



CITY COUNCIL MEETING
Decatur City Hall - 201 E. Walnut, Decatur, TX
November 12, 2024
AND VIA VIDEOCONFERENCE/TELECONFERENCE

Videoconferencing is being used to allow the public and staff to attend 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:) or 563791 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

CITIZENS COMMENTS AND ANNOUNCEMENTS. (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 made to the Council rather than to individual members, and no action will be taken by the Council.

AGENDA ITEMS

1. SWEARING IN CEREMONY OF DECATUR FIRE DEPARTMENT FIREFIGHTERS:
 - JAMES "DALLAS" HUDGINS
 - WILLIAM MARTIN
 - COLE EFT

PUBLIC HEARING ITEMS:

- Open Public Hearing at: _____ Close Public Hearing at: _____
2. **RP2024-06** HEAR PUBLIC COMMENTS AND CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOT 4R, BLOCK 26, ORIGINAL TOWN OF DECATUR, BEING A REPLAT OF LOT 4, BLOCK 26, ORIGINAL TOWN OF DECATUR TO THE CITY OF DECATUR, WISE COUNTY, TEXAS. THE PROPERTY IS LOCATED AT 406 N. CHURCH STREET. **(REPLAT APPLICATION 2024-06—BRENDAN MITCHELL) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, COMMISSIONER LANIER ABSENT.)**

- Open Public Hearing at: _____ Close Public Hearing at: _____
3. **SUP2024-08** 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 A SF-2, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, ON APPROXIMATELY 0.22 ACRES OF LAND LOCATED AT 406 N. CHURCH STREET. **(SPECIFIC USE PERMIT APPLICATION 2024-08—MR. BRENDAN MITCHELL) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, COMMISSIONER LANIER ABSENT.)**

- Open Public Hearing at: _____ Close Public Hearing at: _____
4. **SUP2024-09** 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 DAY CARE IN A SF-1, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, ON APPROXIMATELY 7.56 ACRES OF LAND LOCATED AT 2601 S. FM 51. **(SPECIFIC USE PERMIT APPLICATION 2023-09—MS. ALEXANDRIA GILLISPIE, ON BEHALF OF DECATUR CHURCH OF CHRIST) (THE PLANNING AND ZONING COMMISSION RECOMMEND 4-0, COMMISSIONER HICKS RECUSED AND COMMISSIONER LANIER ABSENT.)**

- Open Public Hearing at: _____ Close Public Hearing at: _____
5. **SI2024-04** CONSIDER FIRST READING OF AN ORDINANCE AND A PUBLIC HEARING GIVING ALL INTERESTED PERSONS THE RIGHT TO APPEAR AND BE HEARD ON AN ORDINANCE AMENDING THE CODE OF ORDINANCES IN APPENDIX B — "ZONING," ARTICLE 5 "ZONING DISTRICT STO REVISE THE MINIMUM LOT SIZE FOR RESIDENTIAL DEVELOPMENT FROM 5,000 SQUARE FEET TO 8,000 SQUARE FEET IN THE SF-2, TH, 2F, MF, MHD, C-1, C-1A, C-2 AND PD ZONING DISTRICTS. **(STAFF INITIATED APPLICATION 2024-04—CITY OF DECATUR) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0 WITH A PROVISO THAT THE CITY COUNCIL CONSIDER EXTENDING THE EFFECTIVE DATE TO SIXTY (60) DAYS FROM THE ADOPTION OF THE ORDINANCE, COMMISSIONER LANIER ABSENT.)**

SF-2 = SINGLE-FAMILY RESIDENTIAL DISTRICT
2F = TWO-FAMILY RESIDENTIAL DISTRICT
MHD = MANUFACTURED HOME DISTRICT
TH = TOWNHOUSE RESIDENTIAL
MF = MULTIPLE-FAMILY RESIDENTIAL DISTRICT

C-1A = DOWNTOWN DISTRICT
C-1 = RESTRICTED BUSINESS DISTRICT
C-2 = THOROUGHFARE BUSINESS DISTRICT
PD = PLANNED DEVELOPMENT DISTRICT

NON-PUBLIC HEARING ITEMS:

6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A CONSTRUCTION MANAGER AT RISK (CMAR) AGREEMENT BETWEEN THE CITY OF DECATUR, TEXAS AND CROSSLAND CONSTRUCTION COMPANY, INC. FOR THE CONSTRUCTION OF FIRE STATION 2 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS.
7. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A SOCIAL MEDIA POLICY AND MEETING THE REQUIREMENTS OF SB1893 PROHIBITING THE USE OF TIKTOK ON GOVERNMENT ISSUED DEVICES. **RESOLUTION R2024-11-24**

