

**MINUTES OF THE  
CITY COUNCIL MEETING  
Monday, June 12, 2023 at 6:00 p.m.**

Regular meeting of the Decatur City Council was called to order by Mayor McQuiston at 6:00 p.m. Mayor McQuiston declared a moment of silence. Mayor McQuiston led the pledge. Those present included: Mayor Mike McQuiston, Council members: Will Carpenter (arrived at 6:28 p.m.), Eddie Allen, Jake Hayes, Darlene Hilton, Debra Jackson, and Melinda Reeves. Staff members present: City Manager Nate Mara, Police Chief Delvon Campbell, Fire Chief Deroy Bennett, Chief Building Official Wayne Smith, IT Technician Herandi Martinez, IT Consultant Greg Moore, Planning Director Dedra Ragland, Assistant Planner Cheryl Fuss, City Secretary Asucena Garcia, City Attorney Pam Liston and Austin Jackson representing the Wise County Messenger. Connected via videoconferencing: City Engineer Earl Smith.

**REGULAR MEETING**

1. HEAR A PRESENTATION FROM ANDREW SIMONSEN WITH KIMLEY-HORN REGARDING IMPACT FEES.

Andrew Simonsen and Pete Kelly informed Council it is time to update the impact fees. In order to do this a study is needed that will look at five main components. Service area, land use assumptions, service units, capital improvement plans, and maximum fees. Mr. Simonsen stated impact fees are a one time fee for new development without causing existing citizens to bear the cost of the development. This is a legal way to collect flexible fees for infrastructure and a mechanism to recover costs required to serve future development. Mr. Kelly explained the impact fee capital improvement plan is a list of eligible projects they have identified that can be collected. State law does require that impact fees collected are spent within 10 years.

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**

Attorney Pam Liston informed Council the new sign ordinance would be more user friendly, definitions would include photographs. Administrative authority delegated to Planning Director to approve signs that exceed maximum area or height by no more than 20%. Walls signs would be calculated by wall area, not building setback and signs specific for downtown. Signs that do not comply with existing or new regulations are considered nonconforming. Nonconforming signs cannot be altered, moved, or relocated but can have maintenance performed. If a nonconforming sign is damaged by more than 60% of replacement cost, the sign cannot be repaired. Signs that are designed by the City Council as having "special historic or architectural significance" are exempt from nonconforming sign regulations.

First reading held.

Steve Rieger and Bryan Brown addressed Council.

3. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT WITH THE CITY OF PARADISE FOR CODE ENFORCEMENT SERVICES.

No action taken.

4. DISCUSS AND TAKE ACTION TO APPOINT THREE COUNCIL MEMBERS TO THE BUDGET COMMITTEE.

Councilmembers Reeves, Hilton, and Carpenter volunteered to serve on the budget committee.

**Public Hearing Items:**

Mayor McQuiston opened the public hearing at 7:00 pm

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**

First reading held.

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**

First reading held.

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**

First reading held.

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**

First reading held.

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**

First reading held.

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**

First reading held.

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**

First reading held.

Mayor McQuiston closed the public hearings at 7:29 pm

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

Councilmember Allen moved to approve the consent agenda as presented. Councilmember Carpenter seconded the motion. The motion passed unanimously.

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.

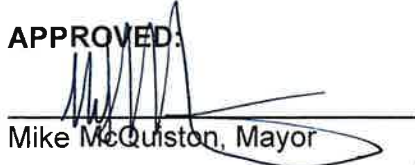
No public comment.

14. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

**ADJOURNMENT**

Mayor McQuiston declared the meeting adjourned at 7:30 p.m.

**APPROVED:**

  
Mike McQuiston, Mayor

**ATTEST:**

  
Asucena Garcia, TRMC, City Secretary

