (2) YEARS BEGINNING JANUARY 1, 2022:
 1. Clayton Brazelton
 2. Ray Cook Jr.
 3. Kyle Erwin
 4. Gere Joiner
 5. Bill Lewis
 6. Kenneth Shepherd Jr.
 7. Noel Ruddick

10. CONSIDER A REQUEST OF THE DECATUR CHAMBER OF COMMERCE FOR STREET CLOSURES ON MONDAY, NOVEMBER 29TH, AND TUESDAY, NOVEMBER 30TH, FOR A CHRISTMAS TREE LIGHTING EVENT ON THE COURT SQUARE FROM 5:00 TO 7:00 PM.: THE 100 BLOCK OF MAIN STREET (FROM STATE TO TRINITY) FROM 4:00 PM ON MONDAY, NOVEMBER 29TH TO 10:00 PM ON TUESDAY, NOVEMBER 30TH, AND THE 100 BLOCK OF TRINITY STREET (FROM WALNUT TO MAIN) FROM 3:00 PM TO 10:00 PM ON NOVEMBER 30TH.

11. CONSIDER A REQUEST OF THE DECATUR CHAMBER OF COMMERCE REGARDING THE FOLLOWING STREET CLOSURES FOR THE MOONLIGHT MADNESS LIGHTED PARADE ON SATURDAY, DECEMBER 4, 2021:
 - 10:00 PM ON FRIDAY, DECEMBER 3RD TO 10:00 PM ON SATURDAY, DECEMBER 4TH: THE INTERIOR PARKING SPOTS AROUND THE COURTHOUSE ON WALNUT, STATE, TRINITY AND MAIN STREETS
 - 2:00 PM TO 8:00 PM ON SATURDAY, DECEMBER 4TH: 121 N. STATE STREET TO 103 N. STATE STREET
 - 2:00 PM TO 8:00 PM ON SATURDAY, DECEMBER 4TH: BLOCK PARKING SPACES ON WALNUT AND MAIN STREETS (ON BUSINESS SIDE) TO HOLMAN STREET (THE PARKING SPACES ON MAIN IN FRONT OF SWEETIE PIES RESTAURANT)
 - 4:00 PM TO 10:00 PM ON SATURDAY, DECEMBER 4TH: EMBRY STREET LEADING INTO EAGLE STADIUM
 - THE PARADE WILL HEAD WEST ON WALNUT STREET, LEFT ON WASHBURN, THEN TURN LEFT ON TO MAIN STREET. PARADE WILL BEGIN AT 6:00 PM.

12. 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.

13. 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, November 5, 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.

****PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COUNCILMEMBERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY.**