



CITY OF DECATUR, TEXAS

REGULAR - CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
May 09, 2022
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.

REGULAR MEETING 6:00 p.m.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. RECEIVE AND DISCUSS REPORTS FROM KIMLEY-HORN, PRESENTING FINDINGS OF THE 2022 WASTEWATER TREATMENT PLANT MASTER PLAN AND 2022 WATER TREATMENT PLANT MASTER PLAN. NO ACTION REQUIRED.
2. CONSIDER AND TAKE ACTION TO AWARD BID TO LEETECH SOLUTIONS, LLC, ALEDO, TEXAS IN THE BASE BID AMOUNT OF \$1,201,065.00 FOR THE 2022 WALMART SEWER LINE D AND AUTHORIZE THE CITY MANAGER TO SIGN CONTRACT DOCUMENTS.

Public Hearing Items:

3. HEAR STAFF REPORT, HOLD A PUBLIC HEARING, HEAR PUBLIC COMMENTS AND CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOTS 1-20, BLOCK 1, PIPER ADDITION, BEING AN APPROXIMATELY 4.063-ACRE TRACT OF LAND IN THE CITY OF DECATUR, WISE COUNTY, TEXAS AND BEING A REPLAT OF LOT 1-R, BLOCK 11-R, NORTH DECATUR ADDITION, DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(APPLICATION RP2022-02—**

MR. DAVID FULLER, ON BEHALF OF FX5 REAL ESTATE INVESTMENTS, LLC) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)

4. HEAR STAFF REPORT, HOLD A PUBLIC HEARING, HEAR PUBLIC COMMENTS AND CONSIDER FIRST READING OF AN ORDINANCE REGARDING 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 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. CONDUCT A PUBLIC HEARING ON THE PROPOSED CITY OF DECATUR PROPERTY ASSESSED CLEAN ENERGY (“PACE”) PROGRAM, INCLUDING THE REPORT MADE AVAILABLE FOR PUBLIC INSPECTION, AS REQUIRED BY SECTION 399.08 OF THE PACE ACT, CHAPTER 399 OF THE TEXAS LOCAL GOVERNMENT CODE.

Non-Public Hearing Items:

6. 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.)**
7. CONSIDER AND TAKE APPROPRIATE ACTION ON RESOLUTION 2022-04-07, A RESOLUTION OF THE CITY OF DECATUR, TEXAS, ESTABLISHING THE CITY OF DECATUR PROPERTY ASSESSED CLEAN ENERGY (“PACE”) PROGRAM.
8. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROFESSIONAL SERVICES AGREEMENT FOR ADMINISTRATION OF THE CITY OF DECATUR PROPERTY ASSESSED CLEAN ENERGY (“PACE”) PROGRAM WITH LONE STAR PACE; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE NECESSARY DOCUMENTS.
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 APRIL 4, 2022, APRIL 25, 2022, MAY 2, 2022, MAY 4, 2022 AND MAY 5, 2022.
 - b. CONSIDER RE-APPOINTMENT FOR THE CONFERENCE CENTER ADVISORY BOARD WITH TERMS TO EXPIRE MAY 31, 2022:
 - a. Jeannine Eaton
 - b. Cary Bohn
 - c. Danny Cross

- d. Christie Rhine
 - c. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST BY DECATUR MAIN STREET FOR THE FOLLOWING CLOSURE FOR A CRAWFISH BOIL ON MAY 14, 2022 FROM 5PM TO 8PM: MARKET STREET FROM WALNUT STREET ON THE NORTH TO MAIN STREET ON THE SOUTH SIDE.
 - d. CONSIDER TAKING ACTION TO APPOINT DR. WILLIAM IKERD TO FILL A VACANT REGULAR (ZONING) BOARD OF ADJUSTMENT SEAT, TERM TO EXPIRE OCTOBER 2023.
 - e. CONSIDER TAKING ACTION TO APPOINT MR. WAYNE STONE TO FILL THE VACANT ALTERNATE (ZONING) BOARD OF ADJUSTMENT SEAT, TERM TO EXPIRE OCTOBER 2023.
 - f. CONSIDER APPOINTMENT AND CONTRACT WITH ASSISTANT/ASSOCIATE MUNICIPAL COURT JUDGE SALLAS.
 - g. CONSIDER REAPPOINTMENT AND CONTRACT WITH PRESIDING MUNICIPAL COURT JUDGE GREEN.
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:

PERSONNEL MATTERS. §551.074: TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE: INTERIM CITY MANAGER CANDIDATES.

- 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. 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, May 6, 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.**