

## CITY OF DENTON CITY COUNCIL MINUTES

January 15, 2019

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, January 15, 2019 at 12:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Council Member Hudspeth, Council Member Briggs, Mayor Pro Tem Ryan, Council Member Armintor, Council Member Meltzer, and Mayor Watts.

ABSENT: Council Member Duff.

### **WORK SESSION**

#### **1. Citizen Comments on Consent Agenda Items**

There were no citizen comments on Consent Agenda items.

#### **2. Requests for clarification of agenda items listed on the agenda for January 15, 2019.**

Staff responded to Council requests for clarification on the following:

Council Member Briggs asked about the Oak Gateway Plan and the section on bike lanes and whether that would be considered by the Mobility Committee.

Council Member Briggs asked about Consent Agenda Item D.

Mayor Watts asked about Public Hearing Items 5B and 6A.

#### **3. Work Session Reports**

- A. ID 19-026 Receive a report, hold a discussion, and give staff direction regarding the development of the Cole Ranch and Hunter Ranch master planned communities in southwest Denton.

Bryan Langley, Deputy City Manager, provided background on the Cole Ranch and Hunter Ranch master planned communities. Cole Ranch and Hunter Ranch each represented 3,000 acres in southwest Denton that were zoned as Master Planned Communities. In recent years, Cole Ranch approached Council about establishing a Public Improvement District (PID) to finance the required public infrastructure for the development. Council declined to establish a PID because of concerns about the debt that would be included on the City's financials, among other issues.

In 2018, the Cole Ranch/Hunter Ranch developers partnered on a coordinated development and were asking the City to consider the establishment of a municipal management district (MMD) instead of a PID to enable them to recapture part of the cost of the required public infrastructure. An MMD was a separate political subdivision from the City that could collect property taxes or assessments from property owners within the district under limitations set by the City. Developers would front the cost for the public infrastructure and would be reimbursed by bonds issued by the MMD. Reimbursement only occurred after the developer had paid for and built the improvements

and created assessed value from homes and commercial buildings at a 10:1 ratio to the bond reimbursement. Revenue from property taxes collected from the property owners within the district was used pay back the debt. A key difference between a PID and an MMD was that the MMD-issued debt would not be carried on the City's financials.

Brian Carlock with Hillwood Communities stated that the objective of this project was to develop a 6,000 acre Master Planned Community and to create a special financing district (MMD) on each property that was necessary to finance the currently unavailable regional infrastructure and to provide a superior level of quality architecture, amenities, and lifestyle; and to create a development and financing structure through the MMD that avoided any risk or financial burden to the City while creating \$4 billion in assessed value at build out.

Carlock reviewed elements of the Denton 2030 Plan that were guiding principles for the projects and provided an analysis of the sites. He provided a preliminary development plan. He reviewed the phases of the projects. He stated that the quality and standards of housing, parks, amenities and mixed use would exceed the City standards. He stated that they were requesting City approval of an MMD "Support Resolution"; City approval / consent of the MMD creation; and City approval of master plan documents including design guidelines and development plan map.

Council discussion included staff's comments on the development plan; other Hillwood projects that were not in a MMD; question regarding alignment of Denton Airport and Alliance Airport, building to scale in phases of affordability, affordable housing within the project.

Langley stated that staff recommended an MMD given that it addressed the Council's feedback more effectively than a PID. The developers had requested a resolution in support of the MMD for the Texas Legislature. If passed, Council could still decide not to create the MMD or to restrict powers through a developer agreement. Staff also recommended that the developer fund an escrow to conduct an independent fiscal impact analysis of the project and provide a legal review by City's consultants.

City Manager Hileman stated that staff could show pros and cons of the development and provide answers to most of the questions asked. If there was not enough benefit to the community, then the project would die.

Consensus of Council was to bring it back for another discussion with the additional information requested.

- B. ID 19-037 Receive a report, hold a discussion, and give staff direction regarding multi-family dwelling, collegiate housing and dormitory land use classifications.

Ron Menguita, Development Services, stated that Council had directed staff to refine / clarify the definition of dormitory. The refined definition of dormitory was a structure with three or more dwelling units in which individual bedrooms were offered for consideration to residents for periods in excess of 30 days, and which each bedroom lacks exclusive use of a full kitchen.

