



CITY OF DECATUR, TEXAS

REGULAR - CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
Monday, DECEMBER 13, 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 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

PUBLIC HEARING:

1. HOLD A PUBLIC HEARING AND RECEIVE PUBLIC COMMENTS REGARDING THE FOLLOWING:

REDISTRICTING PLANS – REVIEW OF PROPOSED PLANS FOR THE REDRAWING OF CITY COUNCIL MEMBER DISTRICTS BASED ON THE 2020 CENSUS.

PUBLIC REDISTRICTING PLANS – REVIEW OF ANY PROPOSED PLANS OR MAPS SUBMITTED BY MEMBERS OF THE PUBLIC.

CLOSE PUBLIC HEARING

2. DISCUSSION REGARDING THE PROPOSED PLANS FOR REDRAWING COUNCIL MEMBER DISTRICTS AND PUBLIC COMMENT; CONSIDER FIRST READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS, REPEALING ORDINANCE NO. 2011-09-13 AND ADOPTING A REVISED PLAN FOR THE CITY'S COUNCIL SINGLE MEMBER DISTRICTS AND A RELATED MAP; PROVIDING FOR RELATED MATTERS AND AN EFFECTIVE DATE.
3. DISCUSSION AND CONSIDERATION OF A RESOLUTION OF THE CITY OF DECATUR, TEXAS APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND PROVIDING FOR RELATED MATTERS.
4. DISCUSSION AND CONSIDERATION OF ALL MATTERS INCIDENT AND RELATED TO DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT, INCLUDING THE ADOPTION OF A RESOLUTION OF THE CITY OF DECATUR TEXAS PERTAINING THERETO.

PLANNING AND ZONING REPORT:

5. CONSIDER SECOND READING AND TAKING ACTION ON AN ORDINANCE AMENDING 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 6.7245 ACRES OF LAND LOCATED AT 2202 W. US HIGHWAY 380 BYPASS, DECATUR, TEXAS, AND AN APPROXIMATE 1.57 ACRES OF LAND GENERALLY LOCATED TO THE CENTERLINE OF US HIGHWAY 380 BYPASS AND ADJACENT TO 2202 W. US HIGHWAY 380 BYPASS, DECATUR, TEXAS, FROM ESTATE LIVING (EL) AND TRADITIONAL NEIGHBORHOOD (TN) LAND USE DESIGNATIONS TO AN ACTIVITY CENTER (AC) LAND USE DESIGNATION, AND WHICH WAS PART OF THE DISCONTINUED CONVENTION DISTRICT LAND USE DESIGNATION AND IS NOW A DECATUR 2050 STRATEGIC INVESTMENT AREA. THE PROPERTY IS MORE COMMONLY REFERRED TO AS 2202 W. US HIGHWAY 380 BYPASS, DECATUR, TEXAS. **(APPLICATION CP2021-01—MR. JORDAN SCHAEFER, ON BEHALF OF C.L. GAGE, GEORGE GAGE AND CEFCO) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 4-0, VICE-CHAIRMAN CRESWELL ABSENT.)**
6. CONSIDER SECOND READING AND TAKING ACTION ON AN ORDINANCE AMENDING 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 6.7245 ACRES OF LAND LOCATED AT 2202 W. US HIGHWAY 380 BYPASS, DECATUR, TEXAS, AND AN APPROXIMATE 1.57 ACRES OF LAND GENERALLY LOCATED TO THE CENTERLINE OF US HIGHWAY 380 BYPASS AND ADJACENT TO 2202 W. US HIGHWAY 380 BYPASS, DECATUR, TEXAS, FROM A SF-1, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, TO A C-2, THOROUGHFARE BUSINESS ZONING DISTRICT, WHICH IS PART OF THE "CD, CONVENTION OVERLAY" DISTRICT, AND VARIANCES TO OVERLAY DISTRICT REQUIREMENTS FOR FRONT YARD REQUIREMENTS, ROOF PITCH, EXTERIOR FAÇADE REQUIREMENTS, PRIMARY ENTRANCES, PARKING AND WALKWAY LOCATION REQUIREMENTS, UTILITIES, AND OPEN STORAGE. THE PROPERTY IS MORE COMMONLY REFERRED TO AS 2202 W. US HIGHWAY 380 BYPASS, DECATUR, TEXAS. **(APPLICATION ZC2021-02—MR. JORDAN SCHAEFER, ON BEHALF OF C.L. GAGE, GEORGE GAGE AND CEFCO) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 4-0, VICE-CHAIRMAN CRESWELL ABSENT.)**
7. CONSIDER SECOND READING AND TAKING ACTION ON AN ORDINANCE AMENDING

