



CITY OF DECATUR, TEXAS

WORKSHOP AND REGULAR - CITY COUNCIL MEETING

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

April 10, 2023

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 (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.

QUARTERLY 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.

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.

Police Department report by Police Chief 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. **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. §551.071 (b): OF THE TEXAS GOVERNMENT CODE, THE CITY COUNCIL WILL CONSULT WITH ITS ATTORNEY 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 RE: LEGAL ISSUES RAISED IN CONNECTION WITH IMPLEMENTATION OF PLANNING POLICIES AND PROCEDURES.
2. **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.

PUBLIC HEARING ITEMS:

3. FIRST READING OF AN ORDINANCE AND HOLD A PUBLIC HEARING TO AMEND THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP FOR APPROXIMATELY 62.97 ACRES OF LAND LOCATED EAST OF DEER PARK ROAD AND NORTH OF WEST THOMPSON STREET COMMONLY KNOWN AS VISTA PARK PLANNED DEVELOPMENT FROM TRADITIONAL NEIGHBORHOOD (TN) TO COMMUNITY COMMERCIAL (CC) AND COMPACT NEIGHBORHOOD (CN). **(COMPREHENSIVE PLAN AMENDMENT APPLICATION 2023-02—MR. JODY BOYD’S REQUEST ON BEHALF OF DECATUR VP, LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL, 4-0, VICE-CHAIRMAN KLOSE AND COMMISSIONER WOODRUFF ABSENT.) CP2023-02.**
4. FIRST READING OF AN ORDINANCE AND HOLD A PUBLIC HEARING TO REZONE APPROXIMATELY 0.471 ACRES OF LAND LOCATED AT 1603 N. COLORADO STREET FROM A SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (SF-2) TO A TWO-FAMILY RESIDENTIAL ZONING DISTRICT (2F). **(ZONING CHANGE APPLICATION 2023-03—MR. DUSTIN HUNTER, ON BEHALF OF PROPERTY OWNER DM LAND HOLDING LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL, 4-0, VICE-CHAIRMAN KLOSE AND COMMISSIONER WOODRUFF ABSENT.) ZC2023-03.**

NON-PUBLIC HEARING ITEMS:

5. TAKE ACTION ON JODY BOYD’S REQUEST, ON BEHALF OF TODD MCCARLEY AND DEREK MCCARLEY, FOR A 6-MONTH EXTENSION ON PRELIMINARY PLAT APPLICATION 2022-01 – A PRELIMINARY PLAT OF MEADOW CREEK, APPROVED ON MAY 23, 2022. **PP2022-01.**
6. CONSIDER TAKING ACTION ON A REQUEST FROM DM LAND HOLDING LLC FOR A VARIANCE FROM REQUIREMENTS TO INSTALL CURB AND GUTTER ON PROPERTY LOCATED AT 1603 N. COLORADO STREET, DECATUR, TEXAS, ALONG N. COLORADO STREET. **(APPLICATION V2023-03—MR. DUSTIN HUNTER, ON BEHALF OF PROPERTY OWNER DM LAND HOLDING LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMENDS DENIAL, 4-0, VICE-CHAIRMAN KLOSE AND COMMISSIONER WOODRUFF ABSENT.) V2023-03.**
7. CONSIDER TAKING ACTION ON A REQUEST FROM DM LAND HOLDING LLC FOR A VARIANCE FROM REQUIREMENTS TO INSTALL SIDEWALK ON PROPERTY LOCATED AT 1603 N. COLORADO STREET, DECATUR, TEXAS, ALONG N. COLORADO STREET. **(APPLICATION V2023-04—MR. DUSTIN HUNTER, ON BEHALF OF PROPERTY OWNER**

DM LAND HOLDING LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL, 4-0, VICE-CHAIRMAN KLOSE AND COMMISSIONER WOODRUFF ABSENT.) V2023-04.

8. CONSIDER TAKING ACTION ON A REQUEST FROM TOP RIDGE HOMES FOR A VARIANCE FROM REQUIREMENTS TO INSTALL CURB AND GUTTER ON PROPERTY LOCATED AT 1180 W. MAIN STREET, DECATUR, TEXAS, ALONG W. MAIN STREET. **(APPLICATION V2023-05—MS. NOCONA MUNDY, ON BEHALF OF PROPERTY OWNER TOP RIDGE HOMES.) (THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL, 3-1, COMMISSIONER BERUBE OPPOSED AND VICE-CHAIRMAN KLOSE AND COMMISSIONER WOODRUFF ABSENT.) V2023-05.**
9. CONSIDER TAKING ACTION ON A REQUEST FROM TOP RIDGE HOMES FOR A VARIANCE FROM REQUIREMENTS TO INSTALL SIDEWALK ON PROPERTY LOCATED AT 1180 W. MAIN STREET, DECATUR, TEXAS, ALONG W. MAIN STREET. **(APPLICATION V2023-06—MS. NOCONA MUNDY, ON BEHALF OF PROPERTY OWNER TOP RIDGE HOMES.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, VICE-CHAIRMAN KLOSE AND COMMISSIONER WOODRUFF ABSENT.) V2023-06.**
10. CONSIDER AND TAKE APPROPRIATE ACTION AUTHORIZING THE ORDER AND PURCHASING OF A 100' PIERCE AERIAL LADDER TRUCK FROM SIDDONSON-MARTIN EMERGENCY GROUP AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AGREEMENT.
11. CONSIDER AND TAKE APPROPRIATE ACTION AUTHORIZING THE PURCHASE OF A 2001 E-ONE 100' LADDER TRUCK FROM TEXAS FIRE TRUCKS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AGREEMENT.
12. CONSIDER TAKING ACTION ON A RESOLUTION DECLARING ENGINE 215, A 2008 ROSENBAUER SPARTAN FIRE ENGINE, AS SURPLUS PROPERTY, AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTION TO SOLICIT BIDS OR OTHERWISE PLACE ENGINE 215 FOR SALE AT A FAIR MARKET VALUE PRICE, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE SALE AND TRANSFER OF TITLE FOR THE FIRE ENGINE.
13. CONSIDER AND TAKE APPROPRIATE ACTION ON A GOVERNMENT LEASE PURCHASE AGREEMENT WITH AMERICAN NATIONAL LEASING COMPANY FOR A 2023 GMC SIERRA 2500 DOUBLE CAB 4WD VEHICLE FOR PUBLIC WORKS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.
14. CONSIDER AND TAKE APPROPRIATE ACTION ON A DESIGN/BUILD AGREEMENT WITH TRANSCEND, INC. FOR THE HARMON SKATE PARK AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.
15. DISCUSS AND TAKE APPROPRIATE ACTION TO RECEIVE A DONATION FROM TEQBALL FOR SPORTS EQUIPMENT (4 TEQONE TABLES) VALUED AT APPROXIMATELY \$14,000 AND AUTHORIZE THE CITY MANAGER TO ACKNOWLEDGE RECEIPT.
16. FIRST READING OF AN ORDINANCE FOR BILLING, DEPOSITS, SUSPENSION OF SERVICE, RECONNECTION OF SERVICE, LIENS, AND OTHER FINANCIAL CONSIDERATIONS RELATED TO PAYMENT OF WATER BILLS.
17. CONSIDER AND TAKE ACTION ON APPROVAL OF BILLS AND INVOICES FOR MARCH 2023.

18. 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.

19. 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 Thursday, April 6, 2023, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

Asucena Garcia

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.**