Menguita stated there were 33 Rent by the Bedroom Developments and reviewed the zoning district they were located in. He stated there were 6,153 units in the Rent by the Bedroom

Developments which was 18,090 bedrooms. He reviewed the existing dormitories and how they were permitted. Proposed limitation dormitories over 45 feet in height were required to obtain a Specific Use Permit. New development would fall under this. Existing would be grandfathered. Council discussion how to regulate it, height of dormitories, enforcement of conversions/alterations of existing multi-family dwelling developments; non-conforming uses. single-family dwelling detached, duplex and townhome offering individual bedrooms for consideration.

Consensus of Council was to extend the SUP in current zoning classifications to DR-2, DC-N and DC-G and when the new classifications come in to extend the SUP to R7, MN and MD and make it SUP across the board and the only one by right would be PF – Public Facilities.

- C. ID 19-053 Receive a report, hold a discussion, and give staff direction regarding information on current laws and policies which regulate the sale and use of electronic cigarettes, including information on age restrictions.

Sarah Kuechler, Director of Public Affairs, reviewed the City of Denton regulations related to the smoking ordinance. E-cigs were prohibited in all locations where smoking was prohibited. They had added a provision making it unlawful to sell or give e-cigs or paraphernalia to anyone under 18 years of age. The Texas Education Code required school districts to prohibit the use or possession of e-cigs or tobacco products at a school-related or school-sanctioned activity on or off school property and ensure that school personnel enforce the policies on school property. DISD has a policy in the Student and Parent Handbook and Enforcement actions for policy violations were handled by Denton ISD personnel.

Kuechler reviewed the San Antonio tobacco ordinance and stated that small retailer associations had filed a federal lawsuit challenging the City of San Antonio ordinance. They alleged that the ordinance discriminated against retailers since they were the only ones subject to punishment under the ordinance. Young adults between the ages of 18-20 who were caught purchasing, using, or possessing tobacco did not face penalties or enforcement under the San Antonio ordinance or state law.

Kuechler advised that considerations at the State level were legislation to raise the state's minimum age had been introduced in prior legislative sessions. A coalition of organizations called Texas 21 was seeking to introduce and pass legislation in the 86<sup>th</sup> Legislative Session to raise the tobacco and e-cigarette sales age to 21 state-wide. Considerations at the Federal level were the FDA announcement in Nov. 2018 targeting action to limit the sale of flavored e-cigarette products to minors both in stores and online.

Council discussion included raising the tax on cigarettes, education campaign with county and school district.

Council direction was to work on a joint partnership with DISD and share with Council a copy of the proposed legislation and prepare a resolution in support should Council want to consider that.

- D. ID 19-078 Receive a report from staff, hold a discussion, and give staff direction regarding the funding of a replacement Fire Technical Rescue/ Light Air Vehicle.

Kenneth Hedges, Fire Chief, stated that the Fire Department used two separate apparatus for major fires, rescues, or hazmat incidents. The Technical Rescue Unit was a truck and trailer unit and current challenges were that the unit operated near the maximum weight capacity slowing down response times along with the challenge of transporting all necessary equipment required for the specific incident. The air-light apparatus was designed to carry necessary equipment for breathing air support, spare bottle storage, scene illumination, and electrical support. The unit has been out of service for over a year and a half, which required the department to dispatch surrounding departments for mutual aid assistance during major events.

A Fire Technical Rescue/Light Air Vehicle was a specialized combined rescue vehicle carrying rescue equipment, air-light equipment on-site with an expected life span of 15 years. The air-light component offered the ability to refill tanks for Self-Contained Breathing Apparatus at the scene and continued to do so for an extended period. The department had applied for funding assistance three years in a row through the FEMA Assistance to Firefighters Grant, in which the department's requests had not been approved.

Staff recommended the purchase of one combination Fire Technical Rescue/Light Air Vehicle for the approximate cost of \$750,000, and the reduction of two vehicles: the current air-light apparatus and heavy rescue apparatus from the department fleet. \$250,000 had been allotted to replace this unit in the 2018-19 budget. In addition, there was \$500,000 available from the FY 2018-19 CIP vehicle replacement budget. The estimated cost to replace the technical rescue vehicle with air/light capabilities was \$750,000.

