



CITY OF DECATUR, TEXAS

AGENDA

CITY COUNCIL MEETING VIA - VIDEOCONFERENCING

Decatur City Hall

201 E. Walnut, Decatur, TX

Monday, November 16, 2020

SPECIAL MEETING

6:00 p.m.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

*General Agenda Comments – **ALL ATTENDEES WILL BE SCREENED AT THE DOOR AND ASKED TO WEAR MASKS – SOCIAL DISTANCING MEASURES WILL BE OBSERVED***

The videoconferencing option of this meeting is a trial being used to allow Council members, staff and public participants to join the meeting in person or by videoconferencing or you may email your comments to be read at the meeting to: dcockrell@decaturtx.org before 3:00 p.m. on Monday, November 16th give your name, address phone number and agenda item number, limiting comments to 3 minutes.

If you have questions you can call 940-393-0204 before noon on the date of the meeting.

Join the meeting via Videoconferencing at the following link from your computer, tablet or smartphone: <https://global.gotomeeting.com/join/946544253>

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 hold up your hand when the Mayor calls for public comment and you will be recognized by the Mayor to address the Council and will be allowed 3 minutes to complete your comments.

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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 Diane Cockrell, City Secretary, so that the speaker may be recognized by the Chair at the appropriate time. Speakers will each be allowed a total of 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 Commission'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.

1. CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON NOVEMBER 9, 2020. Pages 1-3
2. CONSIDER AND TAKE ACTION ON THE APPROVAL OF A RESOLUTION OF THE CITY OF DECATUR, TEXAS, CANVASSING AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING A MAYOR, ONE (1) COUNCIL MEMBER FOR PLACE NO. 1, ONE (1) COUNCIL MEMBER FOR PLACE NO. 3,

AND ONE (1) COUNCIL MEMBER FOR PLACE NO. 5, TO THE DECATUR CITY COUNCIL, EACH FOR A TERM OF TWO (2) YEARS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR CONFIRMATION OF VOTE TABULATION AND CANVASS; PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF ELECTION; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE. Pages 4-7

3. PRESENTATION TO MAYOR MARTIN WOODRUFF, COUNCIL MEMBERS CARMELINA HOLLOWAY AND JAY DAVIDSON. No backup
4. OATHS OF OFFICE TO BE ADMINISTERED TO MAYOR MIKE MCQUISTON AND COUNCIL MEMBERS: PLACE 1- BEN BENNINGTON, PLACE 3 – DARLENE HILTON AND PLACE 5 – EDDIE ALLEN. No backup
5. ORGANIZATION OF COUNCIL – CONSIDER AND TAKE ACTION TO APPOINT A MEMBER TO SERVE AS MAYOR PRO TEM, A MEMBER TO SERVE AS DEPUTY MAYOR PRO TEM, TWO COUNCIL MEMBERS TO SERVE AS EDC REPRESENTATIVES, A MEMBER TO SERVE AS COUNCIL OF GOVERNMENT REPRESENTATIVE AND A MEMBER TO SERVE AS AIRPORT LIAISON. Page 8
6. CONSIDER AND TAKE ACTION TO CALL A SPECIAL MEETING IN DECEMBER. Page 9
7. HEAR OVERVIEW OF ONBOARDING FOR NEWLY ELECTED COUNCIL MEMBERS FOR TRAINING REQUIREMENTS/OPTIONS AND UNDERSTANDING OF CITY SERVICES AND OPERATIONS. FUTURE PLANS FOR DEPARTMENT MANAGERS TO PRESENT TO COUNCIL THEIR PLANS/GOALS IN CONNECTION TO THE 2050 COMPREHENSIVE PLAN VISION; DISCUSSION OF SAME. No backup
8. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS. No backup

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 13, 2020, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

Diane Cockrell, TRMC, CMC
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.

**MINUTES OF THE
CITY COUNCIL MEETING – VIA VIDEOCONFERENCING
Monday, November 9, 2020
REGULAR MEETING
6:00 p.m.**

PRESENT: Mayor Martin Woodruff, Council members, Will Carpenter, Jay Davidson, Dr. Carmelina Holloway, Mike McQuiston, Melinda Reeves and Jake Hayes.

