



# CITY OF DECATUR, TEXAS

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## REGULAR - CITY COUNCIL MEETING Decatur City Hall - 201 E. Walnut, Decatur, TX December 19, 2022 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 AT THE BEGINNING OF THE MEETING.** when the Mayor calls for public comment, 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 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 Council'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.*

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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. HOLD A PUBLIC HEARING AND TAKE APPROPRIATE ACTION ON THE ADVISABILITY OF THE PUBLIC IMPROVEMENTS AND CREATION OF THE VISTA PARK PUBLIC IMPROVEMENT DISTRICT NO. 1 WITHIN THE CITY OF DECATUR PURSUANT TO CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE.
2. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION OF THE CITY OF DECATUR, TEXAS AUTHORIZING AND CREATING THE VISTA PARK PUBLIC IMPROVEMENT DISTRICT NO. 1 IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.  
**RESOLUTION 2022-12-27**

## PLANNING AND ZONING REPORT:

3. CONSIDER TAKING ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS, ON THE PROPOSED VOLUNTARY ANNEXATION BY THE CITY OF DECATUR, TEXAS, OF A TRACT OF LAND FOR RIGHT-OF-WAY, APPROXIMATELY 1.604 ACRE (69,860 SQUARE FOOT) TRACT OF LAND SITUATED IN THE DAVID MOSES SURVEY, ABSTRACT NO. 537, WISE COUNTY, TEXAS; SAID TRACT BEING PART OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN GENERAL WARRANTY DEEDS TO DEER PARK QOZB LLC, RECORDED IN INSTRUMENT NO. 202113185 AND INSTRUMENT NO. 202113187 OF THE OFFICIAL PUBLIC RECORDS OF WISE COUNTY, TEXAS; SAID 1.604 ACRE (69,860 SQUARE FOOT) TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: (BEARING SYSTEM FOR THIS SURVEY IS BASED ON THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (2011), TEXAS NORTH CENTRAL ZONE 4202. DISTANCES REPORTED HAVE BEEN SCALED BY APPLYING A COMPUTED SCALE FACTOR OF 1.00017002991) AND GENERALLY LOCATED AT THE INTERSECTION OF DEER PARK ROAD AND THOMPSON STREET, WISE COUNTY, TEXAS, ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S WESTERN EXTRATERRITORIAL JURISDICTION (ETJ), WISE COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS ON THE SURVEY LOCATED AT THE PLANNING & DEVELOPMENT SERVICE BUILDING, 1601 S. STATE ST., BLDG. C, DECATUR, TEXAS **(ANNEXATION APPLICATION A2022-02—MR. JOSH JEZEK, ON BEHALF OF PROPERTY OWNERS DEER PARK QOZB, LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND AND COMMISSIONER HICKS ABSENT.) A2022-02 ORDINANCE 2022-12-33.**
4. CONSIDER TAKING ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS, ON AN AMENDMENT TO APPENDIX "D," "COMPREHENSIVE PLAN," OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS, TO AMEND THE COMPREHENSIVE PLAN AND THE FUTURE LAND USE MAP OF THE CITY, FOR AN APPROXIMATE 1.604 ACRES OF LAND FOR RIGHT-OF-WAY, WHICH IS CURRENTLY IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY, BUT FOR WHICH THE PROPERTY OWNER HAS REQUESTED ANNEXATION INTO THE CITY'S CORPORATE LIMITS, TO CHANGE THE DESIGNATION ON THE PROPERTY FROM AGRICULTURAL AND RURAL LIVING (AR - ETJ) TO AN ACTIVITY CENTER (AC) LAND USE DESIGNATION. THE PROPERTY IS GENERALLY LOCATED IN THE DAVID MOSES SURVEY, ABSTRACT NO. 537, WISE COUNTY, TEXAS AND GENERALLY LOCATED AT THE INTERSECTION OF DEER PARK ROAD AND THOMPSON STREET, ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S WESTERN EXTRATERRITORIAL JURISDICTION (ETJ), WISE COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS ON THE SURVEY LOCATED AT THE PLANNING & DEVELOPMENT SERVICE BUILDING, 1601 S. STATE ST., BLDG. C, DECATUR, TEXAS. THE COMMISSION RECOMMENDATION FOR THIS ITEM IS SUBJECT TO THE CITY COUNCIL'S APPROVAL OF THE REQUEST FOR ANNEXATION. **(COMPREHENSIVE PLAN AMENDMENT APPLICATION 2022-03—MR. JOSH JEZEK, ON BEHALF OF PROPERTY OWNERS DEER PARK QOZB, LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND AND COMMISSIONER HICKS ABSENT.) CP2022-03 ORDINANCE 2022-12-34.**
5. CONSIDER TAKING ACTION ON A SECOND READING OF AN ORDINANCE OF THE CITY OF DECATUR, TEXAS, ON AN AMENDMENT TO APPENDIX "B," "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS, THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY, TO REZONE AN APPROXIMATE 1.604 ACRES OF LAND FOR RIGHT-OF-WAY, WHICH IS CURRENTLY IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY BUT FOR WHICH THE PROPERTY OWNER HAS REQUESTED ANNEXATION INTO THE CITY'S CORPORATE LIMITS. UPON THE EFFECTIVE DATE OF ANNEXATION, THE PROPERTY WOULD BE ZONED AS MULTI-FAMILY RESIDENTIAL (MF) ZONING DISTRICT. THE PROPERTY IS GENERALLY LOCATED IN THE DAVID MOSES SURVEY, ABSTRACT NO. 537, WISE COUNTY, TEXAS AND GENERALLY LOCATED AT THE INTERSECTION OF DEER PARK ROAD AND THOMPSON STREET,

ADJACENT TO THE CURRENT CITY LIMITS IN DECATUR'S WESTERN EXTRATERRITORIAL JURISDICTION (ETJ), WISE COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS ON THE SURVEY LOCATED AT THE PLANNING & DEVELOPMENT SERVICE BUILDING, 1601 S. STATE ST., BLDG. C, DECATUR, TEXAS. THE COMMISSION RECOMMENDATION FOR THIS ITEM IS SUBJECT TO THE CITY COUNCIL'S APPROVAL OF THE REQUEST FOR ANNEXATION AND THE ACCOMPANYING PROPOSED COMPREHENSIVE PLAN AND FUTURE LAND USE MAP AMENDMENT. **(ZONING CHANGE APPLICATION 2022-04—MR. JOSH JEZEK, ON BEHALF OF PROPERTY OWNERS DEER PARK QOZB, LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 5-0, CHAIRMAN LEMOND AND COMMISSIONER HICKS ABSENT.) ZC2022-04 ORDINANCE 2022-12-35.**

6. HEAR APPLICANT'S PRESENTATION AND TAKE ACTION ON MATTHEW HUDDLESTON AND KATIE HUDDLESTON'S REQUEST FOR A 6-MONTH EXTENSION ON REPLAT APPLICATION 2022-08—A FINAL PLAT OF LOT 24R-1, BLOCK 3, C.D. CATES ADDITION AND MORE COMMONLY REFERRED TO AS 604 S. HILL ST., DECATUR, TEXAS. PLAT WAS ORIGINALLY APPROVED ON JANUARY 11, 2021. **RP2022-08**

#### **END OF PLANNING AND ZONING REPORT:**

7. CONSIDER TAKING ACTION TO APPROVE THE APPOINTMENT OF CAROL ANN CARSON TO FILL A VACANT POSITION ON THE LIBRARY BOARD, TERM TO EXPIRE MAY 31, 2023.
8. 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.
9. 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, December 15, 2022, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

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Asucena Garcia, 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.**