

**MINUTES OF THE  
CITY COUNCIL MEETING  
Monday, July 22, 2019  
WORKSHOP  
5:30 p.m.**

MONTHLY DEPARTMENT REPORTS – Conference Center, Library, Main Street and Finance

**Conference Center** report by Conference Center Director, Lori Sherwood including relevant information and follow-up discussion with Council and other staff regarding operations.

**Library** report by Library Director, Patricia Peters including relevant information and follow-up discussion with Council and other staff.

**Main Street** report by Main Street Director, Frieda Lasater including relevant information and follow-up discussion with Council and other staff regarding the following items:

- Organization
- Promotion
- Design
- Economic Vitality

**Finance** report by Finance Director, Mike Erwin including relevant information and follow-up discussion with Council and other staff.

Reports were provided.

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

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

**ABSENT:**

**OTHERS PRESENT:** City Manager Brett Shannon, Finance Director Mike Erwin, Planning Director Dedra Ragland, City Engineer Earl Smith, Public Works and Airport Director Greg Hall, Building Official Wayne Smith, Main Street Director Frieda Lasater, Conference Center Director Lori Sherwood, Library Director Patricia Peters, Deputy City Secretary Asucena Garcia, City Secretary Diane Cockrell and Richard Green representing the Wise County Messenger.

**CALL TO ORDER**

Mayor Woodruff called meeting to order at 6:04 p.m.

**MOMENT OF SILENCE**

Mayor Woodruff declared a moment of silence.

**PLEDGE OF ALLEGIANCE**

Council member McQuiston led the pledge.

1. CONSIDER SECOND READING AND ACTION ON AN ORDINANCE AFFIRMING AND RATIFYING PRIOR COUNCIL ACTION TO ADOPT A \$6,000.00 EXEMPTION FOR A HOMESTEAD RESIDENCE OF PERSONS 65 YEARS OF AGE OR OLDER, SUCH EXEMPTION TO REMAIN IN EFFECT UNTIL SUPERSEDED BY THIS ORDINANCE, AND ADOPTING THIS AMENDMENT TO PROVIDE FOR AN EXEMPTION OF \$25,000 OF THE APPRAISED VALUE OF THE RESIDENCE HOMESTEAD OF A DISABLED PERSON, OR OF A PERSON 65 YEARS OF AGE AND OLDER AND TO BECOME EFFECTIVE COMMENCING WITH THE 2019 TAX YEAR.

Finance Director Erwin shared that the tax exemption will be effective for the 2019 tax year.

Council member Carpenter moved to approve the ordinance as presented. Council member Reeves seconded the motion. The motion passed unanimously.

2. CONSIDER APPOINTMENTS MAIN STREET BOARD MEMBERS WITH TERMS TO EXPIRE AS SHOWN:

- a. Sally Rodgers (06/01/2020 taking Andy Fincher's seat)
- b. Richard Young (06/01/2020 taking Steve Simms seat)

Council member Reeves moved to approve the appointments as presented. Council member Holloway seconded the motion. The motion passed unanimously.

3. CONSIDER AN AMENDMENT TO THE MAIN STREET BYLAWS: Page(s) 27-32

\* Board members shall be home owner, property owner and/or business owner in the Decatur Main Street district and/or represent a business that is located in the district or serves as a contributing partner in the Decatur Main Street Program.

\*One Board member per family and/or one Representative per business.

\* Board members should live and/or own property in the 76234 zip code.

After discussion, Council member Davidson moved to table this item until the 25 year old Bylaws are reviewed and updated. Council member McQuiston seconded the motion. The motion passed unanimously.

4. DISCUSS AND AUTHORIZE STAFF TO INITIATE VOLUNTARY ANNEXATION PROCEEDINGS ON 0.343 ACRES OF LAND OWNED BY THE CITY OF DECATUR. PROPERTY IS GENERALLY LOCATED APPROXIMATELY 252' WEST OF THE CENTERLINE OF COLLEGE AVE. AND 604' SOUTH OF THE CENTERLINE OF US HWY 81-287 WHERE ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S SOUTHEASTERN EXTRATERRITORIAL JURISDICTION (ETJ).

