

## CITY OF DENTON CITY COUNCIL MINUTES

June 20, 2017

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, June 20, 2017 at 2:00 p.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member Hudspeth, Council Member Briggs, Council Member Wazny, Council Member Ryan, Council Member Gregory, Mayor Pro Tem Bagheri, and Mayor Watts.

ABSENT: None.

### Ordinance No. 2017-188

- A. ID 17-756 Consider adoption of an ordinance canvassing the returns and declaring the results of the Runoff Municipal Election held in the city of Denton on June 10, 2017.

Jennifer Walters, City Secretary, presented the final results of the runoff election and noted that Don Duff had received the most votes.

Mayor Pro Tem Bagheri motioned, Council Member Ryan seconded to adopt the ordinance noting Don Duff as winning the election for District 3. On roll call vote, Mayor Pro Tem Bagheri "aye", Council Member Wazny "aye", Council Member Briggs "aye", Council Member Ryan "aye", Council Member Gregory "aye", Council Member Hudspeth "aye", and Mayor Watts "aye". Motion carried unanimously.

- B. ID 17-757 Oath of Office administered to newly elected Council Member.

Jennifer Walters, City Secretary, administered the oath of office to Don Duff – District 3.

Following the completion of the Open Session, the City Council convened in a Work Session.

### 1. Citizen Comments on Consent Agenda Items

Willie Hudspeth spoke on Consent Agenda Items A, B, C, D, E, and I.

Ken Gold spoke on Consent Agenda Item D.

### 2. Requests for clarification of agenda items listed on the agenda for June 20, 2017.

Staff responded to Council's requests for clarification on the following items:

Council Member Hudspeth requested Consent Agenda Items A, F, G, and H be pulled for separate consideration.

Briggs - Consent Agenda Items F, G, and H.

3. Work Session Reports

- A. ID 17-788 Receive a report, hold a discussion, and give staff direction regarding the Mayor's National Climate Action Agenda and current Sustainability activities.

Sarah Kuechler, Assistant to the City Manager, presented a review of the Mayors National Climate Action Agenda Paris Agreement Letter.

Katherine Barnett, Sustainability and Projects Supervisor, reviewed the sustainability background, sustainability activities, and greenhouse gas inventory.

Kuechler continued with information concerning Climate Mayors, actions to support the group, and a timeline of planning activities for sustainability actions.

Council discussed support for a resolution to join the group; comparison of the two agreements with the US Conference of Mayors and the Paris Climate Agreement; being cautious that parts of the Paris Agreement might be polarizing within the community and in the state/national arena; increase the amount of sustainability the city was doing; and that the Paris Agreement might be too much of a political issue to insert the City into.

Consensus of the Council was to look at long term targets for sustainability when working on the updated plan; continue with what the City is currently doing and maintain community cooperativeness without inserting partisan politics into the process. Option 2 was preferred but forgo joining and continue on with an update of the city's plan with discussion of long term goals.

- B. ID 17-426 Receive a report from staff regarding various scenarios for moving the City of Denton toward 100% renewable energy.

Phil Williams, General Manager-DME, provided an update on 100% Renewables. The update included background information on DME and key factors for increasing renewables.

Council discussed the progress of DME for renewable goals; questioned the various types of renewables and how they affected the goals.

Williams continued with the physical renewable portfolio; resource capacity in Mw, resource Production in MWh; and solar and wind output versus average load profile June to September.

Council discussed the various aspects of producing the renewable energy and cost of the renewable energy.

Williams presented information regarding the physical renewable percentage, wind forecast, renewable progress in terms of community solar, storage research and development, rooftop solar, demand response, energy efficiency, GreenSense renewable rate, residential solar rebates in Texas, and next steps in the process.

Council discussed the various aspects of the renewable energy process

- C. ID 17-759 Receive a report; hold a discussion, and receive departmental presentations in preparation for the FY 2017-18 Proposed Budget, Capital Improvement Program, and Five Year Financial Forecast.

Chuck Springer, Director of Finance, stated that the Council packets included responses to Council questions regarding prior budget presentations.

