



CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
February 12, 2024
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/j/88241642850) (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

City Manager Report – Hear and discuss annual report by City Manager Nate Mara including relevant and follow-up discussion with Council and other staff.

Fire Department – Hear and discuss quarterly report by Fire Chief Deroy Bennett including relevant and follow-up discussion with Council and other staff.

Planning – Hear and discuss quarterly report as presented by Planning Director Ragland, including relevant and follow-up discussion with Council and other staff regarding the following items:

- Planning applications processed, including plats, zoning changes, sign variances, subdivision variances, design standards variances, and annexation cases; site plans/building permit reviews; and ordinance/policy amendments.

Building Inspections – Hear and discuss quarterly report by Chief Building Official Wayne Smith including relevant and follow-up discussion with Council and other staff.

Public Works and Airport – Hear and discuss quarterly report by Public Works Director/Airport Manager Greg Hall, including relevant and follow-up discussion with Council and other staff.

Finance – Hear and discuss quarterly report by Ana Canada, Finance Director, including relevant and follow-up discussion with Council and other staff.

REGULAR MEETING 6:00 p.m.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

PRESENTATION or RECOGNITION

PUBLIC HEARING ITEMS:

1. CONSIDER FIRST READING OF AN ORDINANCE AND A PUBLIC HEARING GIVING ALL INTERESTED PERSONS THE RIGHT TO APPEAR AND BE HEARD ON AN AMENDMENT TO APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A BOARDING OR ROOMING HOUSE IN A C-1, RESTRICTED BUSINESS ZONING DISTRICT, ON APPROXIMATELY 0.645 ACRES OF LAND LOCATED AT 1900 W. US HIGHWAY 300 BUSINESS, DECATUR, TEXAS. **(SPECIFIC USE PERMIT APPLICATION 2024-01—MS. DEBORAH LUSK) SUP2024-01**

PROCEDURAL HISTORY RELATED TO THIS ITEM FROM THE PLANNING AND ZONING COMMISSION MEETING HELD ON FEBRUARY 1, 2024:

FIRST MOTION - THE PLANNING AND ZONING COMMISSION RECOMMENDED DENIAL OF THE APPLICATION WITH A VOTE OF 3-2. THERE WAS INITIALLY A 2-2 TIE. CHAIRMAN LEMOND BROKE THE TIE WITH A VOTE IN FAVOR OF RECOMMENDING DENIAL. VICE-CHAIRMAN KLOSE AND COMMISSIONER HICKS ABSENT.

SECOND MOTION – THE PLANNING AND ZONING COMMISSION RECOMMENDED APPROVAL OF THE APPLICATION WITH A VOTE OF 3-2 WITH THE FOLLOWING RESTRICTIONS: PARKING, SCREENING, TRASH, FIRE SUPPRESSION, EGRESS, FIRE EXTINGUISHERS, AND THE RESTRICTION OF NO MORE THAN SIX RESIDENTS. THERE WAS INITIALLY A 2-2 TIE. CHAIRMAN LEMOND BROKE THE TIE WITH A VOTE IN FAVOR OF RECOMMENDING APPROVAL. VICE-CHAIRMAN KLOSE AND COMMISSIONER HICKS ABSENT.

(NOTE: OPPOSITION TO THE ZONING CHANGE APPLICATION HAS REACHED 27.2%. PER SECTION 4.4.7.D. OF THE ZONING ORDINANCE, A FAVORABLE VOTE OF THREE-FOURTHS (3/4) OF ALL MEMBERS OF THE CITY COUNCIL IS REQUIRED TO APPROVE ANY CHANGE IN ZONING WHEN A WRITTEN PROTEST SIGNED BY THE OWNERS OF AT LEAST TWENTY (20) PERCENT OF EITHER (1) THE AREA OF THE LOTS OR LAND COVERED BY THE PROPOSED CHANGE; OR (2) THE AREA OF THE LOTS OR LAND IMMEDIATELY ADJOINING THE AREA COVERED BY THE PROPOSED CHANGE AND EXTENDING TWO HUNDRED (200) FEET FROM THE AREA, HAS BEEN FILED WITH THE CITY SECRETARY, AND MEETS ALL REQUIREMENTS OF SECTION 211 OF THE TEXAS LOCAL GOVERNMENT CODE. PER SECTION 4.4.7.E. OF THE ZONING ORDINANCE, A VOTE OF THREE-FOURTHS (3/4) OF ALL MEMBERS OF THE CITY COUNCIL IS REQUIRED TO OVERRULE A RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION THAT A PROPOSED CHANGE TO A REGULATION OR BOUNDARY BE APPROVED.)

