

**MINUTES OF THE
CITY COUNCIL MEETING – VIA VIDEOCONFERENCING
Monday, February 28, 2022
WORKSHOP 5:30 p.m.**

PRESENT: Mayor Mike McQuiston (arrived at 5:38 p.m.), Council members, Eddie Allen, Ben Bennington (arrived at 5:56 p.m.), Jake Hayes, Darlene Hilton and Melinda Reeves.

ABSENT: Will Carpenter

OTHERS PRESENT: City Manager Brett Shannon, Police Chief Delvon Campbell, Fire Chief Nate Mara, Assistant Fire Chief Deroy Bennett, Public Works/Airport Director Greg Hall, Finance Director Ana Cañada, Library Director Dawn Wilbert, Human Resource Director MaryAnn Henline, Planning Coordinator Cheryl Fuss, City Secretary Asucena Garcia, Attorney Robin Cross, and Richard Greene representing the Wise County Messenger. Connected via videoconferencing: City Engineer Earl Smith, Planning Director Dedra Ragland,

Videoconferencing technology is being used to allow the public and staff to join this meeting. This meeting will be held using videoconferencing/teleconferencing technology with public access via: WWW.ZOOM.US/JOIN OR MEETING/WEBINAR ID: 817 5047 6447 PASSCODE: 823992.

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 and 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 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.

CALL TO ORDER

Mayor Pro Tem Reeves called the workshop to order at 5:31 p.m.

MOMENT OF SILENCE

Mayor Pro Tem Reeves declared a moment of silence.

PLEDGE OF ALLEGIANCE

Council member Allen led the pledge.

WORKSHOP 5:30 p.m.

MONTHLY DEPARTMENT REPORTS

Public Works/Airport Hear and discuss 2021 annual reports by Greg Hall, Public Works Director/Airport Manager, including relevant and follow-up discussion with Council and other staff, regarding the following items:

1. 2021 annual report for the Oak Lawn Cemetery
2. 2021 annual report for the Decatur Municipal Airport
3. 2021 annual report for the Parks & Recreation Department
4. 2021 annual report for the Street Department
5. 2021 annual report for the Utility Department
6. 2021 annual report for the Wastewater Department
7. 2021 annual report for the Water Department

Planning Hear and discuss Planning and Development Department's annual report for the calendar year ending December 31, 2021, by Dedra D. Ragland, AICP, Director of Planning and Development. The annual report includes relevant information and follow-up discussion with Council and other staff, regarding the 2021 accomplishments and 2022 goals for the Planning and Development Department:

- Planning and Zoning
- Geographic Information Systems (GIS)
- Building Inspections / Environmental Health / Code Enforcement

Fire Hear and Discuss Fire Department year-end report for the calendar year ending December 31, 2021, by Fire Chief Nate Mara including relevant information and follow-up discussion with Council and other staff, regarding the 2021 accomplishments and 2022 goals for the Fire Department:

- Presentation of annual report

Reports were provided.

REGULAR MEETING 6:00 p.m.

1. CONSIDER AND ACT ON A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE TEXAS SUBDIVISION AND SPECIAL DISTRICT ELECTION AND RELEASE FORM FOR SUBMISSION TO THE OFFICE OF THE ATTORNEY GENERAL RELATIVE TO THE ENDO/PAR/TEVA SETTLEMENTS AND ANY FUTURE RELEASE ELECTION AND RELEASE FORMS REQUIRED AS PART OF THE TEXAS STATE-WIDE OPIOID SETTLEMENT AGREEMENT LED BY THE TEXAS ATTORNEY GENERAL; AND PROVIDING AN EFFECTIVE DATE.

Council member Hilton moved to approve the resolution as presented. Council member Hayes seconded the motion. The motion passed unanimously.