Library - Jennifer Bekker, Director of Libraries, presented FTEs by functional area; organizational structure; goals and accomplishments; performance measures; cost containment strategies; process improvements; and expenditure budget highlights.

Development Services - Munal Mauladad, Director of Development Services, presented details of the Development Services Departments of Planning, Building Inspections, Gas Well Inspections and Community Development. Goals and accomplishments were reviewed along performance measures, cost containment strategies, completed projects, future projects, and expenditure budget highlights by divisions.

Finance Department - Tony Puente, Assistant Director of Finance, presented information on FTEs by function, goals and accomplishments, performance measures, cost containment strategies, process improvements, and expenditure budget highlights.

Non-Departmental (Finance miscellaneous) - Tony Puente, Assistant Director of Finance, presented expenditure budget highlights for this category.

- D. ID 17-767 Receive a report, hold a discussion, and give staff direction regarding a policy and application to review low-income housing tax credit requests.

Mayor Watts announced that this item would not be considered at this meeting and would be rescheduled to a future meeting.

Following the completion of the Work Session, the City Council convened in a Closed Meeting to consider the specific item listed below under the Closed Meeting section of this agenda.

1. Closed Meeting:

- A. ID 17-815 Deliberations regarding Real Property - Texas Government Code Section 551.072; Consultation with Attorneys - Texas Government Code Section 551.071.

Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the use of 651 S. Mayhill Rd., Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the use of said property described above where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

Regular Meeting of the City of Denton City Council at 6:30 p.m. in the Council Chambers at City Hall.

**1. PLEDGE OF ALLEGIANCE**

The Council and members of the audience recited the Pledge of Allegiance to the U. S. and Texas flags.

**2. PROCLAMATIONS/PRESENTATIONS**

There were no proclamation/presentations for this meeting.

**3. PRESENTATION FROM MEMBERS OF THE PUBLIC**

A. Review of procedures for addressing the City Council. B. Receive Scheduled Citizen Reports from Members of the Public.

A. ID 17-723 Deb Armintor regarding concerns on return on investment for economic development partnership and the Chamber of Commerce.

Ms. Armintor was not present at the start of this agenda item. She arrived later and her remarks are noted below.

C. ID 17-803 Kat Ralph regarding hosting a transgender summit in Denton.

Kat Ralph questioned if the City was doing everything it could regarding protecting human rights in Denton and presented suggestions on how to improve relations with the LGBTQU community.

B. ID 17-766 Brandy Pounds regarding hosting a transgender summit in Denton.

Ms. Pounds felt that there was not enough good information for transgender individuals available in Denton. A health and wellness summit was going to be hosted in Denton with a panel of professionals to provide information and connections for the transgender population. She ask for donations either in-kind or city sponsorship for the summit. She also suggested the Council use some of their discretionary funds to assist with the function.

A. ID 17-723 Deb Armintor regarding concerns on return on investment for economic development partnership and the Chamber of Commerce.

Ms. Armintor presented information on the Denton Chamber Economic Development Cost containment strategies. The return on investment was not economical for two economic development programs. She was in favor of a fully privatized Chamber not funded by the City.

C. Additional Citizen Reports

1. Willie Hudspeth spoke on Code Enforcement and the requirement for a dumpster on his business property. People dump on his site all the time which was not in his control. He would like some of the funds available in the Downtown area for his business.
2. Ginger Cain thanked the Council for sidewalks on Windsor. She requested a change in the policy for a refund or voucher of paid admission when swimmers had to vacate the pool due to contamination.

**4. CONSENT AGENDA**

Council Member Briggs motioned, Mayor Pro Tem Bagheri seconded to approve the Consent Agenda and accompanying ordinances and resolutions with the exception of Items A, F, G and H which would be considered individually. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2017-173

- B. ID 17-688 Consider adoption of an ordinance ratifying the expenditure of funds by the City Manager for the emergency replacement of four (4) pumps at the Pecan Creek Water Reclamation Plant Raw Sewage Pump Station No. 2 in accordance with provisions of Section 252.022 of the local government code exempting such purchases from requirements of competitive bidding; and providing an effective date (File 6470-awarded to multiple vendors in the estimated amount of \$665,619). The Public Utilities Board recommends approval (7-0).

