



CITY OF DECATUR, TEXAS

REGULAR - CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
****Monday, June 14, 2021**
REGULAR MEETING
6:00 p.m.
AND VIA VIDEOCONFERENCE/TELECONFERENCE

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

This videoconferencing meeting is being used to allow Council, staff and public participants to join the meeting in the following manner: This meeting will be held using videoconferencing/teleconferencing technology with public access via (to addend): WWW.ZOOM.US/JOIN watch live at: <https://decaturtx.new.swagit.com/views/212/> or via telephone by calling (888)788-0099 (TOLL FREE) WEBINAR ID: 882 4164 2850
PASSCODE: 563791

You may email your comments to be read at the meeting to: dcockrell@decaturtx.org before 3:00 p.m. on the date of the meeting, 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.

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 and 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.

MAYOR MCQUISTON TO ADMINISTER OATH OF OFFICE TO POLICE OFFICERS JACOB CORNELISON AND MICHAEL HICKS.

PRESENTATION FROM ROCKWATER DEVELOPMENT REGARDING REQUEST FOR PUBLIC IMPROVEMENT DISTRICT FORMATION FOR VISTA PARK DEVELOPMENT; DISCUSSION BY COUNCIL.

PLANNING AND ZONING REPORT:

1. HEAR STAFF COMMENTS AND CONSIDER TAKING ACTION REGARDING A REQUEST FOR A VARIANCE FROM CHAPTER 2, SECTION 201, "STREET IMPROVEMENTS (CURB/GUTTER)," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 295.69 LINEAR FEET OF PROPERTY LOCATED ALONG SOUTH MURVIL STREET, WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 7R, BLOCK 5, LIPSEY ADDITION, AND MORE COMMONLY REFERRED TO AS 2803 S. MURVIL STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION V2021-04—MR. TOMMY BURKS, ON BEHALF OF AMANDA MEADOR) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND ABSENT.)**
2. HEAR STAFF COMMENTS AND CONSIDER TAKING ACTION REGARDING A REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 295.69 LINEAR FEET OF PROPERTY LOCATED ALONG SOUTH MURVIL STREET, WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 7R, BLOCK 5, LIPSEY ADDITION, AND MORE COMMONLY REFERRED TO AS 2803 S. MURVIL STREET, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION V2021-04—MR. TOMMY BURKS, ON BEHALF OF AMANDA MEADOR) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND ABSENT.)**
3. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON A REQUEST FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) "WALL SIGNS." SPECIFICALLY, APPLICANT IS REQUESTING A WALL SIGN THAT EXCEEDS THE CITY'S TOTAL MAXIMUM ALLOWABLE SIGN AREA OF 86.88 SQ. FT. THE APPLICANT IS SEEKING A WALL SIGN THAT IS 87.27 SQ. FT. WHICH IS IN EXCESS OF THE MAXIMUM ALLOWABLE SIGN AREA BY 79.19 SQ. FT., AN INCREASE OF 166.07 SQ. FT. APPLICANT IS SEEKING THIS INCREASE TO MAKE THE BRAUM'S SIGN FIT THE CORPORATE BRANDING. THE SUBJECT PROPERTY IS LOCATED AT 701 S. WASHBURN STREET, DECATUR, TEXAS. **(VARIANCE APPLICATION 2021-06—STACI HAMMAN, ON BEHALF OF BRAUM'S)**
4. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON A REQUEST FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) "WALL SIGNS." SPECIFICALLY, APPLICANT IS REQUESTING A WALL SIGN THAT EXCEEDS THE CITY'S TOTAL MAXIMUM ALLOWABLE SIGN AREA OF 86.88 SQ. FT. THE APPLICANT IS SEEKING A WALL SIGN THAT IS 55.50 SQ. FT. WHICH IS IN EXCESS OF THE MAXIMUM ALLOWABLE SIGN AREA BY 134.69 SQ. FT., AN INCREASE OF 190.19 SQ. FT. APPLICANT IS SEEKING THIS INCREASE TO MAKE THE BRAUM'S SIGN FIT THE CORPORATE BRANDING. THE SUBJECT PROPERTY IS LOCATED AT 701 S. WASHBURN STREET, DECATUR, TEXAS. **(VARIANCE APPLICATION 2021-07—STACI HAMMAN, ON BEHALF OF BRAUM'S)**
5. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON A REQUEST FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) "WALL SIGNS." SPECIFICALLY, APPLICANT IS REQUESTING A WALL SIGN THAT EXCEEDS THE CITY'S TOTAL MAXIMUM ALLOWABLE SIGN AREA OF 86.88 SQ. FT. THE APPLICANT IS SEEKING A WALL SIGN THAT IS 55.40 SQ. FT. WHICH IS IN EXCESS OF THE MAXIMUM ALLOWABLE SIGN AREA BY 190.09 SQ. FT., AN INCREASE OF 276.97 SQ. FT. APPLICANT IS SEEKING THIS INCREASE TO MAKE THE BRAUM'S SIGN FIT THE CORPORATE BRANDING. THE SUBJECT PROPERTY IS LOCATED AT 701 S. WASHBURN STREET, DECATUR, TEXAS. **(VARIANCE APPLICATION 2021-08—STACI HAMMAN, ON BEHALF OF BRAUM'S)**
6. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON A REQUEST FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(13) "WALL SIGNS." SPECIFICALLY, APPLICANT IS REQUESTING A WALL SIGN THAT EXCEEDS THE CITY'S