SECTION 3.2, "DEFINITIONS", OF ARTICLE 3, "DEFINITIONS", OF APPENDIX "B", "ZONING", OF THE CITY'S CODE OF ORDINANCES, CONTAINING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ("ZONING ORDINANCE"), TO PROVIDE THAT AUTOMATIC TELLER MACHINES ("ATMS"), MAY BE CONSIDERED AS A PRIMARY STRUCTURE IN THE C-1A, "DOWNTOWN DECATUR BUSINESS DISTRICT", C-1, "RESTRICTED BUSINESS DISTRICT", C-2, "THOROUGHFARE BUSINESS DISTRICT", CO, "OFFICE DISTRICT", LI, "LIGHT INDUSTRIAL DISTRICT" AND THE HI, "HEAVY INDUSTRIAL" ZONING DISTRICTS OF THE CITY UPON CITY COUNCIL APPROVAL OF A SPECIFIC USE PERMIT ("SUP") AND PROVIDING CRITERIA FOR COUNCIL CONSIDERATION OF A SPECIFIC USE PERMIT. **(APPLICATION S12021-03—CITY OF DECATUR) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 4-0, VICE-CHAIRMAN CRESWELL ABSENT.)**

8. CONSIDER SECOND READING AND TAKING ACTION ON AN ORDINANCE AMENDING SUBSECTION 4.3.6, "VARIANCES", OF SECTION 4.3, "BOARD OF ADJUSTMENT", OF ARTICLE 4, "ZONING PROCEDURES AND ADMINISTRATION", OF APPENDIX B, "ZONING", OF THE CITY'S CODE OF ORDINANCES, CONTAINING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ("ZONING ORDINANCE"), TO PROVIDE FOR AMENDMENTS TO THE ZONING BOARD OF ADJUSTMENT'S CONSIDERATION OF CRITERIA IN ITS DETERMINATION OF UNDUE HARDSHIP. **(APPLICATION S12021-04—CITY OF DECATUR) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 4-0, VICE-CHAIRMAN CRESWELL ABSENT.)**
9. CONSIDER TAKING ACTION TO ACCEPT THE RESIGNATION OF PLANNING AND ZONING COMMISSIONER CRESWELL AND TO APPOINT TWO PEOPLE TO FILL THE VACANT PLANNING AND ZONING COMMISSION SEATS RECENTLY VACATED BY COMMISSIONER CURTIS CRESWELL AND FORMERLY VACATED BY COMMISSIONER EDDIE ALLEN, EACH TERM TO EXPIRE OCTOBER 1, 2022. **(THE PLANNING AND ZONING COMMISSION RECOMMEND THAT MASON WOODRUFF AND CHAD LINDT BE SELECTED TO FILL THE VACANT SEATS BY UNANIMOUS VOTE, 5-0.)**
10. CONSIDER A FIRST READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS PROVIDING FOR AN AMENDMENT TO THE CITY'S FY 2021-2022 BUDGET, ADOPTED VIA ORDINANCE NO. 2021-09-12, TO ACCOUNT FOR THE ACCEPTED ARPA FUNDS IN THE GENERAL FUND AND THE WATER AND SEWER FUND; PROVIDING FOR THE FILING OF THE AMENDED FY 2021-2022 BUDGET; AND PROVIDING AN EFFECTIVE DATE.
11. **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, 5-0.)**
 - A. CITY COUNCIL TO CONSIDER TAKING ACTION ON A REQUEST TO FINAL 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 FP2021-07—MR. JORDAN SCHAEFER, ON BEHALF OF C.L. GAGE, GEORGE GAGE AND CEFCO)**
 - B. CONSIDER TAKING ACTION TO ACCEPT JOE LAMBERT'S RESIGNATION FROM THE CONFERENCE BOARD AND TO APPOINT CARY BOHN FOR THE REMAINDER OF THE UNEXPIRED TERM OF OFFICE ENDING MAY 31, 2022.

C. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING FOR NOVEMBER 22, 2021.

D. CONSIDER APPROVAL OF BILLS AND INVOICES FOR NOVEMBER 2021.

12. REQUEST FROM PROPERTY OWNER LORE MINER FOR CITY TO CONSIDER A POTENTIAL TEXT AMENDMENT TO THE ZONING ORDINANCE TO ALLOW A ZONING DISTRICT WITH SMALLER LOTS FOR TWO SINGLE FAMILY RESIDENCES LOCATED AT 800 AND 802 S. HILL STREET TO CHANGE FROM CURRENT 5,000 SQUARE FOOT MINIMUM REQUIRED LOT SIZE TO ALLOW THE CREATION OF TWO LOTS APPROXIMATELY 3,400 AND 3,900 SQUARE FEET RESPECTIVELY; DISCUSSION BY COUNCIL AND DIRECTION TO STAFF.
13. CONSIDER AND TAKE ACTION REGARDING THE CANCELLATION OF THE SECOND REGULAR CITY COUNCIL MEETING FOR DECEMBER 2021.
14. RECEIVE AN UPDATE, CONSIDER AND TAKE APPROPRIATE ACTION TO RETAIN A CONSULTANT TO PROVIDE AN INDEPENDENT REVIEW OF OPERATIONS AND PROCESSES IN THE PLANNING AND DEVELOPMENT DEPARTMENT AND AUTHORIZE THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS.
15. **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:

Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person regarding: Land for Location of City Facilities.

RECONVENE INTO OPEN SESSION:

Consider and take appropriate action regarding the City's potential purchase of land for the location of future City facilities as related to the proposed bond issuance and designate the City Manager and other City representatives to participate in negotiations.

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 Friday, December 10, 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.