Planning Director Ragland explained that it has been staff's practice to bring voluntary annexations to Council for direction.

Council member Carpenter moved to authorize staff to proceed. Council member Davidson seconded the motion. The motion passed unanimously.

5. CONSIDER AND DISCUSS RECENTLY ADOPTED STATE LAWS GOVERNING AND LIMITING CITY REGULATION OF DEVELOPMENT PROCESSES, LAND USE, REGULATION OF BUILDING STANDARDS AND MATERIALS, PERMITTING AND RELATED REGULATIONS ADOPTED IN THE 2019 LEGISLATIVE SESSION AND BECOMING EFFECTIVE SEPTEMBER 1, 2019. PRESENTATION BY DEVELOPMENT REVIEW STAFF.

Planning Director Ragland shared information regarding House Bills 3167, 2497 and 2439 from the recent legislative session to become effective September 1.

HB 3167, known as the "Shot Clock" bill will require cities to take action on plats and plans within 30 days of being filed and require cities to provide written statement referencing state law or city ordinance upon denial. The law will likely force the planning and zoning commission, zoning board of adjustments and possibly the council to meet more often. It could also increase the amount of plats brought forth for denial due to the time crunch.

HB 2439 will prevent cities from requiring specific materials in construction or renovation. If the material is an allowed use in the last three national codes, it must be allowed.

HB 2497 broadens the applicant's ability to appeal an administrative decision to the zoning board of adjustments, allowing a representative of the property owner and a property owner within 200 feet of the property in discussion. Mayor Martin Woodruff said the city is seeking further clarification on the laws from its land-use attorneys from Messer, Fort and McDonald.

Planning Director Ragland stressed that these bills, specifically House Bill 3167, will potentially adversely impact the Decatur Planning and Development Department. Additional staffing and resources are needed to manage the increase in development activity and the limiting regulation of the development review process by these bills and to avoid a reduction in the current level of service.

Planning Director Ragland concluded that if resources cannot be allocated to provide for an additional Senior Planner with the required experience, she is extremely concerned that the turnaround time for plan reviews, plats, etc. will be adversely impacted, thus resulting in a reduction of service level for residents and developers, that the quality of work may be reduced in order to meet deadlines, and/or that the City may approve projects that do not comply with

existing regulations and therefore result in increased costs for infrastructure maintenance and quality of development within the City.

Council convened into Executive session at 6:48 p.m.

## 6. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council will recess into Executive Session (closed meeting) to discuss the following:

- a) § 551.071: 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 the Texas Open Meetings Act regarding Texas House Bills 2439, 2497, 3167, and new laws from 2019 legislative session.

Council convened into open session at 7:19 p.m.

7. 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.

8. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD JULY 8, 2019.

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

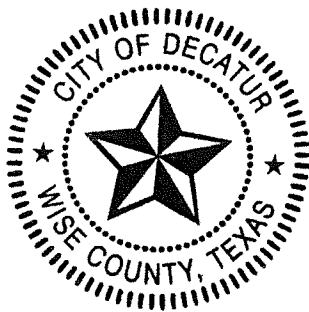
9. ACCEPTANCE OF QUARTERLY INVESTMENT REPORT.

Quarterly Investment Report was provided.

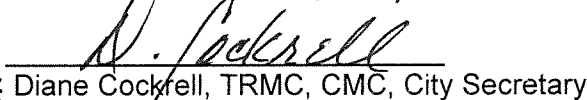
10. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

## ADJOURNMENT

There being no further business, Mayor Woodruff declared the meeting adjourned at 7:23 p.m.



  
 Martin B. Woodruff, Mayor

  
 Diane Cockrell, TRMC, CMC, City Secretary