

AMENDED
CITY OF DENTON CITY COUNCIL MINUTES
April 23, 2019

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, April 23, 2019, at 2:01 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Chris Watts, Mayor Pro-Tem John Ryan, and Council Members Gerard Hudspeth, Keely Briggs, Don Duff, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were City Manager Todd Hileman and City Attorney Aaron Leal.

ANNOUNCEMENT: (1) Zolaina Parker, newly hired Deputy City Secretary, was introduced.

WORK SESSION

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

None.

2. **Requests for clarification of agenda items listed on the agenda for April 26, 2019.**

- Consent Item 2.A (ID 19-799) – Pulled for individual consideration. (Armintor and Meltzer)
- Consent Item 2.B (ID 19-830) – Pulled for individual consideration. (Armintor)
- Consent Item 2.C (ID 19-831) – Pulled for individual consideration. (Armintor)
- Consent Item 2.G (ID 19-834) – Pulled for individual consideration. (Hudspeth)
- Consent Item 2.H (ID 19-836) – As requested, staff clarified the purpose of the ILA with the City of Grand Prairie and the type of services involved. (Armintor)
- Consent Item 2.J (ID 19-840) – As requested, staff clarified this was not a bid item but an actual contract with a consultant and why cost was an unanticipated amount. (Meltzer)
- Public Hearing Item 3.B (ID 18-0009p) – As requested, staff clarified the reason why the item was postponed indefinitely. (Briggs)

3. **Work Session Reports**

- A. ID 19-854 Receive a report, hold a discussion, and provide staff direction regarding City Council priorities and the process to establish those priorities for upcoming work session report topics.

The presentation centered on Council Retreat priorities; (2) feedback and recommendations from previous strategy sessions: (a) Council feedback, and (b) staff recommendations; (3) top priorities from March 4th, with the final being briefed as part of the presentation; (4)

planned work session topics and functionality of that report; (5) work session priority survey; (6) highest priorities from April 12th, with responses received from 6 members; (7) potential gas well luncheon as highest priority; (8) revised priorities.

Staff was asked to review the priorities and determine which could be combined to one to further facilitate discussion and eliminate redundancy. This would also help identify any items that are coming up as part of a report, or potential work session item.

Council Members concurred with reviewing their own items and determining which could be removed/withdrawn and notify staff by the end of the week. Brief discussion was held on whether or not to allow private vendors to make presentation to City Council; more discussion will likely take place.

Discussion followed on the number of member requests for follow up and the amount of staff time to prepare; these requests are outside of what staff already has scheduled for discussion. Perhaps try to keep 12 per quarter.

The survey process, previously established was outlined, for Council Members to submit/identify their priorities was discussed, with the expectation that City Council follow that process. Council Member Briggs presented her items which were not provided as part of the survey. Changes were identified to the existing list. Staff will update the Priority List and provide to City Council as well as place online to allow access updated results. Next strategy session set for June 18, 2019. For those that are budget related, those identified priorities will be pulled out and discussed during the budget deliberations.

The meeting was recessed for a short break at 3:07 p.m. and reconvened at 3:17 p.m.

- B. ID 19-910 Receive a report, hold a discussion, and give staff direction regarding Denton Television (DTV) staffing and the streaming, recording, and making public meetings available for on-demand viewing.

The presentation centered on the (1) objective of sharing information on (a) the current public meeting production schedule, (b) options to achieve staffing sustainability, and (c) seek direction on public meeting production; (2) medium used to share public meeting information; (3) background on the public meeting production; (4) analytical data on public meetings in the last 6 months for six groups: City Council, Planning & Zoning, Public Utilities Board, ED Partnership Board, Mobility Committee and Traffic Safety, which included the total meetings produced as well as production hours involved.

Options available were detailed. Consensus was to review this programming and related costs (funded through General Fund and PEG Funds) as part of the upcoming budget to include close captioning and verbatim transcripts of those meetings that are videotaped. The need to establish a method by which to evaluate which group meetings will be recorded and those not was identified. Staff to present a report on PEG funds. Staff asked to consider a method by which to utilize college students for recording of meetings.

- C. ID 19-922 Receive a report, hold a discussion, and provide staff direction regarding a Special Citizens Bond Advisory Committee and public arts funding for the proposed 2019 Bond Program.

