

CITY OF DENTON CITY COUNCIL MINUTES

March 3, 2016

After determining that a quorum was present, the City Council convened in a Work Session on Thursday, March 3, 2016 at 2:30 p.m. in the Council Work Session Room at City Hall.

PRESENT: Mayor Watts, Council Member Hawkins, Council Member Briggs, Mayor Pro Tem Gregory, and Council Member Wazny.

ABSENT: Council Member Roden and Council Member Johnson.

1. PUBLIC HEARINGS

- A. ID 16-336 Hold the second of two public hearings to consider annexing approximately 4,132.40 acres of land contained in ten of the fifteen annexation areas, which received a Non-Annexation Agreement in 2010, and a one year extension in 2015 that will expire on March 16, 2016. Four of the annexation areas include approximately 2,789.14 acres of land and are primarily located within the northwestern quadrant of the City of Denton's Extraterritorial Jurisdiction (ETJ), Division 1, and are identified as PAA1, PAA2, PAA3, and PAA4. The remaining seven areas include approximately 1,343.26 acres of land and are considered unincorporated ETJ pockets located within the body of the City of Denton's corporate limits and are identified as DH1, DH2, DH3, DH4, DH5, and DH14.

The Mayor opened the public hearing.

Aimee Bissett, Director of Development Services, stated this was the second public hearing to hear from the public regarding proposed annexations that included properties that currently had non-annexation agreements that would expire on March 16, 2016. She presented background on the prior annexation process that was included in the Denton Plan in 1999, the goals of the 2009 annexation study, and the two types of annexation areas that resulted from the annexation study. In 2010 the City began the annexation program to accomplish the goals of the annexation study and that included areas eligible for non-annexation agreements.

Council Member Roden arrived at the meeting

Bissett presented the map of the proposed annexation areas and reviewed each of the proposed areas for annexation in terms of location and the area encompassed. The 2016 annexation schedule was reviewed.

Mayor Pro Tem Gregory asked for an explanation on the agriculture exemption in terms of taxes and whether it was available for these properties.

City Manager Campbell stated that agriculture exemption was dependent on being qualified in terms of use of the property. The annexation would not change that exemption and it would remain whether the property was in the city or not as long as it met the qualifications. A home on the property would go on the tax roll.

Mayor Pro Tem Gregory requested an example of city taxes on a piece of property with an agriculture exemption.

Council Member Briggs asked for an explanation of the term restrictive covenants.

Aaron Leal, Assistant City Attorney, stated that the covenants would place restrictions on how a piece of property could be used.

The following individuals spoke during the public hearing:

Joneel Harris, 425 Fry, Denton, 76201 – opposed
Janelle Burch, 4478 Country Club, Denton, 76210 – opposed
Terri Meador, 4021 Corbin, Denton, 76207 – opposed
Dan Hampton, 2798 Robinson Road, Denton, 76210 – opposed
Chris Atkinson, 4525 S. Bonnie Brae, Denton, 76226 – opposed
Robin Gregory, 491 Hickory Creek, Krum, 76249 – opposed
Bent Carter, 2043 Chinn Road, Denton, 76207 – opposed
Larry Pockrus, 9080 Wolf Run, Ponder, 76259 – opposed
Patricia Logan, 4269 S. Bonnie Brae, Denton, 76226 – opposed

Council Member Johnson arrived at the meeting.

Silvia Pena, 470 Hickory Creek, Denton, 76249 – opposed
Deborah Cottle, 480 Hickory Creek, Denton, 76249 - opposed

Mayor Watts read the Comment Cards that were submitted.

Steve Naus, 3320 N. Masch Branch, Denton, 76207 – opposed

The Mayor closed the public hearing.

Council discussed the restrictive covenants; the letters that went out to the residents and the legal statute for notification and types required.

No action was required on this item at this meeting.

Following the completion of the Public Hearing, the City Council convened in a Closed Meeting at 3:34 p.m. to consider the specific items listed below under the Closed Meeting section of this agenda.

1. Closed Meeting:

A. ID 16-377 Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consultation, discussion, deliberation and receipt of information from the City's attorneys involving legal matters relating to the annexation or extension/renewal of non-annexation agreements for eligible properties, and to provide the City's attorneys with direction, where a public discussion of these legal matters would clearly 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.

With no further business, the Council returned to Open Session and adjourned at 4:50 p.m.

CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS

JENNIFER WALTERS
CITY SECRETARY
CITY OF DENTON, TEXAS