8. DISCUSSION OF UPCOMING CHARTER REVIEW COMMISSION AND PROCESS.
9. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE A RESOLUTION SETTING A PUBLIC HEARING DATE FOR DECEMBER 9, 2024, AT 6:00 P.M. TO CONSIDER CREATION OF TAX INCREMENT REINVESTMENT ZONE NO. ONE. **RESOLUTION R2024-11-25**
10. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE AN INTERLOCAL AGREEMENT WITH WISE COUNTY FOR FIRE PROTECTION AND FIRST RESPONDER SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS.
11. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE A WISE COUNTY MUTUAL FIRE PROTECTION AND FIRST RESPONDER ORGANIZATION SERVICES AGREEMENT WITH THE FIRE SERVICES PROVIDERS THROUGHOUT WISE COUNTY AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS.
12. CONSIDER AND TAKE APPROPRIATE ACTION TO APPOINT A RESIDENT OF THE EXTRA-TERRITORIAL JURISDICTION (ETJ) LIMITS OF THE CITY OF DECATUR TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE (CIAC).
13. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE A 60-MONTH LEASE AGREEMENT WITH CANON SOLUTIONS AMERICA, INC.
14. CONSIDER SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, AND TAKE APPROPRIATE ACTION TO APPROVE THE ADOPTION OF THE 2021 INTERNATIONAL FIRE CODE. **ORDINANCE 2024-11-30**
15. CONSIDER SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, AND TAKE APPROPRIATE ACTION TO ADOPT THE 2023 NATIONAL ELECTRICAL CODE AND THE FOLLOWING 2021 INTERNATIONAL CODES: BUILDING, MECHANICAL, PLUMBING, RESIDENTIAL, FUEL GAS, ENERGY CONSERVATION, EXISTING BUILDING, AND SWIMMING AND SPA ALONG WITH RELATED LOCAL AMENDMENTS. **ORDINANCE 2024-11-31**
16. **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. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, COMMISSIONER LANIER ABSENT.)**
 - a. **PP2024-02** CONSIDER TAKING ACTION REGARDING A REQUEST TO PRELIMINARY PLAT LOT 1, BLOCK 1, LUMBERYARD ADDITION BEING A 8.61-ACRE TRACT IN THE J. ALDRIDGE SURVEY, ABSTRACT NUMBER 17, IN THE CITY OF DECATUR, WISE COUNTY, TEXAS. **(PRELIMINARY PLAT APPLICATION 2024-02—TODD GARNER, ON BEHALF OF G & W PARTNERSHIP)**
 - b. **FP2024-04** CONSIDER TAKING ACTION REGARDING A REQUEST TO FINAL PLAT LOT 1, BLOCK 1, LUMBERYARD ADDITION BEING A 8.61-ACRE TRACT IN THE J. ALDRIDGE SURVEY, ABSTRACT NUMBER 17, IN THE CITY OF DECATUR, WISE COUNTY, TEXAS. **(FINAL PLAT APPLICATION 2024-04—TODD GARNER, ON BEHALF OF G & W PARTNERSHIP)****CONSENT AGENDA VOTE WILL INCLUDE THE FOLLOWING REGULAR COUNCIL CONSENT ITEMS:**
 - c. CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF COUNCIL MEETINGS HELD OCTOBER 14, 2024, OCTOBER 17, 2024, AND OCTOBER 28, 2024.

- d. CONSIDER AND TAKE ACTION ON APPROVAL OF BILLS AND INVOICES FOR OCTOBER 2024.
- e. CONSIDER AND TAKE ACTION ON A REQUEST BY THE DECATUR CHAMBER OF COMMERCE FOR THE MOONLIGHT MADNESS LIGHTED PARADE ON DECEMBER 7, 2024. CLOSING THE FOLLOWING STREETS:
 - 10:00 PM ON FRIDAY, DECEMBER 6TH CLOSE THE INTERIOR PARKING SPOTS AROUND THE COURTHOUSE ON WALNUT, STATE, TRINITY AND MAIN STREETS.
 - 2:00 PM TO 8:00 PM ON SATURDAY, DECEMBER 7TH CLOSE 121 N. STATE STREET TO 103 N. STATE STREET.
 - 2:00 PM SATURDAY, DECEMBER 7TH BLOCK PARKING SPACES ON WALNUT AND MAIN STREETS ON THE BUSINESS SIDE, SPACES TO REOPEN FOLLOWING THE PARADE
 - 2:30 PM ON SATURDAY, DECEMBER 7TH EMBRY STREET LEADING INTO EAGLE STADIUM
 - 5:30 PM ON SATURDAY, DECEMBER 7TH FROM EAGLE STADIUM THE PARADE WILL TRAVEL WEST ON WALNUT STREET, LEFT ON WASHBURN, THEN TURN LEFT ON TO MAIN STREET. THE PARADE WILL BEGIN AT 6:00 PM.

17. **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. **§§ 551.087: DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS:** to deliberate offers of economic development incentives regarding the Paloma Trails development and a development agreement with Libertas Decatur, LLC.

18. **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.

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 Friday, November 8, 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 the 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.**