

## CITY OF DENTON CITY COUNCIL MINUTES

June 19, 2018

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, June 19, 2018 at 2:00 p.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member Hudspeth, Council Member Briggs, Council Member Duff, Council Member Ryan, Council Member Gregory, Council Member Meltzer, and Mayor Watts.

ABSENT: None.

### 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 June 19, 2018.

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

Council Member Briggs – Consent Agenda A and H; pull Consent Agenda B for separate consideration

### 3. Work Session Reports

#### A. ID 18-646 Receive a report, hold a discussion and give staff direction regarding capital improvements to downtown Mews Streets (Pecan, Austin, Walnut, and Cedar).

Bryan Langley, Deputy City Manager, presented the background information concerning this item. The objective was to improve the streets off the face of the Square, focusing on pedestrian accessibility and beautification. He noted issues with the streets in the area such as lack of walkable sidewalks, parking, dumpsters in streets, etc.

Council discussed that possible development in the area would require the relocation of transformers, the number of grease traps behind the buildings, and dumpsters in the street.

Langley continued with options in terms of comprehensive improvements, solid waste improvements only or retaining the status quo on the streets.

Council discussed loading and unloading for deliveries for the businesses with the proposed configuration.

Langley noted the solid waste history in the Downtown area, possible revetment locations, possible compactor locations, and a summary of the options of which the staff was recommending a study for possible solutions.

Council considered:

- Whether the grease traps were included in the solid waste options
- That improvements in the area might increase retail options in the area
- Frequency of trash pickup in the area

- Whether the shared system of dumpsters was effective in the area
- Cost for everyday pickup of trash in the area
- Number of current and proposed parking spaces in the areas.

Consensus of the Council was to proceed with the engineering study with the use of TIF funds to finance the study.

- B. ID 18-862 Receive a report, hold a discussion, and give staff direction regarding the City's guidelines for public improvement districts.

Caroline Booth, Director of Economic Development, presented the staff report for this item. She noted the background information on PIDs, what area cities were doing with PIDs, prior action on the PID guidelines, and the recent direction that was provided to staff regarding the guidelines.

Council discussed the proposed revisions in terms of cap on assessment; the use of PIDs for residential development; and whether these funds could be used for single family homes.

Consensus of the Council was to move forward with the proposed guidelines for Council consideration.

- C. ID 18-897 Receive a report; hold a discussion, and receive departmental presentations in preparation for the FY 2018-19 Proposed Budget, Capital Improvement Program, and Five Year Financial Forecast.

Adam Gawarecki, Denton Chamber of Commerce, reviewed the Chamber of Commerce Economic Development Office's budget. He noted goals and accomplishments; current and proposed performance measures; budget emphasis; cost containment strategies and process improvements; and budget highlights.

Council discussed:

- The various aspects of the presentation in terms of a definition of private investors
- Marketing strategies
- Whether other cities had the same type of relationship with a Chamber Economic Development office in terms of providing salaries to employees
- Whether the Chamber Economic Development office would ever be self-sustaining
- Encourage more community involvement

Lee Howell, Chief of Police, presented information on the Police Department's and Animal Service's budget. He noted goals and accomplishments; performance measures; vision and core values; current challenges; cost containment strategies; performance measures; and budget expenses highlights.

Council discussed the proposed addition of 4 officers to the budget; space needs; and tracking of homeless calls.

Howell continued with the Animal Services budget presentation. He noted goals and accomplishments; mission statement; cost containment strategies; process improvements; and budget expenses highlights.

Robin Ramsay, Municipal Judge, presented the Municipal Judge's office budget in terms of goals and accomplishments; position summary; and budget highlights.

Tiffany Thomson, Customer Service Manager, presented the Municipal Court budget. She noted the organizational chart for the department; goals and accomplishments; cost containment strategies; number of Municipal Court cases; performance measures; and budget highlights.

D. ID 18-1021 Receive a report, hold a discussion, and give staff direction regarding the preliminary FY 2018-19 Budget, including potential changes to the homestead exemption.

Tony Puente, Director of Finance, reviewed the General Fund project assumptions; preliminary forecast; supplemental requests; and over 65 & disabled tax limitation.

Council discussed deferral of property taxes.

Puente continued with the 2017 estimated tax limitation impact; preliminary market value by category; and the three year history of all exemptions. He presented information on the homestead exemption in terms of current value, preliminary values; and preliminary average total home value.

Council discussed the affordable home values in the City; assessed value as opposed to appraised value; and effect of State legislation on property tax rates.

Puente continued with comparison of area cities in terms of homestead exemptions and tax freeze; average taxable home value comparison with area cities; over 65 exemption trend; disabled person exemption trend; homestead exemption trend; and options for increasing the homestead exemption.