David Gaines, Assistant Director of Finance, stated that a reimbursement ordinance approved by Council on October 16, 2018 included \$2.9 million for vehicle replacements. Based on the preliminary inventory analysis, \$450,000 in previously scheduled FY2018-19 replacements was available - three light duty trucks and two pieces of heavy equipment scheduled for replacement were no longer necessary. These funds could be appropriated to the fire rescue truck.

Consensus of Council was to move forward.

- E. ID 19-044 Receive a report, hold a discussion and provide staff direction regarding activities related to participation in the National Flood Insurance Program's Community Rating System. Staff will give an overview of the City's flood program and current classification status in the Community Rating System.

Todd Estes, City Engineer, stated that the City of Denton's Community Rating System Classification had increased from a Class 6 to Class 8 in October 2018. He reviewed the rating process. A lower classification number provided a greater discount for policy owners. The City currently had 455 policy holders. 253 policy holders were eligible for discounts through the CRS. Classification was point based. Points were assessed by activity. Activities were defined by FEMA. Activities and Criteria were updated by FEMA about every 5 years. Floodplain Management Planning included an annual update on the City's flood protection action plan. Action Plan was available from the City of Denton Office of Emergency Management. Action items included - CASA Weather Radar System; Public Education Program; Emergency Operations Center Relocation; and New Flood Studies of High and Moderate Hazard Dams. Capital Projects

included a Stormwater Master Plan. Ongoing Flood Mitigation Projects were – Eagle Drive improvements, PEC-4, and Downtown Storm Drain Project.

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

**1. Closed Meeting:**

- A. ID 19-016 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, and discuss, deliberate and provide direction to staff regarding the future plans for, and current and future operations of, the Gibbons Creek Steam Electric Station owned by the Texas Municipal Power Agency. Consultation with the City's attorneys regarding legal issues associated with the future plans for, and current and future operations of, the Gibbons Creek Steam Electric Station 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. (The City of Denton is a member of TMPA).

- B. ID 19-114 Deliberations regarding a Personnel Matter under Government Code Section 551.074

Discuss and deliberate regarding the evaluation of candidates and the appointment/employment of a Municipal Judge.

- C. ID 19-140 Consultation with Attorneys - Under Texas Government Code Section 551.071; Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Consult with the City's attorneys on legal considerations, status and strategy, in advance of a proposed mediation before the Equal Employment Opportunity Commission, relating to the pending charge of former employee Shandrian Jarvis, and to receive legal advice regarding same, where the City's Attorneys' duties to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551 of the Texas Open Meetings Act. This closed session also concerns deliberations involving a public officer or employee, under circumstances allowing closed session under section 551.074 of the Texas Open Meetings Act.

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**

- A. ID 19-089 Resolution of Appreciation for Jennifer Walters.

The Mayor read a Resolution of Appreciation for Jennifer Walters.

Council Member Hudspeth motioned, Mayor Pro Tem Ryan seconded to approve the resolution. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

**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.  
C. Additional Citizen Reports.

Willie Hudspeth, 623 Newton, spoke regarding dumpsters and how they were emptied.

Jane Piper Lunt, 1205 N. Austin, spoke regarding the opening of the Monsignor King Center when the temperatures were below freezing. She challenged each Council Member to donate their monthly stipend to help pay for the cost of two full-time employees for the Center so it could be open seven nights a week.

**4. CONSENT AGENDA**

Mayor Pro Tem Ryan motioned, Council Member Armintor seconded to adopt the Consent Agenda and accompanying ordinances and resolutions. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

**Ordinance No. 19-010**

- A. ID 19-010 Consider adoption of an ordinance of the City of Denton, approving in-kind services for security in an amount not to exceed \$4,536 for the Women's March on Saturday, January 19, 2019, from 9:30 a.m. to 2:00 p.m., to be held on the courthouse lawn in downtown Denton; and providing an effective date.

**Ordinance No. 19-043**

- B. ID 19-043 Consider adoption of an ordinance of the City of Denton, Texas authorizing the expenditure of funds for payment by the City of Denton for the operation and maintenance fee for water storage at Lake Lewisville and Lake Ray Roberts to the U.S. Army Corps of Engineers; and providing an effective date (Water Storage O&M Fee in the total amount not to exceed \$123,000).