2. CONSIDER FIRST READING OF THE ORDINANCE AND A PUBLIC HEARING GIVING ALL INTERESTED PERSONS THE RIGHT TO APPEAR AND BE HEARD ON AN AMENDMENT TO APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DETACHED ACCESSORY DWELLING IN AN SF-2, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, ON APPROXIMATELY 0.22 ACRES OF LAND LOCATED AT 305 S. TRINITY STREET. **(SPECIFIC USE PERMIT APPLICATION 2024-02—MR. MATTHEW COOKE) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL WITH THE CONDITION THAT PRIOR TO OCCUPYING THE DETACHED ACCESSORY DWELLING, THE APPLICANT MUST SCHEDULE A SITE VISIT TO INSPECT FOR MINIMUM STANDARDS WITH THE BUILDING DEPARTMENT, 4-0, VICE-CHAIRMAN KLOSE AND**

NON-PUBLIC HEARING ITEMS:

3. CONSIDER TAKING ACTION ON A REQUEST TO PRELIMINARY PLAT LOTS 1X, 2X, 5X, 6X, 1-114, BLOCK 1, LOTS 1-17, BLOCK 2, LOTS 4X, 1-81, BLOCK 3, LOTS 3X, 1-13, BLOCK 4, LOTS 1-25, BLOCK 5, LOTS 1-11, BLOCK 6, LOTS 1-6, BLOCK 7, 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. **(PRELIMINARY PLAT APPLICATION 2023-11—MR. JODY BOYD, ON BEHALF OF RICK AND DEREK MCCARLEY) (THE PLANNING AND ZONING COMMISSION RECOMMEND CONDITIONAL APPROVAL WITH THE CONDITION THAT NO FINAL PLAT BE APPROVED AND NO CONSTRUCTION BE ALLOWED UNTIL THE ACCEPTANCE LETTER OF APPROVAL FROM THE SERVICE PROVIDER, ENLINK, IS RECEIVED, 3-1, COMMISSIONER BERUBE OPPOSED, VICE-CHAIRMAN KLOSE AND COMMISSIONER HICKS ABSENT.) PP2023-11**
4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A RESOLUTION ORDERING AND CALLING FOR A JOINT GENERAL ELECTION BETWEEN THE CITY OF DECATUR, THE DECATUR INDEPENDENT SCHOOL DISTRICT, AND WISE COUNTY WATER SUPPLY DISTRICT TO BE HELD ON MAY 4, 2024 FOR THE PURPOSE OF ELECTING A MAYOR (AT-LARGE) AND THREE (3) COUNCIL MEMBERS: PLACE 1, PLACE 3 (SINGLE MEMBER GEOGRAPHICAL DISTRICTS) AND PLACE 5 (AT-LARGE) FOR TWO (2) YEAR TERMS EACH TO SERVE AS MEMBERS OF THE DECATUR CITY COUNCIL; AUTHORIZING THE MAYOR TO EXECUTE A JOINT ELECTION AGREEMENT WITH WISE COUNTY ELECTIONS OFFICE TO CONDUCT THE ELECTION; SETTING FORTH POLLING DATES, TIMES AND LOCATIONS FOR EARLY VOTING AND ELECTION DAY VOTING; PROVIDING FOR PUBLICATION OF NOTICES AS REQUIRED BY LAW AND PROVIDING PROCEDURES TO CONDUCT THE ELECTION IN ACCORDANCE WITH CITY CHARTER AND STATE LAW. **RESOLUTION R2024-02-01**
5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A RESOLUTION OF THE CITY OF DECATUR AUTHORIZING APPLICATION WITH THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR FOR THE RIFLE RESISTANT BODY ARMOR GRANT PROGRAM; TO BE OPERATED FOR THE 2025 FISCAL BUDGET YEAR AND DESIGNATE THE CITY MANAGER AS THE GRANT'S AUTHORIZED OFFICIAL. **RESOLUTION R2024-02-03**
6. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION ADOPTING AN UPDATED INVESTMENT POLICY FOR FISCAL YEAR 2023-2024 AND PROVIDING AN EFFECTIVE DATE. **RESOLUTION R2024-02-02**
7. CONSIDER AND TAKE APPROPRIATE ACTION AMENDING THE EXISTING PROCUREMENT POLICY GOVERNING THE EXPENDITURE OF PUBLIC FUNDS FOR GOODS AND SERVICES.
8. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE A PROCUREMENT CARD POLICY.
9. CONSIDER AND TAKE APPROPRIATE ACTION TO ACCEPT THE QUARTERLY INVESTMENT REPORT.
10. DISCUSS AND PROVIDE APPROPRIATE DIRECTION TO STAFF REGARDING REGULATIONS AND PROCESSES RELATED TO THE ALLOWANCE OF CARPORTS.
11. **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 TAKING ACTION TO APPOINT LISA ESTRADA-PERDUE TO FILL THE VACANT OPEN REGULAR (ZONING) BOARD OF ADJUSTMENT SEAT, IF APPOINTED, HER TERM WILL EXPIRE OCTOBER 2025.
 - b. CONSIDER TAKING ACTION TO REMOVE JULIE PERKINS FROM THE ALTERNATE ZBA

(ZONING) BOARD OF ADJUSTMENT SEAT.

- c. CONSIDER TAKING ACTION TO APPOINT CECIL (BUSTER) CHANDLER TO FILL THE VACANT ALTERNATE (ZONING) BOARD OF ADJUSTMENT SEAT, IF APPOINTED, HIS TERM WILL EXPIRE OCTOBER 2025.
- d. CONSIDER AND TAKE ACTION ON APPROVAL OF BILLS AND INVOICES FOR JANUARY 2024.
- e. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETINGS HELD JANUARY 8, 2024 AND JANUARY 22, 2024.

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, February 9, 2024, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

Asucena Delgado

Asucena Delgado, 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.**