

CITY OF DENTON CITY COUNCIL MINUTES

July 26, 2016

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, July 26, 2016 at 3:00 p.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member Hawkins, Council Member Briggs, Council Member Wazny, Council Member Gregory, and Council Member Bagheri.

ABSENT: Mayor Pro Tem Roden and Mayor Watts.

Council Member Gregory stated that there had been a request from a citizen to have an item discussed in Open Session that was scheduled for Closed Session.

City Attorney Burgess stated that it would be appropriate for Council to have that discussion in Open Session if it so desired.

Council Member Gregory stated that he would like to discuss the duties or job description of the city manager in a public setting.

City Attorney Burgess stated that it could be done following the Work Session. She cautioned the Council that as they made comments they should be aware that they are employers of the position and should not reference a former city manager.

City Attorney Burgess noted that in the absence of the Mayor and the Mayor Pro Tem, a Temporary Presiding Officer needed to be appointed. Mayor Pro Tem Roden was on his way to the meeting but was hampered by traffic. The Council's rules indicated that the City Secretary would preside over the selection of a Temporary Presiding Officer.

City Secretary Walters called the meeting to order and asked for nominations for a Temporary Presiding Officer.

Council Member Briggs nominated and Council Member Bagheri seconded to appoint Council Member Gregory as Temporary Presiding Officer.

City Secretary Walters called for a hand vote to appoint Council Member Gregory as Temporary Presiding Officer. On roll call vote, Council Member Briggs "aye", Council Member Wazny "aye", Council Member Gregory "aye", Council Member Hawkins "aye", and Council Member Bagheri "aye". Motion carried unanimously.

1. Work Session Reports

- A. ID 16-896 Receive a report and hold a discussion regarding the adoption of the proposed City of Denton Public Art Master Plan.

Emerson Vorel, Director of Parks and Recreation, presented background information on the Public Art Committee and the funding for public art. He noted that in 2015 the City Council awarded a Professional Services Agreement (PSA) to Margaret Chalfant of Chalfant Consulting, former Executive Director of the Greater Denton Arts Council (GDAC), to develop a City of Denton Public Art Master Plan. The Public Art Master Plan outlined the basic principles for the purchase, donation, and placement of art, and it provided the framework for the integration of Public Art into

the City of Denton's architecture, gathering places, and landscapes. Three large projects were in design that included a 9/11 Memorial Bell Tower; a Morales sculpture for the City Hall Courtyard; and medallions to be installed along I35 near the North Texas overpass. The Master Plan was a tool for future art and offered direction with a lot of community input involved. From the public input came recommendations for the Master Plan. One recommendation was for a full time public art administrator which was not brought forward in this budget year but was something to think about in the future to benefit the City. Another recommendation was to upgrade the City's website to make the public art collection more accessible. Five year suggestions for locations and partners for public art as well as proposed budgets were included. The original request was for a five year window to accommodate growth of the city and budget accommodations.

Council discussed the possibility of a program to decorate dumpsters in the downtown area; that this was a plan before the Public Art Committee; and there probably was a need to modify the official Council charge to the Public Art Committee to accommodate the Public Art Master Plan.

Consensus of the Council was to place the proposal on a Consent Agenda for approval.

- B. ID 16-906 Receive a report, hold a discussion and give staff direction regarding an ordinance to adopt the 2015 International Energy Conservation Code (IECC) as amended by the City.

Rodney Patterson, Building Official, presented background information on the proposed adoption of the Energy Conservation Code. The State mandated that this code be adopted. He reviewed the history of the State Energy Code and the history of the City's code adoptions.

Mayor Pro Tem Roden arrived at the meeting and Council Member Gregory relinquished his duties as Temporary Presiding Officer.

Patterson continued with a review of the major changes on the residential side and presented a comparison of code versions with and without COG amendments for single and two story residences. Major changes on the commercial side were presented. He noted that staff needed direction from Council on whether to continue with the above code requirement that currently was in place or move forward with the 2015 IECC with local amendments only.

Council discussed whether the local developers were involved in the process. The Committee on the Environment recommended approval with the local amendments but no additional requirements which was consistent with the Health and Building Standards Commission's recommendations.