Ordinance No. 19-059

- C. ID 19-059 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, accepting competitive bids and awarding an annual contract for heavy equipment rental for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 6713 - awarded to the lowest responsive bidder for each line item: Berry Companies Inc. dba Bobcat of Dallas, in a total not-to-exceed amount of \$50,000, Southlake Equipment Company, Inc. dba B&R Equipment Company in a total not-to-exceed amount of \$100,000, Closner Equipment Co., Inc., in a total not-to-exceed amount of \$115,000, Herc Rentals Inc., in a total not-to-exceed amount of \$50,000, Kirby-Smith Machinery, Inc., in a total not-to-exceed amount of \$150,000, RDO Equipment Co., in a total not-to-exceed amount of \$275,000, ROMCO Equipment Co., LLC, in a total not-to-exceed amount of \$50,000, T-K-O Equipment Co., in a total not-to-exceed amount of \$150,000, United Rentals (North America), Inc., in a total not-to-exceed amount of \$205,000, Zimmerer Kubota, in a total not-to-exceed amount of \$50,000; in a total one (1) year, not-to-exceed amount of \$1,195,000).

Ordinance No. 19-061

- D. ID 19-061 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the U.S. Communities Cooperative Purchasing Program Contract # 00254 for the purchase of residential refuse and recycling carts and replacement parts; providing for the expenditure of funds therefor; and providing an effective date (File 6926 - awarded to Rehrig Pacific Company, in the three (3) year not-to-exceed amount of \$1,010,208).

Ordinance No. 19-076

- E. ID 19-076 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract for the purchase of Emergency Medical Services (EMS) patient lift equipment, and maintenance service agreement, inspection, and repair, with Stryker Sales Corporation; which is the sole provider of this equipment and service in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding and if over \$50,000 shall be awarded by the governing body; and providing an effective date (File 6921 - awarded to Stryker Sales Corporation in the three (3) year not-to-exceed amount of \$392,501.56).

Ordinance No. 19-077

- F. ID 19-077 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract through the Buy Board Cooperative Purchasing Network Contract Number 571-18 for the acquisition one (1) Pierce Velocity Pumper Engine; providing for the expenditure of funds therefor; and providing an effective date (File 6973 - award to Siddons-Martin Emergency Group, LLC, in the amount of \$929,196.68).

Ordinance No. 19-084

- G. ID 19-084 Consider adoption of an ordinance of the City of Denton approving a City sponsorship in an amount not to exceed \$500.00 to the Denton Chamber of Commerce for

the 2019 Denton County Days on Monday, February 18, 2019 through Wednesday, February 20, 2019; and providing an effective date.

Approved the minutes listed below

- H. ID 19-092 Consider approval of the minutes of December 3, December 4, December 11, and December 18, 2018.

Resolution No. 19-139

- I. ID 19-139 Consider approval of a resolution of the City Council of the City of Denton, Texas, appointing an interim City Secretary; setting forth the terms of the appointment; and providing an effective date.

**5. PUBLIC HEARINGS**

- A. S18-0008f Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow for a multi-family residential use as part of a mixed-use development on an approximately 31-acre site, generally located on the north side of Windsor Drive, east of the I-35 N Frontage Road, in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability; and establishing an effective date. (S18-0008, Windsor Drive Apartments). THIS PUBLIC HEARING HAS BEEN CONTINUED FROM THE DECEMBER 4, 2018 CITY COUNCIL MEETING.

The Mayor stated that the applicant had asked for this item to be postponed to the February 5 Council meeting.

The Mayor opened the public hearing.

The following individual spoke during the public hearing:

Ed Soph, 1620 Victoria Drive, spoke in opposition

A comment card in opposition was submitted by Carol Soph, 1620 Victoria.

Mayor Pro Tem Ryan motioned, Council Member Briggs seconded to postpone the item to the February 5 Council meeting. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

- B. ID 19-083 Hold a public hearing and consider adoption of an ordinance of the City Council of the City of Denton, Texas designating a certain area within the City limits of Denton as Tyson Sales and Distribution Reinvestment Zone No. XIV for commercial/industrial tax abatement; establishing the boundaries of such zone; making findings required in accordance with Chapters 311 and 312 of the Texas Tax Code; ordaining other matters relating thereto; providing a severability clause; providing for repeal; and providing an effective date.