Ordinance No. 2017-174

- C. ID 17-736 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the Supply of Traffic Signal Poles for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6359-awarded to Techline, Inc. in the three (3) year not-to-exceed amount of \$2,011,027.83).

Ordinance No. 2017-175

- D. ID 17-737 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the Supply of Turnout Gear (Personal Protection Equipment) for Structural Firefighting for the City of Denton Fire Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 6432-awarded to Casco Industries, Inc in the five (5) year not-to-exceed amount of \$600,000).

Ordinance No. 2017-176

- E. ID 17-740 Consider adoption of an ordinance ratifying the expenditure of funds by the City Manager for the emergency repair of Transfer Pump #2 at the Lake Ray Roberts Water Treatment Plant and in accordance with provisions of section 252.022

of the local government code exempting such purchases from requirements of competitive bidding; and providing an effective date (File 6344-awarded to Weisinger, Inc. in the amount of \$59,996). The Public Utilities Board recommends approval (7-0).

Ordinance No. 2017-180

- I. ID 17-771 Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the expenditure of funds for the purchase of the sculpture "Seeing Through the Thorn Vine" by artist James Surls to be displayed on the east side of the City of Denton Civic Center which is available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code such purchases are exempt from the requirements of competitive bidding; and providing an effective date (File 6461-awarded to the James Surls Studio in the amount of \$105,000). The Public Art Committee recommends approval (8-0).

Approved the minutes listed below.

- J. ID 17-784 Consider approval of the minutes of June 5 and 6, 2017.

Ordinance No. 2017-181

- K. ID 17-785 Consider adoption of an ordinance of the City of Denton, Texas, amending Ordinance No.2016-393, prescribing the number of positions in each classification of Police Officer; providing a repealer clause; and declaring an effective date.

The items pulled for separate consideration were considered.

Approved the donation as noted below.

- A. ID 17-480 Consider approving the donation of a watercolor, Turner Falls, by the late Rob Erdle, donated by Ms. Millie Giles, as Public Art pursuant to the City of Denton's Donations of Public Art Policy. The Public Art Committee recommends approval (7-0).

Christine Taylor, Parks Business Manager, stated that staff was seeking Council approval of the donation of a watercolor of Turner Falls by the late Rob Erdle. She presented background information on the artist and noted that the Public Art Committee agreed with the donations

Council Member Gregory motioned, Council Member Briggs seconded to approve the donation. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2017-177

- F. ID 17-750 Consider adoption of an ordinance of the City of Denton, Texas approving a consent to assignment of an Airport lease agreement between BAM Denton Management Ventures, LLC and Sykes-Vaughan Investments, LLC.; and providing an effective date. Council Airport Committee recommends (2-0).

Mark Nelson, Director of Transportation/Aviation, presented background information on the lease and the associated assignment. The Council Airport Committee recommended approval as did staff.

Council Member Ryan motioned, Council Member Gregory seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2017-178

- G. ID 17-751 Consider adoption of an ordinance of the City of Denton, Texas approving a consent to assignment of an Airport lease between J.R. Almand, M.D. and CFD Integration, LLC d/b/a CFDI Aero; and providing an effective date. Council Airport Committee Recommends (2-0).

Mark Nelson, Director of Transportation/Aviation, presented the background information on the assignment of the lease. He noted that the Council Airport Committee and staff recommended approval. He also presented information on Item 4H which was an amendment to this lease to allow for commercial servicing of the hanger.

Council Member Briggs motioned, Council Member Hudspeth seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2017-179

- H. ID 17-752 Consider adoption of an ordinance of the City of Denton, Texas approving a first amendment to an airport lease between the City of Denton, Texas and CFD Integration, LLC D/B/A CFDI Aero; and providing an effective date. Council Airport Committee Recommends (2-0).

Council Member Gregory motioned, Council Member Hudspeth seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

**5. ITEMS FOR INDIVIDUAL CONSIDERATION**

Ordinance No. 2017-182

- A. A17-0002c Conduct the second of two readings and consider adoption of an ordinance to annex approximately 16 acres generally located on the north side of Barthold Road, approximately 340 feet west of the I-35 Southbound Service Road. (A17-0002, Blue Beacon).

