



# CITY OF DECATUR, TEXAS

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## CITY COUNCIL MEETING Decatur City Hall - 201 E. Walnut, Decatur, TX June 12, 2023 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: 882 4164 2850 PASSCODE: 563791) 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. HEAR A PRESENTATION FROM ANDREW SIMONSEN WITH KIMLEY-HORN REGARDING IMPACT FEES.
2. CONSIDER FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, TO REPEAL AND REPLACE THE SIGN ORDINANCE IN ITS ENTIRETY.  
**ORDINANCE 2023-06-13**
3. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT WITH THE CITY OF PARADISE FOR CODE ENFORCEMENT SERVICES.
4. DISCUSS AND TAKE ACTION TO APPOINT THREE COUNCIL MEMBERS TO THE BUDGET COMMITTEE.

### **Public Hearing Items:**

5. **CP2023-03** 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 THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP FOR AN APPROXIMATE 8.496 ACRES OF LAND LOCATED AT 700 DEER PARK ROAD FROM AN ESTATE LIVING LAND USE (EL) TO A COMPACT NEIGHBORHOOD LAND USE (CN). **(COMPREHENSIVE PLAN AMENDMENT APPLICATION 2023-03—MR. ZHEENO ROSTAM, ON BEHALF OF PROPERTY OWNER DECATUR DEER RUN INVESTORS, LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, COMMISSIONERS WOODRUFF AND HICKS ABSENT.) ORDINANCE 2023-06-14**

6. **CP2023-04** 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 THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP FOR AN APPROXIMATE 37.436 ACRES OF LAND LOCATED AT 1200 DEER PARK ROAD FROM AN ESTATE LIVING LAND USE (EL) TO COMPACT NEIGHBORHOOD (CN) AND ACTIVITY CENTER (AC) LAND USE DESIGNATIONS. **(COMPREHENSIVE PLAN AMENDMENT APPLICATION 2023-04—MR. MARK DUNCUM, ON BEHALF OF PROPERTY OWNER DOUBLE CREEK CAPITAL, LTD.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, COMMISSIONERS WOODRUFF AND HICKS ABSENT.) ORDINANCE 2023-06-15**
7. **PD2023-02** 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 THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP FOR AN APPROXIMATE 8.496 ACRES OF PROPERTY LOCATED AT 700 DEER PARK ROAD, WEST OF DEER PARK ROAD AND SOUTH OF WEST US HIGHWAY 380 BUSINESS, FROM THOROUGHFARE BUSINESS, C-2 TO TOWNHOUSE, TH TO ALLOW TOWNHOMES IN THE DEER PARK PLANNED DEVELOPMENT. **(PLANNED DEVELOPMENT APPLICATION 2023-02— MR. ZHEENO ROSTAM, ON BEHALF OF PROPERTY OWNER DECATUR DEER RUN INVESTORS, LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, COMMISSIONERS WOODRUFF AND HICKS ABSENT.) ORDINANCE 2023-06-16**
8. **SUP2023-01** 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 THE SALE OF ALCOHOLIC OR MIXED BEVERAGES FOR ON-PREMISES CONSUMPTION IN A C-1A, DECATUR SQUARE BUSINESS ZONING DISTRICT, ON APPROXIMATELY 0.055 ACRES OF LAND LOCATED AT 103 B W. MAIN STREET. **(SPECIFIC USE PERMIT APPLICATION 2023-01—MR. CHRIS KELLY, ON BEHALF OF PROPERTY OWNER EZRA ZION, LLC.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, COMMISSIONERS WOODRUFF AND HICKS ABSENT.) ORDINANCE 2023-06-17**
9. **SUP2023-02** 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 0.275 ACRES OF LAND LOCATED AT 107 E. HALLSELL STREET. **(SPECIFIC USE PERMIT APPLICATION 2023-02—MS. LORY RUIZ, ON BEHALF OF PROPERTY OWNER JEFFREY HARRISON) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, COMMISSIONERS WOODRUFF AND HICKS ABSENT.) ORDINANCE 2023-06-18**
10. **SUP2023-03** 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 THE SALE OF ALCOHOLIC OR MIXED BEVERAGES FOR OFF-PREMISES CONSUMPTION IN A C-1, RESTRICTED BUSINESS ZONING