Council considered the various options presented. Discussion included:

- Consideration of increasing the homestead exemption by \$5000
- What might be alternatives of what spending not to do to cover the tax relief
- How much would be needed to cut to make a difference in the homeowner's taxes
- Remain at the effective rate which would help all homeowner's rather than an increase in the homestead exemption which would help a lesser number of homeowner's
- Consider awareness of city services in terms of reducing the amount of available dollars for those services
- Consideration of the growth in terms of increased revenue and to continue efficient usage of revenues.

Consensus of Council was Option 1 - no change in the amount at this time.

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 18-1013 Vicki Oppenheim regarding the Denton Community Market.

Ms. Oppenheim presented recent updates concerning the Denton Community Market. She presented information on an economic impact analysis of the Market and the impact of the Market on Denton's quality of life.

B. ID 18-1017 Katy Portillo regarding the Denton Community Market.

Ms. Portillo presented information regarding how her business had grown from attending the Community Market to establishing a snack shop on the Square. Her experience grew out of her initial attendance at the Community Market.

C. ID 18-1018 Loni Puckett regarding the Denton Community Market.

Ms. Puckett presented information on how important the Community Market was to her business and how it acted as a platform for the growth of her business.

D. ID 18-1020 Danielle Longueville regarding the Denton Community Market.

Ms. Longueville presented information on her experiences at the Denton Community Market and the effect it had on the Denton community.

C. Additional Citizen Reports

There were no additional citizen reports.

**4. CONSENT AGENDA**

Council Member Hudspeth motioned, Council Member Ryan seconded to approve the Consent Agenda and accompanying ordinances and resolutions with the exception of Item B 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", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 18-849

- A. ID 18-849 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-ruled municipal corporation, approving the sale of an approximate 1.9126 acre of land, Abstract No. 775, City of Denton, Denton County, Texas, to the successful bidder, Zimmerer Real Properties, LLP, a Texas Limited Partnership, for the total consideration of \$154,379.79; authorizing the City Manager in accordance with Texas Local Government Code 253.001 to execute a contract with Zimmerer Real Properties, LLP, together with any other documents necessary to sell and convey said real property; and providing an effective date (IFB 6735 - Sale of Real Property located at 2910 East University Drive in the amount of \$154,379.79).

The minutes listed below were approved.

- C. ID 18-927 Consider approval of the minutes of May 1, May 7, May 8, May 15, and May 22, 2018.

Ordinance No. 18-938

- D. ID 18-938 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, accepting competitive bids and awarding a contract for the supply of Underground Utility Locating Services; providing for the expenditure of funds therefor; and providing an effective date (IFB 6736- awarded to USIC Locating Services, LLC, for one (1) year, with the option for two (2) additional one (1) year extensions, in a total not-to-exceed amount of \$1,200,000 for all years). The Public Utilities Board recommends approval (6-0).

Ordinance No. 18-943

- E. ID 18-943 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Burgess & Niple, Inc., for Design Services of the Morse Street Loop 288 to Mayhill Road street improvement as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-009- Professional Services Agreement for design services awarded to Burgess & Niple, Inc., in the not-to-exceed amount of \$255,000). The Public Utilities Board recommends approval (6-0).

Ordinance No. 18-962

- F. ID 18-962 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, accepting competitive proposals and awarding a public works contract for the removal of existing asphalt shingles and installation of standing seam metal roof panels on various park structures including restrooms, concessions, and pavilions; providing for the expenditure of funds therefor; and providing an effective date (RFP 6766-awarded to Concord Commercial Services, Inc., in the not-to-exceed amount of \$310,346.40).

Ordinance No. 18-971

G. ID 18-971 Consider adoption of an ordinance releasing, abandoning, and vacating (i) a 0.333 acre portion of public utility easement granted to the City of Denton by Bel Air Development, LTD., a Texas limited partnership, recorded as Instrument No. 2003-083075, Real Property Records, Denton County, Texas, and (ii) releasing, abandoning, and vacating a 1.459 acre portion of a public drainage easement granted to the City of Denton by Bel Air Development, LTD., a Texas Limited Partnership, recorded as Instrument No. 2003-083076, Real Property Records, Denton County, Texas; providing for severability and an effective date.

Resolution No. 18-1003

H. ID 18-1003 Consider approval of a resolution re-appointing a member to the Board of Directors of the Texas Municipal Power Agency, a Joint Powers Agency, representing the City of Denton, Texas; and declaring an effective date.

Item B was considered.

Ordinance No. 18-856

B. ID 18-856 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a Professional Services Agreement between the City of Denton and D&S Engineering Labs, LLC, for the construction of Cell 3B, C, D and associated site improvements for the City of Denton Landfill; providing for the expenditure of funds therefor; and providing an effective date (File 6508- second amendment expenditure amount not-to-exceed \$29,648.95 for a total contract amount not-to-exceed \$129,548.95). The Public Utilities Board recommends approval (6-0).