Julie Wyatt, Senior Planner, presented the background information on the annexation. This was the second public hearing for the voluntary annexation. She read the following ordinance caption into the record "An ordinance of the City of Denton, Texas, annexing approximately 6.71 acres of

land, generally located north of Brush Creek Road and east of Fort Worth Drive by the City of Denton, Texas, more specifically described in Exhibit "A" and illustrated in Exhibit "B", providing for a correction to the city map to include the annexed lands; providing for a savings clause and an effective date - A17-0004." She noted that the applicant was present for any questions.

Council Member Gregory motioned, Council Member Briggs seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2017-183

- B. ID 17-738 Consider adoption of an ordinance accepting competitive bids and awarding a public works contract for the construction of the South Bonnie Brae Street Widening and Improvements Phase I project for the City of Denton with geographical limits from 500' north of Vintage Boulevard south to Roselawn Street; providing for the expenditure of funds therefor; and providing an effective date (IFB 6390C-awarded to Ragle, Inc. in the not-to-exceed amount of \$11,810,220.07).

Galen Gillum, Director of Capital Projects, presented information on the phased improvement of Bonnie Brae Street. He presented a location map, recommendation letter, bids that were received, and project funding.

Council discussed preference for a local bidder and whether there were punitive damages for delays.

Willie Hudspeth questioned the location of the property and why had he not been contacted about his property in the construction zone.

Mayor Pro Tem Bagheri motioned, Council Member Ryan seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2017-184

- C. ID 17-764 Consider adoption of an ordinance of the City of Denton, Texas approving a rate change pursuant to an interlocal agreement between the City of Denton and the University of North Texas for the enforcement of parking regulations by the University of North Texas; authorizing parking enforcement zones for the University of North Texas; providing for a severability clause; and providing for an effective date. The Traffic Safety Commission recommends approval (6-0).

Mark Nelson, Director of Transportation/Aviation, reviewed the background of the interlocal agreement in addition to displaying a location map. The suggestion was to increase the parking meter fees from \$.50 to \$2.25 per hour. Area merchants requested a 2 hour parking limit instead of the meters. The proposal was for a pilot program to remove the parking meters in specific locations and put in two hour free parking. The second part of the ordinance dealt with no parking restrictions on Wilshire Street. The third part of the ordinance dealt with Eagle Drive north to



Maple to Central near the UNT parking garage. That portion of the ordinance would allow UNT to enforce existing city parking regulations in those two areas.

Council requested a review of Option 1; discussed who would enforce the two hour parking; how the fine money would be distributed; length of the pilot program; noted the fact that the request for two hour parking came from stakeholders and merchants in the area; whether parking was included in a small area plan and if so, was consideration of this item premature; and the fact that it might be hard to undo a pilot program once instituted.

Speaker Cards were submitted by Willie Hudspeth who questioned the process for the proposal and Kim McKibben who was opposed.

Council discussed whether this ordinance could change the parking on Wilshire to permit parking as it currently was free parking.

Comment cards were submitted by:

Larry Beck – opposed  
Chris Ellis – opposed  
Clint Caskey – opposed  
Kayli Cox – opposed  
Gayla Caskey – opposed  
Casey Glenn – opposed  
Mitchell Hooten – opposed  
Michael Hennen – in support

Council discussed possibly postponing the item to a date certain for further discussion with UNT regarding adding permit parking to the streets and consideration to take out Section 4 of the ordinance for the Wilshire portion of the ordinance.

Council Member Ryan motioned to postpone the item to an event certain of staff coordinating the parking with the Small Area Plan. After discussion on the motion, Council Member Ryan withdrew his motion.

Mayor Watts stated that it appeared that the opposition was to the Wilshire segment. He felt it might be beneficial to do two of the three items.

Gary Robertson, Director of Parking Operations-UNT, spoke regarding the taking of coins in the area which was quite an involved process. He was in favor of the free parking. In terms of Central Avenue, it was difficult to get through the area due to the on-street parking. The third priority was the Wilshire area. Doing the parking meter portion would be beneficial both to UNT and the business owners.

