



CITY OF DECATUR, TEXAS

WORKSHOP and REGULAR - CITY COUNCIL MEETING

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

May 23, 2022

WORKSHOP 5:30 p.m.

REGULAR MEETING 6:00 p.m. (or immediately following the workshop)

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](https://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.

WORKSHOP 5:30 p.m.

MONTHLY 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 regarding operations.

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 regarding the following items:

- Organization
- Promotion
- Design
- Economic Vitality

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

REGULAR MEETING 6:00 p.m.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. PRESENTATION TO COUNCIL MEMBER BEN BENNINGTON.
2. OATHS OF OFFICE TO BE ADMINISTERED TO MAYOR MIKE MCQUISTON AND COUNCIL MEMBERS AS FOLLOWS: PLACE 1 – DEBRA JACKSON, PLACE 3 – DARLENE HILTON, AND PLACE 5 – EDDIE ALLEN.
3. ORGANIZATION OF COUNCIL – CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE APPOINTMENT OF A MEMBER TO SERVE AS MAYOR PRO TEM, FOR THE PERIOD OF ONE YEAR IN ACCORDANCE WITH SECTION 2.07 OF THE CITY'S CHARTER. A MEMBER TO SERVE AS DEPUTY MAYOR PRO TEM, TWO COUNCIL MEMBERS TO SERVE AS EDC REPRESENTATIVES, A MEMBER TO SERVE AS COUNCIL OF GOVERNMENT REPRESENTATIVE AND A MEMBER TO SERVE AS AIRPORT LIAISON.
4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDINANCE AMENDING APPENDIX "B," "ZONING", OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PERMANENT MAKEUP APPLICATION, AS A SECONDARY USE, IN A C-1A, DECATUR SQUARE BUSINESS ZONING DISTRICT, ON APPROXIMATELY 0.523 ACRES OF LAND BEING LEGALLY DESCRIBED AS LOTS 1-4, BLOCK 10, ORIGINAL TOWN OF DECATUR, OR MORE COMMONLY REFERRED TO AS 206 N. STATE ST., DECATUR, TEXAS. **(APPLICATION SUP2022-01—MS. JENNIFER STEVENS) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**
5. CONSIDER TAKING ACTION ON A REQUEST TO PRELIMINARY PLAT LOTS 1-73, BLOCK A; LOTS 1-68, BLOCK B; LOTS 1-14, BLOCK C; LOTS 1-32, BLOCK D; LOTS 1-23, BLOCK E; LOTS 1-25, BLOCK F, LOTS 1-44, BLOCK G; LOTS 1-26, BLOCK H; LOTS 1-28, BLOCK I, LOTS 1-9, BLOCK J; LOTS 1-30, BLOCK K; LOTS 1-20, BLOCK L; LOTS 1-18, BLOCK M; LOTS 1-33, BLOCK N; AND LOTS 1-41, BLOCK O, AND 16 OPEN SPACE LOTS (500 TOTAL LOTS) MEADOW CREEK ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, BEING AN APPROXIMATE 137.02-ACRE TRACT OF LAND, OF WHICH 83.22 ACRES IS IN THE WILLIAM S. HOGUE SURVEY, ABSTRACT NUMBER 385, WISE COUNTY, TEXAS, AND OF WHICH 53.80 ACRES IS IN THE SMITH BOWEN SURVEY, ABSTRACT NUMBER 51, 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 PP2022-01—MR. TROY LEWIS, ON BEHALF OF RICK AND DEREK MCCARLEY) (THE PLANNING AND ZONING COMMISSION RECOMMEND CONDITIONAL APPROVAL 6-0.)**
6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FIRST AMENDMENT TO THE PERFORMANCE AGREEMENT BETWEEN THE DECATUR EDC AND EZRA ZION, LLC.
7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR ECONOMIC DEVELOPMENT OF THE CITY OF DECATUR, TEXAS, A TYPE A ECONOMIC DEVELOPMENT CORPORATION, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONSENT TO AN ASSIGNMENT RIGHTS BY AND BETWEEN GT PRODUCTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND EAGLES LANDING HOLDINGS, LLC, A TEXAS LIMITED LIABILITY COMPANY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A RESOLUTION DENYING THE PROPOSED CHANGE IN RATES AS SUBMITTED TO THE CITY BY ONCOR ELECTRIC DELIVERY COMPANY LLC.
9. **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 AND TAKE ACTION ON APPROVAL OF MINUTES OF COUNCIL MEETINGS HELD MAY 9, 2022, MAY 16, 2022 AND MAY 17, 2022.
 - b. CONSIDER AND TAKE ACTION ON APPROVAL OF BILLS AND INVOICES FOR APRIL 2022.
 - c. CONSIDER RE-APPOINTMENT OF THE FOLLOWING CEMETERY BOARD MEMBERS WITH TERMS TO EXPIRE MAY 31, 2022 AND ACCEPT THE RESIGNATION OF ANN LOGUE WITH NO REPLACEMENT AT THIS TIME:
 - a. Gene Blagg
 - b. Wayne Stone
 - c. Dennis Lee
 - d. Angela Smith
 - e. Cathy Tally
 - d. CONSIDER APPROVAL OF CEMETERY BOARD RE-APPOINTMENTS OF JOYCE HORTON TO SERVE AS SECRETARY, ANGELA SMITH AS PRESIDENT AND FABIOLA VALDEZ AS VICE PRESIDENT, TERMS TO END MAY 31, 2023.
10. **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:

CONSULTATION WITH ATTORNEY. SECTION 551.071: TO SEEK ADVICE FROM THE CITY ATTORNEY REGARDING (A) PENDING OR CONTEMPLATED LITIGATION; OR (B) A SETTLEMENT OFFER; OR (2) ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER: APPOINTMENT OF CITY MANAGER

PERSONNEL MATTERS. SECTION 551.074: TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE: APPOINTMENT OF CITY MANAGER
11. **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.
12. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTING A CITY MANAGER.
13. CONSIDER AND TAKE APPROPRIATE ACTION ON AN EMPLOYMENT AGREEMENT FOR THE CITY MANAGER.
14. 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.
15. 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, May 20, 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.**