Ethan Cox, Director of Solid Waste, noted that this agreement was for construction of a new cell at the landfill. He noted cell construction requirements, the professional services agreement and the need for the amendment to the original contract.

Council Member Ryan 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", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

**5. ITEMS FOR INDIVIDUAL CONSIDERATION**

Ordinance No. 18-940

A. ID 18-940 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Nelson + Morgan Architects, Inc., for Architectural Design Services for renovation of Service Center and 651 Mayhill as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6748- Professional Services Agreement for Architectural Design Services awarded to Nelson + Morgan Architects, Inc., in the not-to-exceed amount of \$918,402.53). The Public Utilities Board recommends approval (6-0).

Mario Canizares, Assistant City Manager, presented information on the architectural design services for the renovation of the Service Center and 651 Mayhill Road. He reviewed the background information on the staffing needs; the history of the Service Center; departments occupying the Service Center; overview and issues with the Service Center; and the conditions of the Traffic Operations building. Information on moving Traffic and Materials Management to a building the City currently owned at 651 Mayhill Road was presented along with an estimated project budget. Council and the Public Utilities Board had requested staff develop a RFQ for the renovation project of 651 Mayhill Road. The recommended award of the project was to Nelson + Morgan Architects for design services. Staff was recommending to proceed with the award.

Council discussed whether this proposal would have any effect on the prior presentation for a City Hall complex; timeline for actual renovations to begin on the project; and additional information on the selection process.

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", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

B. ID 18-958 Consider nominations for appointment to the City's Board of Ethics.

Bryan Langley, Deputy City Manager, presented the process for the nominations for the Board of Ethics. He reviewed the background information on the makeup of the Board and requirements for nominations. This meeting would receive nominations to be voted on at a later meeting.

Council Member Briggs nominated Lara Tomlin.

Council Member Hudspeth nominated Sandy Kristoferson

Council Member Meltzer nominated Karen McDaniels.

These nominations would be voted on at a later meeting.

C. ID 18-970 Consider a nomination to the Public Art Committee from the Greater Denton Arts Council.

City Secretary Walters noted that this position on the Public Art Committee was a nomination by the Greater Denton Arts Council. They had recommended Terry Nobles for the position.

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

D. ID 18-870 Resolution of Appreciation for Council Member Gregory.

Mayor Watts read the Resolution of Appreciation for Council Member Gregory and presented him with a commemorative plaque.

## **6. PUBLIC HEARINGS**

### Ordinance No. Z18-0006c

- A. Z18-0006c Hold a public hearing and consider adoption of an ordinance to rezone approximately 1.33 acres from a Downtown Residential 1 (DR-1) to a Downtown Commercial General (DC-G) District. The property is generally located south of Underwood Street along Avenue A, in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (Z18-0006, Fire Station 3, Hayley Zagurski).

Council Member Briggs recused herself from deliberation/vote on this item.

The Mayor opened the public hearing.

Haley Zagurski, Development Services, presented information on the zoning change request for Fire Station No. 3. She noted the background information concerning the current zoning and zoning once the old station was demolished; the concept plan for the new station; an analysis with the Denton Plan 2030; zoning compatibility; public facilities in the area; notification notices to the public; and recommendation from the Planning and Zoning Commission and staff.

No one spoke during the public hearing.

The Mayor closed public hearing.

Council Member Hudspeth motioned, Council Member Meltzer seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Duff "aye", Council Member Ryan "aye", Council Member Gregory "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.

Council Member Briggs suggested the City reconsider the Employ to Empower Program.

Council Member Briggs requested information on the back-in parking on Hickory and whether it was being enforced.

Council Member Hudspeth requested information on the abandoned right turn lane at University and the I35 Service road and the possibility of using that location for city signage.

Council Member Hudspeth requested information on developing a citizen engagement facts page on the City website.

Council Member Hudspeth requested information on ordinances dealing with renovation criteria for homes under reconstruction that may need to remain boarded during the process.

Council Member Meltzer requested information on safe distances for setbacks from gas wells due to new technical information presented and whether there was a need to change open space requirement and allow greater density for voluntary compliance.

Mayor Watts noted that there was no way for citizens to contact board and commission members on the website and requested information on how to provide public access to those members.

Mayor Watts requested additional information on the back-in parking on Hickory in terms of reconsidering the parking requirements.

With no further business, the meeting was adjourned 8:25 p.m.

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CHRIS WATTS  
MAYOR  
CITY OF DENTON, TEXAS

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JENNIFER WALTERS  
CITY SECRETARY  
CITY OF DENTON, TEXAS