TOTAL MAXIMUM ALLOWABLE SIGN AREA OF 86.88 SQ. FT. THE APPLICANT IS SEEKING A WALL SIGN THAT IS 39.77 SQ. FT. WHICH IS IN EXCESS OF THE MAXIMUM ALLOWABLE SIGN AREA BY 229.86 SQ. FT., AN INCREASE OF 316.74 SQ. FT. APPLICANT IS SEEKING THIS INCREASE TO MAKE THE BRAUM'S SIGN FIT THE CORPORATE BRANDING. THE SUBJECT PROPERTY IS LOCATED AT 701 S. WASHBURN STREET, DECATUR, TEXAS. **(VARIANCE APPLICATION 2021-08—STACI HAMMAN, ON BEHALF OF BRAUM'S)**

OPEN PUBLIC HEARING:

7. HEAR STAFF REPORT, HOLD PUBLIC HEARING COMMENTS AND CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOT 7R, BLOCK 5, LIPSEY ADDITION, BEING APPROXIMATELY A 0.910-ACRE TRACT OF LAND IN THE CITY OF DECATUR, WISE COUNTY, TEXAS AND BEING A REPLAT OF LOT 7 AND A PORTION OF LOTS 1, 2, 3 AND 8, BLOCK 5, LIPSEY ADDITION AND MORE COMMONLY REFERRED TO AS 2803 S. MURVIL ST., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION RP2021-03—MR. TOMMY BURKS, ON BEHALF OF MS. AMANDA MEADOR) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND ABSENT.)**
8. HEAR STAFF REPORT, HOLD PUBLIC HEARING AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DECATUR, BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DECATUR, GRANTING ZONING CHANGE ON A PLANNED DEVELOPMENT FORMERLY KNOWN AS THE MCCULLAR MULTI-FAMILY PLANNED DEVELOPMENT (MCCULLAR MULTI-FAMILY PD), ORDINANCE 2019-09-21, A TRACT OF LAND IDENTIFIED AS BEING APPROXIMATELY 16.65-ACRE TRACT OF LAND CURRENTLY ZONED AS THE MCCULLAR MULTI-FAMILY PD AND CONSISTING OF THE FOLLOWING LAND USE DESIGNATIONS: AN APPROXIMATE 7.38 ACRES OF LAND ZONED FOR PARK/OPEN SPACE, AN APPROXIMATE 0.93 ACRES DESIGNATED FOR RIGHT OF WAY AND AN APPROXIMATE 8.34 ACRES OF LAND ZONED FOR MULTI-FAMILY USE. THE PROPOSED CHANGE WOULD REZONE THE APPROXIMATE 16.65-ACRE TRACT FROM THE ABOVE STATED DESIGNATIONS TO BISHOP HEIGHTS MULTI-FAMILY PLANNED DEVELOPMENT (BISHOP HEIGHTS MULTI-FAMILY PD) FOR MULTI-FAMILY AND COMMERCIAL USE. THE BISHOP HEIGHTS MULTI-FAMILY PD WOULD BE LOCATED EAST OF DEER PARK ROAD AND NORTH OF WEST THOMPSON STREET, DECATUR, TEXAS. **(APPLICATION PD2021-02—MR. TROY LEWIS' REQUEST ON BEHALF OF NS MF PARTNERS – DECATUR LLC) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND ABSENT.)**