Consensus of the Council was adopt the code with no additional above code requirements at this time. Consensus was not in favor to continue with current above code requirement of 4% for one and two family dwellings and in favor of moving forward with the adoption of the 2015 International Energy Conservation Code (as mandated by State law) with local amendments.

Following the completion of the Work Session, the City Council was to have convened in a Closed Meeting to consider the item below in Closed Meeting. However, upon discussion at the beginning of the meeting, consensus of the Council was to hold the discussion in Open Session.

1. Closed Meeting:

- A. ID 16-917 Deliberations regarding a Personnel Matter under Government Code Section 551.074.

Consultation, discussion, and deliberation about the duties and responsibilities of the position of the City Manager.

Council Member Wazny noted that a job description had already been prepared but the Council had no discussion about what they wanted included in the job description. She also questioned how to include citizens in the process and suggested considering a user friendly method to allow citizens to comment.

Council Member Gregory stated that a search firm normally had scheduled meetings with Council so they knew what important qualities the Council was looking for.

Mayor Pro Tem Roden stated that there would be no action on the job description at this time. He noted that as Council was thinking about what they wanted in a city manager, there might be other items they didn't want to include due to the HR function of a pass through the selection. Everyone will have a chance to weigh in on the selection. The current description was generic on purpose for the HR portion of the process.

Council Member Bagheri noted that the job description lacked a provision for private sector experience. She would be acceptable with private managerial expertise as well.

Mayor Pro Tem Roden noted that there were different sections of job description which could include council interest to lean towards city manager type of experience or move in the direction to allow private sector candidates.

Council Member Hawkins stated that he was open to private sector applicants.

Council Member Wazny stated the job description should be looked at as a resource to update the description. She noted that government was different from the private sector.

Council Member Bagheri stated that she would like the type of experience necessary especially in terms of electric discussion.

Following the completion of the Closed Meeting, the City Council convened in a Special Called Meeting to consider the following items:

1. ITEMS FOR INDIVIDUAL CONSIDERATION

Resolution No. R2016-019

- A. ID 16-918 Consider approval of a resolution approving the selection of a firm to provide consulting services related to conducting an employment candidate search for the position of City Manager; authorizing the expenditure of funds therefor; and providing for an effective date.

Mayor Pro Tem Roden stated that the Council Appointee Performance Committee had tasked the Human Resources Department to seek out consulting firms for a city manager search and provide the committee with recommendations. The recommendation was to use the Water and Company firm.

Council Member Bagheri questioned if the cost was for just a city manager or a city manager and an internal auditor

Mayor Pro Tem Roden stated that there was no benefit to do both at the same time. It was felt that more discussion regarding the internal auditor position was needed.

Council Member Wazny motioned, Council Member Hawkins seconded to approve the resolution using the Waters and Company firm. On roll call vote, Council Member Briggs "aye", Council Member Wazny "aye", Mayor Pro Tem Roden "aye", Council Member Hawkins "aye", Council Member Gregory "aye", and Council Member Bagheri "aye". Motion carried unanimously.

- B. ADP16-0001c Consider approval of an Alternative Environmentally Sensitive Area (ESA) Plan for the Villages of Carmel Phase 4B. The subject property is generally located on the north side of Pockrus Page, east of Monte Verde Way, and west of Swisher Road. The Planning and Zoning Commission recommends approval (7-0).

Mayor Pro Tem Roden stated that this item could only be acted on if there was a full Council present. As the Mayor was not present, no action would be taken on this item at this meeting.

2. 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 requested an Informal Staff Report or Work Session on the widening of Pockrus Page Road and whether the proposed development would be responsible to widen Pockrus Page adjacent to the development.

Council Member Hawkins requested a detailed Informal Staff Report regarding Mingo Road.

Council Member Bagheri requested a discussion item regarding the internal auditor position before passing the budget.

With no further business, the meeting was adjourned at 4:40 p.m.

CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS

JENNIFER WALTERS
CITY SECRETARY
CITY OF DENTON, TEXAS