Mayor Pro Tem Bagheri motioned, Council Member Gregory seconded to adopt the ordinance.

Council discussed that if motion failed, the meters would stay on Hickory and the merchants would not get what they were asking for.

Mayor Pro Tem Bagheri amended her motion to strike Sections 3 and 4 of the proposal ordinance leaving the rest of ordinance. Council Member Gregory approved that amendment for his second.

After further discussion by Council on the amended motion, Mayor Pro Tem Bagheri amended her motion again to approve Item C and only strike Section 4. Council Member Gregory was in favor of that amendment for his second.

On roll call vote of the amended ordinance, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

- D. ID 17-765 Consider adoption of an ordinance of the City of Denton, Texas prohibiting parking on the south side of Hickory Street from Avenue B to Welch Street; providing a repealer clause; providing a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; providing that violations of this ordinance shall be governed by Chapter 18 of the Code of Ordinances of the City of Denton; and providing for an effective date. The Traffic Safety Commission recommends approval (6-0).

Julie Anderson, Bike and Pedestrian Coordinator, presented the background information on removing parking on the south side of Hickory Street from Avenue B to Welch Street. She also presented information on current accommodations and prior actions/meeting. Staff recommended Option 1 which was removal of on-street parking to facilitate a continuous bike lane on the south side.

Council discussed an alternate route through the UNT campus; enforcement regulations to prevent trucks from stopping in the bike lanes; and the process involved in the two options to determine if they were viable.

Speaker Cards were submitted by:

Suzanne Townsdin - in favor of Option 1  
Willie Hudspeth spoke in favor of Option 1  
Garret Rumahr - spoke in favor of Option 1  
Brent Erskin - in favor of Option 1 but didn't want to lose parking in the area  
Alex Payne - suggested eliminating one travel lane  
Kim McKibben - suggested the option of a shared road instead of eliminating parking

Comment Cards were submitted by:

Michael Hennen – in support  
Rachel – in support  
Jonathan Royster – in support  
Chris Ellis – in opposition  
Clint Caskey - in opposition  
Gayla Caskey – in opposition

Kayli Cox - in opposition  
Austin Nelson - in opposition  
Casey Glenn – in opposition  
Mitchell Hooten – in opposition

Council discussed that the bike plan did not call for removal of parking but called for the establishment of a bike lane which only could be done by removing parking. They questioned if bollards could be installed on Hickory in this area and whether there were other options available to accommodate the bike lane.

Council Member Gregory motioned to adopt the ordinance as recommended by the Traffic Safety Commission (Option 1).

Council Member Briggs questioned if the small area plan was a factor in removal of parking at this time.

Munal Mauladad, Director of Development Services, stated that she was unable to know about the plan at this time. Development Services was doing a comprehensive plan to address those issues.

Mayor Pro Tem Bagheri felt there were other options to explore other than eliminating the parking.

The motion died for lack of a second.

Council Member Hudspeth motioned, Council Member Briggs seconded to postpone the item to an event certain of resolution of the prior item or completion of the Small Area Plan whichever occurred first. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Council Member Gregory "nay". Motion carried with a 6-1 vote.

Ordinance No. 2017-185

- E. ID 17-794 Consider adoption of an ordinance of the City of Denton authorizing a Memorandum of Understanding between the City of Denton, Texas ("City") and Denton Assistance Center, Inc., d/b/a Serve Denton ("Serve Denton") to implement Employ-2-Empower, Denton's Employment Empowerment Program for person's experiencing homelessness; providing for the expenditure of funds; and providing for an effective date.

Council Member Ryan recused himself from deliberation/vote on this item.

Danielle Shaw, Human Services Coordinator, presented information on the Employ-2-Empower agreement with Serve Denton. She presented the objective, background information, goals, and budget.

Council Member Briggs motioned, Mayor Pro Tem Bagheri seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Council Member Ryan returned to the meeting.

## **6. PUBLIC HEARINGS**

- A. ID 17-775 Hold a public hearing regarding the potential termination of Tax Increment Reinvestment Zone Number One (Downtown TIF), City of Denton, Texas.