The Mayor opened the public hearing.

A comment card in opposition was submitted by Samuel Escalante, 2565 Quail Ridge Drive.

Mayor Pro Tem Ryan motioned, Council Member Hudspeth seconded to postpone the item to the February 5 Council meeting. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

## **6. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. ID 19-025 Consider adoption of an ordinance authorizing the Mayor to execute a tax abatement agreement with Tyson Sales and Distribution, Inc. setting forth all the required terms of the tax abatement agreement in accordance with the terms of Chapter 312 of the Texas Tax Code; setting forth the various conditions to Tyson Sales and Distribution, Inc. receiving the tax abatement; providing for a severability clause; and providing an effective date.

The Mayor stated that the applicant had asked for this item to be postponed to the February 5 Council meeting.

A comment card in opposition was submitted by Samuel Escalante, 2565 Quail Ridge Drive.

Mayor Pro Tem Ryan motioned, Council member Hudspeth seconded to postpone the item to the February 5 Council meeting. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

### **Ordinance No. 19-008**

- B. ID 19-008 Consider adoption of an ordinance of the City of Denton, Texas updating impact fees by amending Chapter 26, "Utilities," section 26-210 through section 26-232 of the City of Denton Code of Ordinances; adopting revised land use assumptions and capital improvements plans for water and wastewater impact fees; establishing new service areas for water and wastewater impact fees; establishing new maximum impact fees per service unit and impact fees to be collected; creating schedules for the assessment and collection of impact fees; repealing conflicting ordinances and resolutions; providing for a severability clause; providing for a penalty not to exceed \$2,000 for each violation thereof; and providing an effective date.

Kenneth Banks, General Manager of Utilities, stated that impact fees were a one-time charge for new development that covered a portion of the costs for the capital improvements programs necessary to accommodate growth. Impact fees were authorized by the Texas Local Government Code and were required to be updated every 5 years. The City Council appointed a Capital Improvements Advisory Committee and the Committee evaluated the impact fees, made a recommendation, and filed comments with the City Council. The impact fee study results and the recommendations were presented to the City Council during the public hearing on December 18,

2018. Staff prepared the final ordinance in accordance with the direction of City Council during the December 18, 2018 public hearing.

Council Member Meltzer motioned, Council Member Hudspeth seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "nay", Mayor Pro Tem Ryan "aye", Council Member Armintor "nay", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried (4-2).

- C. ID 19-013 Consider approval of a resolution accepting the visions, goals, recommendations, and implementation strategies proposed in the Oak Gateway Area Plan which covers an area generally located South of Panhandle Street, North of Interstate 35, East of Bonnie Brae Street, and West of Carroll Boulevard ("Oak Gateway Area"); and, providing an effective date.

Ron Menguita, Development Services, reviewed the purpose of the plan. A proposed mixed-use development on Fry Street came before Council but was not approved. The Fry Street Small Area Plan was updated. The Oak Gateway Area Plan was created. The Oak Gateway Area Plan was created in January 2016. Council selected a steering committee in 2018. The Committee had about 20 meetings and had some area plan tours and walking tours. A Community Workshop was held and a public open house was held.

Committee members provided draft goals and recommendations for each sub-area and included Land Use, Community Design, Mobility, Parking, and Services. Recommendations included the following:

- Create an Overlay District for the Scripture Street area that promotes walkability and ensures revitalization and reinvestment projects are in scale with the area through a Form Based Code format.
- Create an Overlay District for the Oak/Hickory Street area that promotes walkability and ensures revitalization and reinvestment projects are in scale with the area through a Form Based Code format.
- Make improvements to existing parks and identify new parks opportunities, such as the UNT property on Bradley Street, the future decommissioned DME property on the northwest corner of Bonnie Brae and Hickory Street, and pocket parks.
- Create a Parking Benefit District on Oak/Hickory/Fry Streets. Evaluate the costs/benefits of parking enforcement provided by the District vs. enforcement by the Police Department.
- Identify parking spaces and non-parking areas with paint markings.
- Create and expand open space on city-owned properties. This should include any excess properties purchased as part of the Bonnie Brae widening project and the future decommissioned DME property on the northwest corner of Bonnie Brae and Hickory Street.
- Designate the Collins area as an Overlay District (Fannin/Avenue A/Greenlee/Bernard).