ABSENT:

OTHERS PRESENT: City Manager Brett Shannon, Fire Chief Nate Mara, IT Director J.B. McKenzie, Police Captain Delvon Campbell, HR Director Mary Ann Henline, Finance Director Ana Canadá, Deputy City Secretary Asucena Garcia, City Secretary Diane Cockrell, City Attorney Emily Bolen, Brian Knox representing the Wise County Messenger and connected via videoconferencing: Planning Director Dedra Ragland, Public Works/Airport Director Greg Hall, and City Engineer Earl Smith.

*The attendees were screened for Covid-19 symptoms prior to entry by Decatur Fire personnel and social distancing was observed.

General Agenda Comments – ALL ATTENDEES WILL BE SCREENED AT THE DOOR AND ASKED TO WEAR MASKS – SOCIAL DISTANCING MEASURES WILL BE OBSERVED

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**REGULAR MEETING
6:00 p.m.**

CALL TO ORDER

Mayor Woodruff called meeting to order at 6:02 p.m.

MOMENT OF SILENCE

Mayor Woodruff declared a moment of silence.

PLEDGE OF ALLEGIANCE

Council member Holloway led the pledge.

PLANNING AND ZONING REPORT:

1. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 100 LINEAR FEET ALONG S. COLLEGE AVENUE, WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 3R, BLOCK 29, SOUTH DECATUR ADDITION, MORE COMMONLY KNOWN AS 903 S. COLLEGE AVE., DECATUR, TEXAS. (APPLICANT: MR. MARC SANDERS). **THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-1, COMMISSIONER BERUBE OPPOSED. (VARIANCE APPLICATION V2020-08)**

Engineer Smith presented this item.

Marc Sanders 903 S. College Ave. addressed the Council.

Council member McQuiston moved to approve the variance application V2020-08 as presented. Council member Hayes seconded the motion. The motion passed unanimously.

2. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, "SIDEWALKS," OF THE CITY OF DECATUR'S DESIGN STANDARDS ON APPROXIMATELY 150 LINEAR FEET ALONG E. HALE STREET, WHERE ADJACENT TO THE SOUTH BOUNDARY OF PROPOSED LOT 3R, BLOCK 29, SOUTH DECATUR ADDITION, MORE COMMONLY KNOWN AS 903 S. COLLEGE AVE., DECATUR, TEXAS (APPLICANT: MR. MARC SANDERS). **THE PLANNING AND ZONING COMMISSION RECOMMEND DENIAL 5-1, Commissioner ALLEN opposed. (VARIANCE APPLICATION V2020-09)**

Engineer Smith presented this item.

Marc Sanders 903 S. College Ave. addressed the Council.

Council member Hayes moved to approve the variance application V2020-09 as requested and overturn the denial by Planning and Zoning. Council member Carpenter seconded the motion. The motion passed 6-1-0 with Mayor Woodruff opposing.

END OF PLANNING AND ZONING REPORT.

3. CONSIDER AND TAKE ACTION TO AWARD A BID FOR CITY EMPLOYEE GROUP HEALTH AND DENTAL INSURANCE FOR THE ENROLLMENT PERIOD OF JANUARY 1, 2021 - DECEMBER 31, 2021 AND TO AUTHORIZE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS.

Rodney Dryden informed the Council of the insurance options for employees.

Council member Carpenter moved to approve the awarding of the bid for employee group health and dental insurance as presented and authorize the City Manager to execute. Council member Holloway seconded the motion. The motion passed unanimously.

4. CONSIDER AND TAKE ACTION ON A JOINT SERVICES AGREEMENT BETWEEN THE CITY OF DECATUR AND *GATEHOUSE DECATUR OWNERSHIP, LLC* FOR QUALIFIED MARKETING EXPENDITURES TO EXPIRE SEPTEMBER 30, 2021, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ANY OTHER NECESSARY DOCUMENTS.

Council member Reeves moved to approve the service agreement with Gatehouse Decatur

Ownership, LLC as presented and authorize the City Manager to execute. Council member Holloway seconded the motion. The motion passed unanimously.