Caroline Booth, Director of Economic Development, presented background information on the authorization of the TIF, criteria for establishment of the TIF, a map of the TIF zone, fiscal information, possible uses of the funds, and options for consideration.

Council Member Gregory stated that at the last work session, the focus seemed to be to terminate the TIF. He felt that it was premature to terminate the fund and would like to postpone consideration because he had not heard from many of the stakeholders involved in the program. He suggested taking a comprehensive look at the Downtown Master Plan and goals associated with that plan and to talk about the TIRZ to see if it had been effective or if there were better method/tools than the TIF fund. He also suggested using this meeting as a starting point to hear from the community and to have more discussion on the plan.

Council Member Hudspeth disagreed with Council Member Gregory's characterization of the prior work session.

The Mayor opened the public hearing.

The following individuals spoke during the public hearing:

Ginger Cain – opposed  
John Lena – opposed  
Alex Payne – opposed  
Bob Moses – opposed  
Greg Johnson – opposed  
Monty Jensen - opposed  
Ken Gold - in favor  
Tim Stoltzfus – opposed  
Mike Cochran – in favor  
Jodi Ismert – in favor  
Paul Meltzer – opposed

Comment cards were submitted by:

Michael Hennen  
Shaun Troat - opposed  
Ben Esely – opposed  
Scott Campbell – opposed  
Ron Warren Lunt – more clarification needed  
Jen Morgan – opposed  
Jeff Doyle – opposed

MaryBeth Reinke - opposed

Josh Berthume - opposed

Brent Ware – opposed

Jenny Hooker – opposed

Julie McRoberts - opposed

Additional speakers included:

Deb Armintor spoke in favor

Ben Esely spoke in opposition

Willie Hudspeth spoke in favor

Kate Lynes - spoke in opposition

Zack Youngblood – spoke in favor

The Mayor closed the public hearing.

Council Member Briggs asked if it were possible to expand the original boundaries of the TIRZ.

Booth stated yes but the percentage of residential properties in the boundary of the zone needed to be taken into consideration.

Council Member Ryan requested information on the difference between the Railyard project and Stoke.

Council discussed whether to change the membership of the Board and then look as to whether or not maintain the fund. Council presented their views on whether or not to dissolve the TIF and the philosophy of the TIF.

Consensus of the Council was to begin the conversation of the Board with another Work Session; include community conversations; consider a field trip to the area; discuss how the TIF could be aligned with the Downtown area and entire community; evaluate the need for the fund; prepare a list of potential projects to consider for the TIF to fund for downtown reinvestment grants; input on how to modify with suggestions from different stakeholder groups such as the Downtown Task Force and the EDP Board.

Ordinance No. 2017-186

- B. Z17-0001a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending Subsection 35.5 of the Denton Development Code, pertaining to the self-service storage use and adding a Limitation 35 (L35) to provide requirements for self-storage use; and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission recommended approval (5-1) of the request. (Z17-0001)

Munal Mauladad, Director of Development Services, presented the details of the request including the background information, applicant's proposal, Planning staff's recommendations, and the Planning and Zoning Commission recommendation.

Council discussed location for the proposal and whether a proposed code change should take place during the rewrite of the DDC.

The Mayor opened the public hearing.

The following individuals spoke during the public hearing:

Alex Payne – spoke in support

Mike Coker, representing the applicant, spoke in favor but was opposed to the requirement to air condition the building.

Council discussed the lighting provisions for the proposal.

The Mayor closed the public hearing.

Council continued their discussion noting the suggestions by the applicant, staff and the recommendation from the Planning and Zoning Commission. Consideration of a hybrid was suggested but not expose it to all of the zoning districts.

Council Member Gregory motioned, Council Member Hudspeth seconded to adopt the Planning and Zoning Commission's recommendation with a SUP in the CMG district and add the 35 limitation without the air. On roll call vote, Council Member Hudspeth "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", and Mayor Watts "aye". Council Member Briggs "nay", and Mayor Pro Tem Bagheri "nay". Motion carried 5-2.

