



CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
September 9, 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/join) (MEETING/WEBINAR ID: 817 5047 6447 PASSCODE: 823992) 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 BEGINNING OF THE MEETING**, when the Mayor calls for public comment, you will be recognized by 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 the speaker's name and address and must identify the agenda item number for which the speaker would like to speak. A card must be submitted to Asucena Delgado, 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 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 period will be extended to six (6) minutes if a translator is required for a non-English speaker to communicate the speaker's 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

PRESENTATIONS, RECOGNITION

PROCLAMATION: PATRIOT DAY, NATIONAL DAY OF SERVICE AND REMEMBRANCE.

OPEN PUBLIC HEARING:

1. CONDUCT PUBLIC HEARING AND RECEIVE COMMENTS REGARDING FISCAL YEAR 2024-2025 AD VALOREM TAX RATE OF \$.577551.
2. CONDUCT A PUBLIC HEARING TO CONSIDER PUBLIC COMMENT REGARDING THE CREATION OF THE MEADOW CREEK PUBLIC IMPROVEMENT DISTRICT AND ACT UPON A RESOLUTION CREATING THE MEADOW CREEK PUBLIC IMPROVEMENT DISTRICT.
3. 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 VETERINARIAN CLINIC, INDOOR PENS ONLY, IN A C-O, OFFICE BUSINESS ZONING DISTRICT, ON APPROXIMATELY 0.76 ACRES OF LAND LOCATED AT 1600 W. US HIGHWAY 380 BUSINESS, DECATUR, TEXAS. (SPECIFIC USE PERMIT APPLICATION 2024-07—DR. JOE ABEL, ON BEHALF OF PROPERTY OWNER WISE

ASSOCIATES LP) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND AND COMMISSIONER BERUBE ABSENT.) **SUP2024-07 ORDINANCE 2024-09-27.**

4. 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 REZONE APPROXIMATELY 0.541 ACRES OF LAND LOCATED AT 1102/1202 OLD CHICO ROAD AND 0.06 ACRES OF LAND GENERALLY LOCATED TO THE CENTERLINE OF OLD CHICO ROAD FROM THOROUGHFARE BUSINESS ZONING DISTRICT (C-2) TO SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (SF-2). (ZONING CHANGE APPLICATION 2024-05—RICK DEFALCO, ON BEHALF OF PROPERTY OWNER OSCAR FONSECA) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND AND COMMISSIONER BERUBE ABSENT.) **ZC2024-05 ORDINANCE 2024-09-28**

CLOSE PUBLIC HEARING:

5. CONSIDER SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS AND TAKE APPROPRIATE ACTION TO ADOPT A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025, IN ACCORDANCE WITH THE CITY CHARTER AND STATE LAW; PROVIDING FOR THE FILING OF THE BUDGET AS REPRESENTED IN DRAFT FORM; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. **ORDINANCE 2024-09-23**
6. CONSIDER SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS AND TAKE APPROPRIATE ACTION TO APPROVE THE 2024 CERTIFIED APPRAISAL ROLL; LEVYING AD VALOREM TAXES FOR 2024 AT \$.577551 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY TO PROVIDE REVENUES FOR CURRENT EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING DUE AND DELINQUENT DATES; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. **ORDINANCE 2024-09-24**
7. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION OF THE CITY OF DECATUR, TEXAS AUTHORIZING AND CREATING THE MEADOW CREEK PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE. **RESOLUTION R2024-08-18**
8. CONSIDER FIRST READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS, TO REPEAL AND REPLACE ORDINANCE 2024-03-07 AMENDING AND ADOPTING A NEW SCHEDULE OF FEES. **ORDINANCE 2024-09-26**
9. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE AN EASEMENT AND MAINTENANCE AGREEMENT WITH INDUSTRIAL DIESEL FOR A 8" WATERLINE.
10. CONSIDER AND TAKE ACTION TO APPROVE A PARKING LOT USE AGREEMENT BETWEEN IMMANUEL BAPTIST CHURCH, WISE COUNTY, AND THE CITY OF DECATUR AND AUTHORIZE THE CITY MANAGER TO SIGN THE CONTRACT.
11. DISCUSSION REGARDING NAMING AND RENAMING OF ROADWAYS.
12. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST BY KEEP DECATUR BEAUTIFUL TO WAIVE GARAGE SALE FEES AND PERMIT PROCESS FOR A CITYWIDE GARAGE SALE ON OCTOBER 12, 2024, AND HEAR EVENT COORDINATION UPDATE.

13. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REVISIONS TO THE CITY OF DECATUR PERSONNEL POLICIES REGARDING MERIT PAY AND PUBLIC SAFETY STEP PLAN.
14. **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, CHAIRMAN LEMOND AND COMMISSIONER BERUBE ABSENT.)**
- A. **PP2024-01** CONSIDER TAKING ACTION REGARDING A REQUEST TO PRELIMINARY PLAT LOTS 1-3, BLOCK 1, OLD CHICO ROAD ESTATES BEING A 0.541-ACRE TRACT IN THE GEORGE M. VIGIL SURVEY, ABSTRACT NUMBER 857, IN THE CITY OF DECATUR, WISE COUNTY, TEXAS. **(PRELIMINARY PLAT APPLICATION 2024-01—RICK DEFALCO, ON BEHALF OF OSCAR FONSECA)**
 - B. **FP2024-03** CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOTS 1-3, BLOCK 1, OLD CHICO ROAD ESTATES BEING A 0.5413-ACRE TRACT IN THE GEORGE M. VIGIL SURVEY, ABSTRACT NUMBER 857, IN THE CITY OF DECATUR, WISE COUNTY, TEXAS. **(FINAL PLAT APPLICATION 2024-03—RICK DEFALCO, ON BEHALF OF OSCAR FONSECA)**
 - C. **RP2024-05** CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOTS 1R-1 AND 1R-2, BLOCK 1, MARKETPLACE ADDITION BEING A REPLAT OF LOT 1, BLOCK 1M MARKETPLACE ADDITION, IN THE CITY OF DECATUR, WISE COUNTY, TEXAS. **(REPLAT APPLICATION 2024-05—SUZANNE SHELTON, ON BEHALF OF 4S MARKET PLACE, LP)**

CONSENT AGENDA VOTE WILL INCLUDE THE FOLLOWING REGULAR COUNCIL CONSENT ITEMS:

- D. CONSIDER SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS AND TAKE APPROPRIATE ACTION ACCEPTING AND APPROVING THE 2024 ANNUAL UPDATE TO THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR THE VISTA PARK PUBLIC IMPROVEMENT DISTRICT INCLUDING THE COLLECTION OF THE 2024 ANNUAL INSTALLMENTS. **ORDINANCE 2024-09-25**
 - E. CONSIDER AND TAKE ACTION ON APPROVAL OF BILLS AND INVOICES FOR AUGUST 2024.
 - F. CONSIDER AND TAKE ACTION TO APPOINT DANNY CROSS, WILL KLOSE, SHELBY HICKS, AND JOHN LANIER TO SERVE ON THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE.
15. 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 rather than to individual members, and no action will be taken by the Council.
16. **EXECUTIVE SESSION** - IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:
- a. **PERSONNEL MATTERS. § 551.074:** TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE: PRESIDING MUNICIPAL JUDGE.
17. **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.

18. 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, September 5, 2024, at 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.**