OPEN PUBLIC HEARING:

5. CONDUCT A PUBLIC HEARING, HOLD DISCUSSION AND CONSIDER AND TAKE APPROPRIATE ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING APPENDIX A "SUBDIVISIONS", TO AMEND SECTION 104.5, "NO PERMITS WITHOUT FULL COMPLIANCE" OF SECTION 104, "SPECIAL PROVISIONS FOR ENFORCEMENT", OF CHAPTER 1, "ADMINISTRATION" TO PROVIDE AN EXCEPTION TO THE PLATTING REQUIREMENT FOR CERTAIN TYPES OF PERMITS ISSUED FOR WORK INTERNAL TO A STRUCTURE, AND TO AMEND CHAPTER 9, "EXEMPTIONS", SECTION "901 – EXEMPTIONS TO SUBDIVISION REGULATIONS" TO PROVIDE EXEMPTIONS FROM CURB, GUTTER AND SIDEWALK REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING A CUMULATIVE REPEALER AND SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

After discussion with Attorney Adams, no new Ordinance needed at this time, no action taken.

CLOSE PUBLIC HEARING

6. **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 MEETING HELD ON OCTOBER 26, 2020.

- B. CONSIDER AND TAKE ACTION ON APPROVAL OF BILLS AND INVOICES FOR OCTOBER 2020

Council member Davidson moved to approve the consent agenda as presented. Council member Holloway seconded the motion. The motion passed 6-1-0 with Council member Carpenter voting against.

7. CONSIDER AND TAKE ACTION TO CALL A SPECIAL MEETING ON MONDAY, NOVEMBER 16, 2020 AT 6:00 P.M. TO CANVASS NOVEMBER 3, 2020 CITY OF DECATUR'S GENERAL ELECTION RESULTS.

Council member Carpenter moved to approve the special meeting. Council member Davidson seconded the motion. The motion passed unanimously

8. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

ADJOURNMENT

There being no further business, Mayor Woodruff declared the meeting adjourned at 7:25 p.m.

Martin B. Woodruff, Mayor

Diane Cockrell, TRMC, CMC, City Secretary

RESOLUTION NO. 2020-10-12

A RESOLUTION OF THE CITY OF DECATUR, TEXAS, CANVASSING AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING A MAYOR AND ONE (1) COUNCIL MEMBER FOR PLACE NO. 1, ONE (1) COUNCIL MEMBER FOR PLACE NO. 3, AND ONE (1) COUNCIL MEMBER FOR PLACE NO. 5, TO THE DECATUR CITY COUNCIL, EACH FOR A TERM OF TWO (2) YEARS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR CONFIRMATION OF VOTE TABULATION AND CANVASS; PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF ELECTION; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 3, 2020, the City's General Election was held in accordance with the provisions of the City Charter and the Election Code for the purpose of electing a Mayor and Council members to Places 1, 3 and 5 to the City Council of the City of Decatur, Texas; and

WHEREAS, state law requires that the governing body of the City of Decatur canvass all elections; and

WHEREAS, section 67.003 of the Texas Election Code provides that each local canvassing authority shall convene not earlier than the eighth (8th) day or later than the eleventh (11th) day after election day for the purpose of canvassing the election results; and

WHEREAS, section 67.004(a) of the Texas Election Code also provides that only two members of City Council are needed and constitute a quorum for the purpose of canvassing election results; and

WHEREAS, the official returns, including returns of early voting ballots cast, of the presiding judges of the Joint General Election have been presented and delivered; and the City Council acting in capacity as the Canvassing Board, met on Monday, November 9, 2020, and duly canvassed said returns in accordance with the law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS:

**SECTION 1.
Incorporation of Premises**

The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

**SECTION 2.
Election Properly Ordered and Held**

The City Council officially finds and determines an election was duly ordered to be held in the City of Decatur, Texas on the 3rd day of November 2020 for the purpose of electing individuals to the offices of Mayor, Council Member Place 1, Council Member Place 3, and Council Member to Place 5; that proper notice of said election was duly given; that proper election officers were duly appointed prior to said election; that said

election has been made and delivered; and that the City Council has duly canvassed said returns all in accordance with law.

