

CITY OF DENTON CITY COUNCIL MINUTES

November 7, 2017

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, November 7, 2017 at 1:30 p.m. in the Council Work Session Room at City Hall.

PRESENT: Council Member Hudspeth, Council Member Briggs, Council Member Ryan, Council Member Gregory, Mayor Pro Tem Bagheri, and Mayor Watts.

ABSENT: Council Member Duff.

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 November 7, 2017.

Staff responded to Council requests for the following items:

Council Member Ryan – Consent Agenda Items L and V
Mayor Pro Tem Bagheri - pull Consent Agenda Item O for individual consideration; Item D

Council Member Briggs – Consent Agenda Items M and N

Mayor – Consent Agenda Item N and G

Council Member Hudspeth – Consent Agenda Item O

3. Work Session Reports

- A. ID 17-1481 Receive a report, hold a discussion and give staff direction regarding the proposed Bonnie Brae Widening and Improvements project from Vintage Boulevard to Windsor Drive.

Todd Estes, City Engineer, presented the details of the proposed Bonnie Brae Widening and Improvements project. He reviewed the project scope; project cost for Phases 1-3 (south) and Phases 4-6 (north); and the timeline.

Council discussed the timeline in terms of project funding with bond and RTR funding; design timeline versus funding and consider paying as go on the project and not purchasing right-of-way too far ahead of the project.

Estes continued with background information on the configuration of the roadway.

Council discussed the configuration of the curve of the roadway; the homes that would be affected by the project; and whether the right-of-way being acquired was for the ultimate build out.

Estes concluded with risk items/mitigation and opportunities.

- B. ID 17-1502 Receive a report, hold a discussion and give staff direction regarding the Solid Waste Department's and Watershed Protection division's community sponsorship program.

Ethan Cox, Director of Solid Waste, presented details regarding community sponsorship programs. He reviewed the background on the Solid Waste sponsorship program; events associated with the Solid Waste sponsorships; proposed policy; and requested direction from Council.

Council discussed the relationship between the city of Denton and KDB; whether to maintain the funding so support could be provided for funding for community projects that were solid waste related.

Consensus of the Council was to bring back a proposed policy for Council consideration

- C. ID 17-1567 Receive a report, hold a discussion and give staff direction regarding changes with the Department of Development Services and an update of the Denton Development Code rewrite project.

Scott McDonald, Interim Director of Planning, presented changes with Development Services and an update on the Development Code rewrite project. He reviewed the overarching goal of the department that included sustainability and life safety; the purpose of the one-stop shop for Development Services and how to obtain that; what the department was trying to accomplish; the cultural change involved with the reorganization; and actions taken to date.

Council discussed the improvement of software usage.

McDonald continued with next steps and the timeline for completion. He next updated the Council on the progress of the update for the Denton Development Code.

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 17-1551 Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Consult, discuss and deliberate with, and provide direction to, the City's attorneys regarding legal issues associated with the current and future unfunded liabilities of the Denton Firemen's Relief and Retirement Fund, including but not limited to, a potential solution addressing future unfunded liabilities, where a public discussion associated with 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.

- B. ID 17-1555 Deliberations regarding a Personnel Matter - Under Government Code, Section 551.074; and Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Deliberate and discuss the appointment, employment, duties, resignation and contract of the City Auditor, including the appointment of an interim Internal Auditor and contracting out certain functions of the Internal Auditor on an interim basis; consultation with the City's

attorneys regarding associated legal issues where a public discussion associated with 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.

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 proclamations/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.

1. ID 17-1438 Jessica Luther regarding a report from the Citizens' Monument Committee.

Ms. Luther presented information from the Citizen's Monument Committee. The Committee was studying the best method to deal with the Confederate Monument on the Downtown Square. She requested the Council take a stand on what to do with the monument.

2. ID 17-1500 Robert Donnelly regarding the issue of SUP compliance.

Mr. Donnelly spoke on the SUP at the City landfill and the associated site plan. The required buffers were not installed per the approved site plan. The City was not in compliance with the landfill SUP.

C. Additional Citizen Reports

1. Cathy Lustgarten spoke regarding the Denton Energy Center. She requested Council stop the construction of the DEC as it was not needed for the energy production. She questioned if there was any misconduct connected with the DEC project.
2. Jane Piper Lunt spoke regarding the bull dozing of a tent city. She noted the regulations for staying in a shelter and the long waiting list to get in a permanent home.

4. CONSENT AGENDA

Mayor Pro Tem Bagheri motioned, Council Member Briggs seconded to approve the Consent Agenda and accompanying ordinances and resolutions with the exception of Item O to be considered individually. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2017-331

- A. ID 17-1261 Consider adoption of an ordinance approving a City sponsorship in an amount not to exceed \$3,500 of in-kind services and resources for Backing the Blue-Denton to be held at the Civic Center at 321 E. McKinney St., Saturday, November 18, 2017; and providing an effective date.

Ordinance No. 2017-332

- B. ID 17-1263 Consider adoption of an ordinance approving a City sponsorship in an amount not to exceed \$4,370 of in-kind services and resources for the 3rd Annual Downtown Denton Turkey Trot to be held in Downtown Denton on Thursday, November 23, 2017; and providing an effective date.

Ordinance No. 2017-333

- C. ID 17-1264 Consider adoption of an ordinance approving a City sponsorship in an amount not to exceed \$5,300 of in-kind services and resources for the 29th Annual Denton Holiday Lighting Festival to be held on the Downtown Square on Friday, December 1, 2017; and providing an effective date.