The presentation centered on (1) background information on progress to April 16th Council Work Session, (a) form the Special Citizen Bond Advisory Committee, (b) direct the appointment of members; (c) appoint members; (d) roles/responsibilities of that committee, with dissolution on Election Day; (2) CBAC membership (a) 3 of current Bond Oversight Committee confirmed, one declined; one not responded; and appoint members at the Regular Meeting that follows; (3) CBAC charges to stay within \$210 million in total cost; (5) outline of funds spent for Public Art for 2012 Bond Program (with \$74,088+/- unallocated remaining of the \$400,000 approved by voters) and 2014 Bond Program with Public Safety Unallocated at \$62,299 and parks Unallocated at \$40,000 of the total \$505,000 approved by voters). City Council to determine if Public Art to be a component of the upcoming bond program.

Staff was asked to develop criteria as to visual art as defined on the public art policy.

The meeting recessed for a short break at 4:21 p.m. and reconvened at 4:27 p.m.

Staff to look at existing policy to determine how to allow for more flexibility on propositions and percentage of funding. Preference was shown to funding public facilities overall and not totally tied to public safety facilities, indoor infrastructure, and possible funding at 2% allocation, with changes to the Public Art Policy and proposed proposition. The Special Citizen Bond Advisory Committee to consider these areas but return with their recommendations and present to City Council.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 4:32 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:

Note: Mayor Watts announced he, Council Member Armintor, and Council Member Meltzer had a conflict of interest on Item 1.B, and that Mayor Pro-Tem Ryan would be presiding over that item.

- A. ID 19-870 Consultation with Attorneys - Under Texas Government Code Section 551.071 Consult with the City's attorneys on the handling and disclosure of confidential and attorney/client privileged documents and information where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

- B. ID 19-877 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the potential acquisition of real property interests generally located (i) in the 800 block of Eagle Dr., (ii) Ave. H between W. Hickory St. and W. Prairie St., (iii) W. Prairie St. between S. Bonnie Brae St. and North Texas Blvd., (iv) Stella St. between S. Bonnie Brae St. and North Texas Blvd.; (v) North Texas Blvd. between Stella St. and Eagle Blvd., (vi) Maple St. between S. Locust St. and Ave. C, (vii) Faninn St. between S. Ave. B and Bernard St., (viii) S. Ave B. from Maple St. to Underwood St., (ix) Bernard St. between Eagle Blvd. and Collins St., (x) Carroll Blvd. between Eagle Dr. and W. Collins St., (xi) W. Collins St. between S. Ave. A and Carroll Blvd., (xii) Myrtle St. between Fort Worth Dr. and Maple St. (xiii) Pierce St. between Maple St. and Stroud St., (xiv) Eagle Dr. between S. Locust St. and Ave. C, (xv) Fort Worth Dr. between W. Collins St. and Maple Ave. all in the City of Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition or condemnation of the real property interests 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. (Electric distribution and transmission lines and Eagle substation)

Note: Prior to discussion of the item, Mayor Watts, Council Member Armintor, and Council Member Meltzer had a conflict of interest on the item and left the Work Session Room. Mayor Pro-Tem Ryan presided over the item.

The Closed Meeting ended at 6:19 p.m. No votes or actions were taken in the Closed Meeting.

SPECIAL CALLED MEETING

After determining that a quorum was present, the Special Called Meeting was called to order at 6:32 p.m. in the Council Chambers.

PRESENT: Mayor Chris Watts, Mayor Pro-Tem John Ryan, and Council Members Gerard Hudspeth, Keely Briggs, Don Duff, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were City Manager Todd Hileman and City Attorney Aaron Leal.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag

B. Texas Flag

ANNOUNCEMENTS: (1) City staff available outside of the Council Chambers to assist interested citizens on any matters regarding the proposed zoning changes and navigation of the zoning map; and (2) items for Individual Consideration would be considered prior to all Public Hearing items as those would be taken care of quickly.

2. CONSENT AGENDA

The consent agenda consisted of Items 2.A - J. Item 2.A (ID 19-799) was pulled for individual consideration by Council Member Armintor and Council Member Meltzer. Items 2.B (ID 19-830) and 2.C (ID 19-831) were pulled for individual consideration by Council Member Armintor. Item 2.G (ID 19-834) was pulled for individual consideration by Council Member Hudspeth.

Mayor Pro-Tem Ryan moved to adopt the Consent Agenda now consisting of items 2.D– F, and 2.H – J. Motion seconded by Council Member Meltzer. Motion carried.