- C. A17-0001b Hold the second of two public hearings for a voluntary annexation of approximately 118.041 acres of land, generally located north of McKinney Street and west of Trinity Road by the City of Denton, Texas.

Ron Menguita, Long Range Planning Administrator, stated this was the second public hearing for voluntary annexation due to a proposed development of the property. He reviewed the annexation schedule.

The Mayor opened the public hearing.

The following individuals spoke:

Tammy Pruitt spoke in opposition to the proposed use.

Kim McKibben suggested a change in the agenda order.

Dan Sarine spoke in opposition.

The Mayor closed public hearing.

No action was required on this item at this time.

- D. A17-0004b Hold the second of two public hearings for an involuntary annexation of approximately 6.71 acres of land, generally located north of Brush Creek Road and east of Fort Worth Drive by the City of Denton, Texas.

Ron Menguita, Long Range Planning Administrator, stated that this was the second required hearing for this annexation and reviewed the annexation schedule.

The Mayor opened the public hearing.

No one spoke during the public hearing.

The Mayor closed the public hearing.

No action was required on this item at this time.

Ordinance No. 2017-187

- E. HL17-0001b Hold a public hearing and consider adoption of an ordinance designating the property known as the O'Neil Ford Civic Complex, bounded by Withers Street on the north, Bell Avenue on the east, McKinney Street on the south and Austin and Oakland Streets on the west, a historic landmark, under Section 35.7.6. of the Denton Development Code; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date.

Roman McAllen, Historic Preservation Officer, presented the request and site location, buildings located in the complex, and recommendation.

Council discussed the effect the designation would have on modifications of buildings within the designated area; the effect on limitations on modifying/adding/taking away of play structures; and adding more public art or taking away public art.

McAllen stated that adding a new building would require a Certificate of Appropriateness from the Historic Landmark Committee.

Council discussed the effect of the designation on future development in the area; how the boundaries of the complex were drawn; and consideration of redrawing the lines of the complex so as to not include the parking lots and vacant land.

The Mayor opened the public hearing.

The following individuals spoke:

Mike Cochran spoke in favor.

Jane Piper-Lunt spoke in favor.

A Comment Card in support was submitted by Michael Hennen.

Council Member Briggs motioned, Council Member Ryan seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "aye", and Mayor Watts "aye". Mayor Pro Tem Bagheri "nay". Motion carried with a 6-1 vote.

## **7. CONCLUDING ITEMS**

- A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the City Council or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Council Member Gregory asked about Council committee assignments.

Council Member Gregory requested a Work Session regarding Open Meetings rules and limitations.

Council Member Hudspeth requested information about notification of work and asbestos abatement for the Wells Fargo building.

Council Member Briggs requested revisiting the Civic Center Pool policies.

Council Member Briggs requested an update on the Municipal Equality Index and how to raise it.

Council Member Briggs requested information on percentage of jobs in Denton that paid a living wage and what was the percentage.

Council Member Briggs requested information on the total sales tax provided in the TIF zone area.

Council Member Briggs requested a map of non-taxable property shaded one color and a different shade for 65 and over for the tax freeze.

Council Member Ryan requested a Work Session or Informal Staff Report on sales tax permits and enforcement for vendors.

Council Member Ryan requested information on why the updated DDC was not available on line on the MuniCode site.



Mayor Watts requested information on pedestrian and bike counts on Hickory since the recent road-diet.

Mayor Watts reopened Item 6A.

- A. ID 17-775 Hold a public hearing regarding the potential termination of Tax Increment Reinvestment Zone Number One (Downtown TIF), City of Denton, Texas.

Mayor Watts noted that the public comments from Jane Piper-Hunt had been missed during the discussion. He read those comments into the record.

Council continued with the posted agenda order.

- B. Possible Continuation of Closed Meeting topics, above posted.

There was no continuation of the Closed Meeting.

With no further business, the meeting was adjourned at 12:54 a.m.

---

CHRIS WATTS  
MAYOR  
CITY OF DENTON, TEXAS

---

JENNIFER WALTERS  
CITY SECRETARY  
CITY OF DENTON, TEXAS