9. HEAR STAFF REPORT, HOLD PUBLIC HEARING AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DECATUR, BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DECATUR, GRANTING ZONING CHANGE ON A PLANNED DEVELOPMENT FORMERLY KNOWN AS THE RODDEN ESTATES PLANNED DEVELOPMENT (RODDEN ESTATES PD), ORDINANCE 2019-09-20, A TRACT OF LAND IDENTIFIED AS BEING APPROXIMATELY 89.66 ACRE TRACT OF LAND CURRENTLY ZONED AS THE RODDEN ESTATES PD AND CONSISTING OF THE FOLLOWING LAND USE DESIGNATIONS: AN APPROXIMATE 68.93 ACRES OR 21 LOTS OF 4,000 SF TOWNHOME, 51 LOTS OF 5,500 SF, 94 LOTS OF 7,500 SF AND 36 LOTS OF 20,000 SF OF LAND ZONED FOR SINGLE FAMILY USE, AN APPROXIMATE 20.45 ACRES OF LAND ZONED FOR PARK/DRAINAGE AND AN APPROXIMATE 0.28 ACRES DESIGNATED FOR RIGHT OF WAY. THE PROPOSED CHANGE WOULD REZONE THE APPROXIMATE 89.66-ACRE TRACT FROM THE ABOVE STATED DESIGNATIONS TO VISTA PARK PLANNED DEVELOPMENT (VISTA PARK PD) FOR SINGLE-FAMILY AND COMMERCIAL USE. THE VISTA PARK PD WOULD BE LOCATED EAST OF DEER PARK ROAD AND NORTH OF WEST THOMPSON STREET, DECATUR, TEXAS. **(APPLICATION PD2021-03—MR. JODY BOYD'S REQUEST ON BEHALF OF MARSHA RODDEN) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, VICE-CHAIRMAN CRESWELL ABSTAINED AND CHAIRMAN LEMOND ABSENT.)**

10. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS AND/OR QUESTIONS RELATING TO 2020 ANNUAL DRINKING WATER QUALITY REPORT (CONSUMER CONFIDENCE REPORT) DISCUSSION BY COUNCIL.

CLOSE PUBLIC HEARING

11. CONSIDER AND TAKE ACTION ON A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A TAX EXEMPT LEASE-PURCHASE AGREEMENT BETWEEN THE CITY AND PNC EQUIPMENT FINANCE, LLC FOR A PIERCE-CUSTOM IMPEL PUMPER FOR THE FIRE DEPARTMENT AND AUTHORIZING FUNDING IN ACCORDANCE WITH THE ADOPTED CITY OF DECATUR BUDGET (REPLACING RESOLUTION 2020-09-11)
12. DISCUSS AND TAKE ACTION TO APPOINT THREE COUNCIL MEMBERS TO THE BUDGET COMMITTEE.
13. CONSIDER NOMINATION TO THE NCTCOG EMERGENCY PREPAREDNESS PLANNING COUNCIL (EPPC).
14. **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 APPROVAL OF MINUTES OF COUNCIL MEETING HELD MAY 24, 2021
 - B. CONSIDER APPROVAL OF BILLS AND INVOICES FOR MAY 2020
 - C. CONSIDER APPOINTMENT OF JEREMIAH GREENE TO PARKS ADVISORY BOARD WITH TERM TO EXPIRE MAY 31, 2023.
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.

EXECUTIVE SESSION – In accordance with Texas Government Code, Section 551.001, et seq., City Council will recess into Executive Session (closed meeting) to discuss the following:

§551.074: Personnel Matters – Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee – semi-annual review of City Manager.

16. CONSIDER AND TAKE APPROPRIATE ACTION, IF ANY, FROM 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, June 11, 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.**