AYES (7): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, Duff, Armintor, and Meltzer

NAYS (0): None

D. ID 19-826 Consider adoption of an ordinance of the City of Denton, granting the Denton Cinco de Mayo Festival Committee, pursuant to Section 17-20 of the City of Denton Code of Ordinances, a noise exception for the Denton Cinco de Mayo Festival, which will be held on Saturday, May 4, 2019, from 10:00 a.m. to 10:00 p.m. at the Quakertown Park; granting an increase in amplified sound levels for an outdoor music festival from 70 to 75 dba; and providing an effective date.

ASSIGNED ORDINANCE NO. 19-826

E. ID 19-827 Consider adoption of an ordinance of the City of Denton, approving a City co-sponsorship in an amount not to exceed \$13,900 of in-kind services and resources for the Denton Cinco de Mayo Festival, which will be held on Saturday, May 4, 2019, from 10:00 a.m. to 10:00 p.m., at the Quakertown Park; and providing an effective date.

ASSIGNED ORDINANCE NO. 19-827

F. ID 19-833 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 Perry Weather Consulting, Inc., for the purchase of Lightning Warning Equipment; providing for the expenditure of funds therefor; and providing an effective date (RFP 6942 - awarded to Perry Weather Consulting Inc., in the five (5) year not-to-exceed amount of \$183,000).

ASSIGNED ORDINANCE NO. 19-833

H. ID 19-836 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 an Interlocal Cooperative Purchasing Agreement with the City of Grand Prairie, Texas, under the Texas Government Code, Chapter 791, and Texas Local Government Code, Chapter

271, to authorize City of Denton contracts for the purchase of various goods and services; authorizing the expenditure of funds therefor; and declaring an effective date (File 7066 - Interlocal Cooperative Purchasing Agreement with the City of Grand Prairie).

ASSIGNED ORDINANCE NO. 19-836

- I. ID 19-838 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 524-17 for the acquisition of ballistic vests, helmets, and combat treatment kits; providing for the expenditure of funds therefor; and providing an effective date (File 7063 - awarded to GT Distributors, Inc., in the not-to-exceed amount of \$104,000).

ASSIGNED ORDINANCE NO. 19-838

- J. ID 19-840 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a fourth amendment to a Professional Services Agreement between the City of Denton and Freese and Nichols, Inc., amending the contract approved by City Council on July 17, 2012, in the not-to-exceed amount of \$435,701, amended by Amendments 1-3 approved by Purchasing Staff, the City Manager and City Council, said fourth amendment to provide engineering services relating to North-South Water Main Phases II and III; providing for the expenditure of funds therefor; and providing an effective date (File 4978 - providing for an additional fourth amendment expenditure amount not-to-exceed \$396,303.00 with the total contract amount not-to-exceed \$1,052,571.60).

ASSIGNED ORDINANCE NO. 19-840

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- A. ID 19-799 Consider adoption of an Ordinance of the City of Denton authorizing the City Manager, or designee, to execute a confidentiality and non-disclosure agreement between the City and Saturn Power Corporation; providing for a severability clause; and providing for an effective date.

ASSIGNED ORDINANCE NO. 19-799

Pulled for individual consideration by Council Member Armintor and Council Member Meltzer.

Mayor Watts announced Council Member Armintor and Council Member Meltzer had a conflict of interest on the item and had left the Work Session Room.

Council Member Hudspeth moved to adopt the item as presented. Motion seconded by Mayor Pro-Tem Ryan. Motion carried.

AYES (5): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, and Duff

NAYS (0): None

ABSTAIN (2): Council Members Armintor and Meltzer

- G. ID 19-834 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 CMS Mechanical Services, Inc., for the supply of heating, ventilation and air conditioning maintenance, repairs and replacement services for various City buildings and any other areas maintained by the City of Denton Facilities Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 6976 - awarded to CMS Mechanical Services, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$2,500,000).

Mayor Watts announced the item was pulled from consideration and would return on May 7, 2019.

- B. ID 19-830 Consider adoption of an ordinance directing the publication of Notice of Intention to issue \$9,110,000 in principal amount of Certificates of Obligation of the City of Denton for General Government projects; and providing for an effective date. Audit/Finance Committee approves 3-0.

ASSIGNED ORDINANCE NO. 19-830

Pulled for individual consideration by Council Member Armintor.