DISTRICT, ON APPROXIMATELY 0.55 ACRES OF LAND LOCATED AT 2806 S. FM 51. (**SPECIFIC USE PERMIT APPLICATION 2023-03—MR. JOE MEAD, ON BEHALF OF PROPERTY OWNER GREAT ABODE INVESTMENTS, LLC.**) (**THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, COMMISSIONERS WOODRUFF AND HICKS ABSENT.**) **ORDINANCE 2023-06-19**

11. **ZC2023-04** 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 REZONE APPROXIMATELY 0.84 ACRES OF LAND LOCATED AT 708 E. HALE STREET FROM SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (SF-2) TO A THOROUGHFARE BUSINESS ZONING DISTRICT (C-2). (**ZONING CHANGE APPLICATION 2023-04—MR. R.B. SANFORD, ON BEHALF OF PROPERTY OWNER 97 CIRCLE S CONVENIENCE STORES INC.**) (**THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL, 4-0, COMMISSIONERS WOODRUFF AND HICKS ABSENT.**) **ORDINANCE 2023-06-20**

**Non-Public Hearing Items:**

12. **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, 4-0, COMMISSIONERS WOODRUFF AND HICKS ABSENT.**)

- A. **PP2023-03** CONSIDER TAKING ACTION REGARDING A REQUEST TO PRELIMINARY PLAT LOT 1, BLOCK 1, CHISHOLM ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, BEING AN APPROXIMATE 12.826-ACRE TRACT OF LAND OUT OF THE DAVID MOSES SURVEY, ABSTRACT NO. 537 AND THE JOHN C. BULLOCK SURVEY, ABSTRACT NO. 79, WISE COUNTY, DECATUR, TEXAS. (**PRELIMINARY PLAT APPLICATION 2023-03—MR. JOSH JEZEK, ON BEHALF OF DEER PARK QOZB, LLC**) (**THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 4-0, COMMISSIONERS WOODRUFF AND HICKS ABSENT.**)

**CONSENT AGENDA VOTE WILL INCLUDE THE FOLLOWING REGULAR COUNCIL CONSENT ITEMS:**

- B. CONSIDER AND TAKE ACTION ON APPROVAL OF BILLS AND INVOICES FOR MAY 2023.
- C. CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF COUNCIL MEETINGS HELD MAY 1, 2023, MAY 8, 2023, AND MAY 22, 2023.
- D. CONSIDER AND TAKE ACTION ON APPROVAL OF A REQUEST BY KEIZA LINDSAY TO CLOSE STATE STREET BETWEEN WALNUT STREET AND MILL STREET, AUGUST 25, 2023 FROM 6:00 P.M. TO 8:30 P.M. FOR A CUB SCOUTS RECRUIT NIGHT.
- E. CONSIDER RE-APPOINTMENT OF PRESIDENT, VICE PRESIDENT, AND SECRETARY TO SERVE A ONE YEAR TERM THROUGH MAY 31, 2024.
1. ANGELA SMITH, PRESIDENT
  2. FABIOLA VALDEZ, VICE-PRESIDENT
  3. JOYCE HORTON, SECRETARY
- F. CONSIDER RE-APPOINTMENT OF CEMETERY BOARD MEMBERS WITH TERMS TO EXPIRE MAY 31, 2025:
1. CYNTHIA DESROCHES
  2. FABIOLA VALDEZ
  3. JERRY WATSON
  4. LADONNA WREN

13. 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.

#### 14. 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, June 8, 2023, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.



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.**