2. RECEIVE OUTSIDE AUDIT REPORT FOR FISCAL YEAR 2020-2021 AND TAKE APPROPRIATE ACTION TO AUTHORIZE DISTRIBUTION.

Kevin Kemp of BKD, LLP presented the findings of the fiscal year audit for 2020-2021. The assets and deferred outflows of resources of the City exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$47,371,883 (net position). Of this amount, 4,347,654 represents unrestricted net position, which may be used to meet the City's ongoing obligations to citizens and creditors. The City's total net position increased \$2,664,123 from prior year. \$1,463,304 of this increase was attributed to governmental activities and an increase of \$1,200,819 was due to business-type activities. At the close of the current fiscal year, the City's governmental funds reported combined fund balances of \$13,151,193.

Approximately 24 percent of this amount (\$3,127, 168) is available for spending at the City's discretion (unassigned fund balance). At the end of the current fiscal year, unrestricted fund balance (the total of the assigned and unassigned components of fund balance) for the general fund was \$4,414, 152, or approximately 38 percent of total general fund expenditures. The City's total outstanding long-term bonded debt decreased by \$941,082 during the current fiscal year because of scheduled debt service payments.

Council member Allen moved to authorize distribution of the audit report. Council member Hilton seconded the motion. The motion passed unanimously.

3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF DECATUR AND DECATUR OZF, LLC FOR THE CONSTRUCTION OF LIFT STATION UPGRADES AND FORCE MAIN PUBLIC IMPROVEMENTS FOR A MIXED USE DEVELOPMENT LOCATED AT THE INTERSECTION OF ROSE AVENUE AND THE US 380 BYPASS; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT SUBJECT TO RECEIPT OF FUNDING FROM CERTIFICATE OF OBLIGATION PROCEEDS.

Council member Allen moved to approve the agreement as presented. Council member Reeves seconded the motion. The motion passed unanimously.

4. DISCUSS AND CONSIDER ACTION ON A REQUEST FROM WASTE CONNECTIONS FOR A CONSUMER PRICE INDEX INCREASE (CPI) EQUAL TO .33% EFFECTIVE APRIL 1, 2022.

The Consumer Price Increase is not .33% that was an error. Waste Connections approved to limit the increase to 5 percent instead of the 7.45% proposed amount.

Council member Allen moved to approve the CPI increase of 5 percent waste fee. Council Member Hayes seconded the motion. The motion passed unanimously.

5. CONSIDER APPROVAL OF A LAND LEASE AT DECATUR MUNICIPAL AIRPORT CONTAINING 9,000 SQUARE FEET OR 0.21 ACRES OF LAND WITH RICH PROPERTIES, LLC FOR CONSTRUCTION OF A NEW HANGAR AND AUTHORIZE CITY MANAGER TO EXECUTE LEASE.

Public Works/Airport Director Greg Hall informed Council this was a forty five year land lease. At the end of the lease the building and hangar will come back to the city.

Council member Hayes moved to approve the agreement as presented. Council member Hilton seconded the motion. The motion passed unanimously.

6. CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF COUNCIL MEETING HELD FEBRUARY 14, 2022.

Council member Hayes moved to approve the minutes as presented. Council member Hilton seconded the motion. The motion passed unanimously.

7. 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.

Convened into Executive Session at 6:51 p.m.

8. **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:

SECTION 551.071 - CONSULTATION WITH ATTORNEY: CONSULTATION WITH ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER RE: REVIEW OF PLANNING AND DEVELOPMENT SERVICES PROCESSES; CITY POLICIES.

SECTION 551.074 - PERSONNEL MATTERS. DELIBERATION REGARDING THE APPOINTMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF PUBLIC OFFICER OR EMPLOYEE: EVALUATION OF CITY MANAGER – QUARTERLY.

Reconvened into Regular Session at 9:02 p.m.

9. **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.

ACTION FROM EXECUTIVE SESSION

No action taken.

10. DISCUSS AND TAKE APPROPRIATE ACTION/PROVIDE DIRECTION TO CITY MANAGER REGARDING CONSULTANT RECOMMENDATIONS RELATIVE TO PLANNING AND DEVELOPMENT SERVICES PROCESS REVIEW.

No action taken.

11. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

ADJOURNMENT

There being no further business, Mayor McQuiston declared the meeting adjourned at 9:03 p.m.




 Mike McQuiston, Mayor


 Asucena Garcia, TRMC, City Secretary