Presentation centered on (1) purpose of the notice of intention; (2) 31-day required notice; (3) proposed projects to be funded; and (3) detail on General Fund and Technology Service Projects and Wastewater Projects in the FY 18-19 budget; Additional details on the proposed projects will be presented to City Council on June 4, 2019 in conjunction with Council consideration of the bond sale ordinance.

Mayor Pro-Tem Ryan moved to adopt the item as presented. Motion seconded by Council Member Briggs. Motion carried.

AYES (7): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, Duff, Armintor, and Meltzer

NAYS (0): None

- C. ID 19-831 Consider adoption of an ordinance directing the publication of Notice of Intention to issue \$17,610,000 in principal amount of Certificates of Obligation of the City of Denton for Wastewater System and Electric System projects; and providing for an effective date. Audit/Finance Committee approves 3-0.

ASSIGNED ORDINANCE NO. 19-831

Pulled for individual consideration by Council Member Armintor.

Presented under Consent Item 2.B (File ID 19-830) to include (1) purpose of the notice of intention; (2) 31-day required notice; (3) proposed projects to be funded; and (3) detail on Electric Projects and General Obligation Funded Projects. Additional details on the proposed projects will be presented to City Council on June 4, 2019 in conjunction with Council consideration of the bond sale ordinance.

Mayor Pro-Tem Ryan moved to adopt the item as presented. Motion seconded by Council Member Hudspeth. Motion carried.

AYES (7): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, Duff, Armintor, and Meltzer
NAYS (0): None

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 19-842 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 Jagoe-Public Company for Trucking Services for various City of Denton departments; providing for expenditures of funds therefor; and providing an effective date (IFB 7014 - awarded to Jagoe-Public Company in the five (5) year not-to-exceed amount of \$1,300,000).
ASSIGNED ORDINANCE NO. 19-842

The presentation centered on (1) scope of trucking services; (2) milling process; and (3) bids sent and received and related processing. The method of outreach to potential vendors and notification process was detailed.

Mayor Pro-Tem Ryan moved to adopt the item as presented. Motion seconded by Council Member Hudspeth. Motion carried.

AYES (6): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, Duff, and Armintor
NAYS (1): Council Member Meltzer

- B. ID 19-920 Consider approval of a resolution creating a Special Citizens Bond Advisory Committee for the proposed 2019 Bond Election; establishing a charge for the committee; and declaring an effective date.
ASSIGNED RESOLUTION NO. 19-920

The presentation centered on (1) background on direction for a bond election; (2) Special Citizens Bond Advisory Committee formation; (3) responsibilities and dissolution on Election Day; (4) Committee charges on project list; and (4) tentative 2019 bond election timeline. A citizen public input campaign will be put together to allow the Committee to receive comments, recommendations from the public.

Mayor Pro-Tem Ryan moved to adopt the item, with the following amendments:

- Amend Section 9 to include (1) a 2% cap funding (2) for public art; and

Amending motion seconded by Council Member Briggs.

City Attorney Leal clarified the Committee would be required to bring forth recommendations with a 2% cap for vertical construction but could still come forward with recommendation(s) to increase that percentage. If the amount changes and if City Council agrees, this resolution would need to be amended.

Council Member Meltzer moved a friendly amendment that the Committee's charge include language that if according to staff estimates the bond package is under \$1 million, it would not result in a tax increase. Mayor Pro-Tem Ryan and Council Member Briggs accepted the friendly amendment.

Mayor Watts reiterated the amendments to be as follows:

- The Committees' charge state a \$100,000,000 or less bond package would to require an increase in the tax rate increase;
- Public Art be included in the list of things that the committee can consider; and
- A 2% cap on the amount of Public Art approved as part for vertical construction on the bond program.

Amending motion carried.

AYES (7): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, Duff, Armintor, and Meltzer

NAYS (0): None

- C. ID 19-921 Consider appointments to the Special Citizens Bond Advisory Committee for the proposed 2019 Bond Election.

Council Member Armintor moved to appoint the following:

- Jennifer Collins
- Janata Montgomery
- Tammy Bradley
- Karen DeVinney
- Peggy Capps
- Pat Smith

Motion seconded by Council Member Briggs. Motion carried.

AYES (7): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, Duff, Armintor, and Meltzer

NAYS (0): None

3. PUBLIC HEARINGS

- A. ID 19-909 Hold a public hearing on the designation of a certain area within the city limits of Denton as Sally Beauty Supply, LLC Reinvestment Zone Number XV for commercial/industrial tax abatement in accordance with Chapter 312 of the Texas Tax Code. THIS PUBLIC HEARING HAS BEEN CANCELLED.