- Designate the Sycamore area as a Historic Conservation District (Mulberry/Bernard/Prairie/Carroll).
- Expand two-way stop at Bernard and Collins to a four-way stop.
- Repair existing street lights and install street lights where lighting is needed in the area.
- With residents, explore and consider residential districts that may be suitable for visitor parking tag requirements (evaluated block-by-block).
- Encourage Neighborhood Groups to participate in implementation of the Oak Gateway Area Plan recommendations.

Comment cards were submitted by the following individuals.

Charles Browning, 3220 Hornbeam, Argyle, opposition to option 5 for the Hickory Street Bike Lane.

Wendy McQuade, 9 Highview Court, opposition to the Hickory Street sharrows.

Manvela Picariello, 3232 N. Locust Street, opposition to the plan for the sharrows.

The following individuals spoke regarding the item.

Garrett Rumohr, 1700 Crescent Street, spoke in opposition to the Hickory Street segment of the plan.

Alejandro Juarez, 425 Fulton Street, spoke regarding the Hickory Street segment and that the bike lane was inadequate for cyclists.

Suzanne Rumohr, 1700 Crescent Street, spoke in support of the Plan but would like to see a protected bike lane.

Christopher Walker, 805 Emory, spoke in support of the Plan but would like to see a re-design of the bike lane.

Wendy McQuade, 9 Highview Court, spoke in support of the Plan but would like to see a continuous bike lane along Hickory Street.

Council discussion included the parking plan, parking issues in the area, public safety issue and the bike lane, continuous protected bike lane, sidewalk connections.

Council Member Briggs motioned, Council Member Meltzer seconded to approve the resolution excluding the specific recommendation [recommendation Area 1-M2(e)] regarding the street cross section for Hickory Street between Avenue B and Welch Street pending further deliberation by City Council. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "nay". Motion carried (5-1).

- D. ID 19-058 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Thalle Construction Company, Inc., for the construction of the North South Phase II 36-inch/42-

inch Water Transmission Line Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 6901 - awarded to Thalle Construction Company, Inc., in the not-to-exceed amount of \$7,798,807).

Todd Estes, City Engineer, stated that this project was to extend approximately 10,000 linear feet of 36-inch and 42-inch pipeline from the 24-inch line along Roselawn Drive up to the TxDOT facility at the intersection of northbound I-35E service road and Bonnie Brae Road, with the pipeline being within the Bonnie Brae Street right-of-way. This project was on the City's water master plan and was needed to provide more adequate and reliable water service to the customers.

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

- E. ID 19-127 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, Health & Building Standards Commission, Library Board, Traffic Safety Commission, and Committee on Persons with Disabilities.

Mayor Pro Tem Ryan motioned, Council Member Briggs seconded to approve the nominations of Mike Upshaw to the Airport Advisory Board, and Rex King and Tammera Beckham to the Committee on Persons with Disabilities. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

## **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.

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

Council Member Hudspeth asked staff to explore future options for coordinating public events to take advantage of free parking during evenings and weekends at TWU's new parking garage and provide pedestrian lighting and safety options to promote use of the new parking deck.

Council Member Arminton requested a staff report regarding the possibility on council donating their stipend to fund staff at Monsignor King Outreach Center.

Council Member Arminton asked about the possibility of donating her stipend - since she cannot take it - towards funding staff at Monsignor King Outreach Center.

Council Member Arminton requested information on potential reconfiguration of the Work Session Room to increase the number of seats in the room.

Council Member Arminton requested a test pilot of unlimited number of open mic reports for one to three months.

Mayor Watts requested additional information with the informal staff report regarding open mic and stop gap measures to resolve those staffing issues for Monsignor King Outreach Center.

Council Member Meltzer asked staff to look at an alternative for the open mic request and that was to consider one night a month that's just open mic.

Mayor Pro Tem Ryan stated that Thursday evening was the third annual State of the City.

With no further business, the meeting was adjourned at 9:27 p.m.

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CHRIS WATTS  
MAYOR  
CITY OF DENTON, TEXAS

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JANE RICHARDSON  
ASSISTANT CITY SECRETARY  
CITY OF DENTON, TEXAS