**SECTION 3.
Confirmation of Vote Tabulation**

The City Council officially finds and determines that only qualified resident voters of the City were allowed to vote at said Election, and that the following votes were cast at the Joint General Election, and that the canvass of the votes cast in said Election and returns thereof were made in accordance with the law. Further, the City Council officially finds that the returns of the Joint General Election, including the returns of the early voting ballots, duly and legally made, are as follows and has determined that each candidate for Mayor, for Council Place 1, for Council Place 3, and for Council Place 5, each seat having a (2) two-year term of office, have received the following votes:

Name of Candidate	Absentee Votes	Total Number of Early Votes	Total Number of Votes Received on Election Day	Total Number of Votes Received
Mike McQuiston Mayor	160	1,556	258	1,974
Ben Bennington Place 1	25	294	65	384
Darlene A. Hilton Place 3	23	234	44	301
Tyler White Place 3	16	140	23	179
Eddie Allen Place 5	103	968	147	1,218
Cecil (Buster) Chandler Place 5	49	491	90	630

**SECTION 4.
Canvass**

The City Council, acting as the canvassing board of the General Election, has verified that figures on the tally sheets correspond to the figures on the returns and at the General Election held on November 3, 2020, the following candidates were elected to office:

Mayor	<u>Mike McQuiston</u>	<u>Two (2) Years</u>
Council Place 1	<u>Ben Bennington</u>	<u>Two (2) Years</u>
Council Place 3	<u>Darlene Hilton</u>	<u>Two (2) Years</u>
Council Place 5	<u>Eddie Allen</u>	<u>Two (2) Years</u>

**SECTION 5.
Certificates of Election**

That the Mayor is hereby authorized and directed to execute and deliver Certificates of Election to the successful candidates elected at the General Election.

**SECTION 6.
Open Meeting**

It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

**SECTION 7.
Severability**

Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. Decatur hereby declares that it would have passed this Resolution, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences clauses and phrases be declared unconstitutional or invalid.

**SECTION 8.
Effective Date**

This Resolution shall be in full force and effect from and after its passage and it is so resolved.

PASSED AND APPROVED THIS 16th DAY OF November 2020.

MIKE MCQUISTON, MAYOR

ATTEST:

DIANE COCKRELL, TRMC, CMC, CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS, CITY ATTORNEY

Memo

To: Council Members

From: Diane Cockrell, City Secretary

Date: Monday, November 16, 2020

Re: Council Organization – the following information reflects action taken in May 2019 r

On May 13, 2019, Council took the following action:

ORGANIZATION OF COUNCIL – DETERMINE APPOINTMENTS FOR MAYOR PRO TEM, DEPUTY MAYOR PRO TEM, EDC REPRESENTATIVE, COUNCIL OF GOVERNMENT REPRESENTATIVE AND AIRPORT LIAISON.

Mayor Woodruff moved to appoint Council member Davidson as Mayor Pro Tem. Council member Holloway seconded the motion. The motion passed unanimously.

Mayor Woodruff moved to appoint Council member McQuiston as Deputy Mayor Pro Tem.

Council member Holloway seconded the motion. The motion passed unanimously.

Mayor Woodruff asked if the Council would mind to wait until the next meeting to appoint an EDC representative.

The Council members were in agreement.

Council member Davidson moved to appoint Mayor Woodruff to continue serving as the Council of Government Representative. Council member McQuiston seconded the motion. The motion passed unanimously.

Council member Carpenter moved to appoint Council member Hayes as the Airport Liaison. Council member Reeves seconded the motion. The motion passed unanimously.

On May 28, 2019, Council took the following action:

CONSIDER APPOINTMENT OF A COUNCIL REPRESENTATIVE TO EDC.

Council member Holloway moved to appoint Council member Carpenter as the EDC representative. Council member Reeves seconded the motion. The motion passed unanimously.

EDC APPOINTMENTS WILL COINCIDE WITH COUNCIL MEMBERS TERM IN OFFICE, ALL OTHERS ARE REVIEWED YEARLY

Memo

To: Council Members
From: Diane Cockrell, City Secretary
Date: Monday, November 16, 2020
Re: Special Called meeting – December 2020

The special meeting will address two items, a Comprehensive Plan Amendment and Zoning Change that are requested for consideration in December and require publication notices in the Wise County Messenger.

Mayor and City Council have generally attempted to accommodate applicants with applications requiring a second reading when the second meeting date is not close to Christmas or Christmas Eve. Otherwise, applicants have to wait until the New Year to move forward on a project.

There was a consensus of the Council when polled to have a quorum available on December 21st.

After discussion Council may take action to call a meeting as desired on a date that will provide a quorum.