As noted, the public hearing had been previously cancelled.

- B. DCA18-0009p Hold a public hearing and consider an ordinance changing the Bell Avenue Historic Conservation District to the Bell Avenue Historic District, as specified in Section 4.9.5 of the proposed Denton Development Code Update. Planning and Zoning Commission recommends approval of the amendment 7-0. THIS ITEM HAS BEEN POSTPONED INDEFINITELY (DCA18-0009, Roman McAllen)

As noted, the item had been postponed indefinitely.

- C. DCA18-0009q Hold a public hearing and consider an ordinance of the City of Denton, Texas, approving and adopting the newly revised Denton Development Code; superseding and expressly repealing Chapters 31, 34 and 35 of the 1991 Code of the City of Denton, Texas, as amended, and leaving all other chapters intact; superseding and expressly repealing the existing 2002 Denton Development Code, as amended; establishing a penalty in the maximum amount of \$2000.00 for violations of the Denton Development Code as further specified therein; providing for severability; and establishing effective dates as further specified herein. (DCA18-0009, DDC Update, Ron Menguita)

The presentation centered on (1) P&Z processes on proposed change to the Code, responses, and input received after that hearing; (2) cards received after the P&Z public hearing; (3) substantive changes to RZ3 (triplexes, quadplexes, duplexes) which are moving to CDC for review; (4) NR4 changes; (5) updates to the errata sheet; and (4) map updated on most recent proposed changes. Staff stated there were no substantive changes; and that adoption would authorize the city attorney to make non-substantive changes without coming to City Council.

Matt Goebel with Clarion Associates presented additional information, including (1) project goals consisting of (a) implementing Denton Plan 2030, (b) improving user-friendliness, (c) tailoring development standards, and (d) modernizing development review procedures; (2) DDC drafting process; (3) path to adoption; (4) DDC public meetings summary since June 2017 to present; (4) DDC adoption draft - cleanup edits; and (5) after DDC adoption, with effective date of October 1, 2019, track ongoing effectiveness of the DDC, consider "batch updates" on a regular basis and the DDC being a living document.

The meeting was recessed for a short break at 7:29 p.m. and reconvened at 7:39 p.m.

With the public hearing opened, the following spoke on the item:

- Lee Allison, 2415 N. Elm Street, in support of the item
- Richard Kelsey, 206 Ridgecrest Circle, in support of the item; expressed appreciate for assistance rendered during the entire process
- Katherine Warylock, 1918 Poinsettia, in support of the item and concerns about pricing out of the market low income families
- Regan Wood, 7113 Wright Court, on storage building at 2499 and concerns regarding development code and bidding process
- Pam Spooner, 513 Chateau Court, in opposition to the item and concerns as to definitions for R3 and R4 zoning
- Mary Anderson, 924 West Oak, on keeping density low and concerns with rushing the process
- Jacque Fenster, 2422 College Park Drive, on concerns of B&Bs above-ground infrastructure that would allow new gas wells as well as RV parks
- Michelle Berry, 1730 Stonegate Drive, in support of the item and looking at duplexes and triplexes as alternative housing; concerned about details being laid out in the plan
- Ron Furtick, P.O. Box 11, Argyle, spoke in support of the item
- Dana Zoltner, 610 Emory, on concerns as to City Council not being ready to vote on the item
- Jennifer Lang, 7526 Willowood Street, on her concern of speakers addressing the City Council Members by name and desire to see an overlay district on 35E to Ft. Worth Drive
- Eric Pruett, 2111 Westwood Drive, in opposition to the item

No other speakers came forward on the item.

Council Member Armintor moved to continue the public hearing to May 7, 2019 as new information had been received at the meeting with no opportunity to review the material in advance. Motion seconded by Council Member Meltzer. Motion failed.

AYES (2): Council Members Armintor and Meltzer

NAYS (5): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, and Duff

Discussion followed on the proposed changes to date and those changes that would be required in the future.

Council Member Hudspeth moved to close the public hearing and approve the item pending the City Attorney's clarification. City Attorney Leal clarified the motion was to:

- *“Approve pending an amendment to the existing draft ordinance attached to the agenda backup that would create a new section that would allow as follows:
 - The City Attorney is authorized to make corrections and implement non-substantive changes to the newly revised Denton Development Code in support of the policy direction given.”*

Amending motion seconded by Council Member Duff. Amending motion carried.

AYES (6): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, Duff, and Meltzer

NAYS (1): Armintor

The meeting was recessed for a short break at 8:58 p.m. and reconvened at 9:09 p.m.

- D. DCA18-0009r Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a city-wide rezoning, to coincide with zoning regulations adopted under the newly revised Denton Development Code; establishing a penalty in the maximum amount of \$2000.00 for violations thereof; providing for severability; and establishing an effective date. (DCA18-0009)

The presentation centered on (1) Denton Plan 2030; (2) Subchapter 3, Zoning Districts; (3) review of the Zoning District Transition Chart; (4) work sessions and meetings held by City Council, Planning and Zoning commission, Development Code Review Committee, and other public and stakeholder meetings; (5) notifications and medium type; (6) updated response forms update; (7) recap of public hearings and direction to be taken in the next couple of months. The updated zoning map of what was adopted under Public Hearing Item 3.C (DCA18-0009q) and this item will be placed online tomorrow, April 24, 2019.

The following requested to have their name read into the record as noted (public hearing had been opened):

- Boyd Taylor, 631 S. Mayhill Road, in opposition to the item
- James Fee, 223 Sycamore, in opposition to the item
- Bryan Hasse, 2430 I35 E, in support of item if HC
- Michael Lawrence, 2900 Robinson Road, in opposition to the item

With the public hearing opened; the following spoke on the item:

- John Shiver, 520 N. Austin Street, in opposition to the item as it would impact his property which is zoned MD
- Robert Stalk, 5101 E. University Drive, in opposition to the item and the need to have his property zoned SC
- JB Haisler, 2164 North Locust, in opposition to the item; and detailed surrounding properties to his and recommended his property be zoned SC (handout)
- Dan Hampton, 2798 Robinson Road, in opposition to the item
- Cynthia Lickman, P.O. Box 1097, in opposition to the item and the need to have his property zoned MN not R3
- Steve Stone, 6827 Freeman Road, in opposition to the item and that 1500 McCormick Street and I35 should be zoned MN
- Gary Chang, 1600 W. Hickory, in opposition to the item and the need to have his property should MR or MD

- Eric Jansen, 3617 Falcon Court, in opposition to the item and the need to have his property zoned NR4
- Ron Furtick, P.O. Box 11, Argyle, in support of the item and on concern that his property is being poorly treated and decreases his property value
- Michelle Berry, 1730 Stonegate Drive, spoke in opposition to the item and stated city initiated rezoning should stick to the comprehensive plan
- Mary Anderson, 924 W. Oak Street, in opposition to the item and concern with MN zoning or R7 zoning
- Jennifer Lang, 1526 Willowood Lane, on preserving open green space
- Yafei Staszul, 6498 Shiloh Lane, in opposition to the item and not agreeing with the proposed zoning change to her property

~~With no other speakers coming forward, the public hearing was closed.~~ No other speakers came forward.

Council Member Armintor moved to postpone the item indefinitely. Following discussion, the motion was withdrawn.

Council Member Meltzer moved to continue the public hearing to August 6, 2019. Motion seconded by Mayor Pro-Tem Ryan. Motion carried.

AYES (7): Mayor Watts, Mayor Pro-Tem Ryan and Council Members Hudspeth, Briggs, Duff, Armintor, and Meltzer

NAYS (0): None

5. CONCLUDING ITEMS

- (1) Status update on council members speaking with outside counsel on a pending item; (2) discuss option on policy for green painting on pavement for bike/pedestrian lanes; (3) invited those that have not driven Mayhill lately to do so; amazing area; (4) thanked staff for providing trash receptacles for the MLK event; and (5) staff look at grease trap at Arby's on 288 Trap which appears to drain on grass area. (Hudspeth)
- (1) Recommended on new master plan that staff work with master gardeners to explore an arboretum concept. (Ryan)
- (1) Information on the recent court decision regarding chalking of tires on vehicles; (2) information on zoned parking and how it can help around campuses; and (3) list of directors and department heads and if they live in city or not or city limits to start conversation on incentives we need to make city more desirable. (Briggs)
- (1) Ongoing early voting for City Council elections; and (2) Jazz Fest this weekend. (Armintor)

With no further business, the meeting was adjourned at 10:36 p.m.



CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS



ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: May 7, 2019

MINUTES AMENDED ON: August 13, 2019