Resolution No. R2017-042

- D. ID 17-1453 Consider approval of a Resolution by the City of Denton, Texas, approving the grant application for "Denton - Ballistic Blankets" project for fiscal year 2017 to the Office of the Governor; authorizing the City Manager or his agents official authority over this project; declaring an effective date; and requiring delivery of the Resolution to the Office of the Governor; and providing an effective date.

Resolution No. R2017-043

- E. ID 17-1455 Consider approval of a Resolution by the City of Denton, Texas, approving the grant application for "Denton - Command Data" project for fiscal year 2017 to the Office of the Governor; authorizing the City Manager or his agents official authority over this project; Declaring an effective date; and requiring delivery of the Resolution to the Office of the governor; and providing an effective date.

Resolution No. R2017-044

- F. ID 17-1456 Consider approval of a Resolution by the City of Denton, Texas, approving the grant application for "Denton - Night Vision" project for fiscal year 2017 to the Office of the Governor; authorizing the City Manager or his agents official authority over this project; declaring an effective date; and requiring delivery of the Resolution to the Office of the Governor; and providing an effective date.

Resolution No. R2017-045

- G. ID 17-1457 Consider approval of a Resolution by the City of Denton, Texas, approving the grant application for "Denton - Specialized Regional Response Teams Sustainment" project for fiscal year 2017 to the Office of the Governor; authorizing the City Manager or his agents official authority over this project; declaring an effective date; and requiring delivery of the Resolution to the Office of the Governor; and providing an effective date.

Resolution No. R2017-046

- H. ID 17-1483 Consider approval of a resolution revising Administrative Policy No. 403.06 "Investment Policy" and providing an effective date. The Audit/Finance Committee recommends approval (3-0).

Resolution No. R2017-047

- I. ID 17-1484 Consider approval of a resolution revising Administrative Policy No. 403.07 "Debt Service Management" and providing for an effective date. The Audit/Finance Committee recommends approval (3-0).

Ordinance No. 2017-334

- J. ID 17-1485 Consider adoption of an ordinance of the City of Denton, Texas to declare the intent to reimburse capital program expenditures of the General Government (\$8,250,000) with Tax Preferred Obligations (Certificates of Obligation) with an aggregate maximum principal amount equal to \$8,250,000; and providing an effective date.

Ordinance No. 2017-335

- K. ID 17-1486 Consider adoption of an ordinance accepting competitive bids by way of a Cooperative Purchasing Program Participation Agreement with the City of Cedar Hill under section 271.102 of the Local Government Code, for the purchase of Emergency Medical Services (EMS) medical supplies for the City of Denton Fire Department; providing for the expenditure of funds therefor; and providing an effective date (File 5427- awarded to Bound Tree Medical in the estimated annual amount of \$266,000 for a three (3) year total amount not-to-exceed \$800,000).

Ordinance No. 2017-336

- L. ID 17-1487 Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a sixth amendment to a professional services agreement between the City of Denton and Freese and Nichols, Inc. (FNI), amending the contract approved by City Council on June 16, 2009, in the not-to-exceed amount of \$301,545, amended by Amendments 1-5 approved by the City Manager and Purchasing staff, said sixth amendment to provide additional engineering services related to the PEC 4 Drainage Improvements Phase 1 and 2 project in the amount of \$62,000; providing for the expenditure of funds therefor; and providing an effective date (File 4437- providing for an additional sixth amendment expenditure amount not-to-exceed \$62,000, with the total contract amount not-to-exceed \$466,289).

Ordinance No. 2017-337

- M. ID 17-1490 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the supply of Concrete Street Light Poles for the City of Denton to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 6507-awarded to Wesco Distribution, Inc. in the three (3) year not-to-exceed amount of \$1,230,000).

Ordinance No. 2017-338

- N. ID 17-1491 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Crack Sealing Services for the City of Denton Street Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 6540-awarded to American Pavement Solutions, Inc. in the three (3) year not-to-exceed amount of \$1,026,000).

Ordinance No. 2017-340

- P. ID 17-1494 Consider adoption of an ordinance accepting competitive bids and awarding a contract for the supply of Electric Utility Optical Ground Wire (OPGW) Transmission Conductor and Accessories to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 6551-awarded to the lowest responsible bidder meeting specification, Techline, Inc. in the four (4) year not-to-exceed amount of \$525,000).

Ordinance No. 2017-341

- Q. ID 17-1496 Consider adoption of an ordinance accepting competitive bids and awarding a contract for the supply of Electric Utility Station Class Polymer Arresters to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 6555-awarded to the lowest responsible bidder meeting specification, Techline, Inc. in the three (3) year not-to-exceed amount of \$110,000).

Ordinance No. 2017-342

- R. ID 17-1497 Consider adoption of an ordinance accepting competitive bids and awarding a contract for the supply of Electric Utility Aluminum Pipe Bus to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 6556-awarded to the lowest responsible bidder meeting specification, Techline, Inc. in the three (3) year not-to-exceed amount of \$600,000).

Ordinance No. 2017-343

- S. ID 17-1498 Consider adoption of an ordinance accepting competitive bids and awarding a contract for the supply of Electric Utility Substation Switches to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 6557-awarded to the lowest responsible bidder meeting specification, Preferred Sales Agency, LTD in the three (3) year not-to-exceed amount of \$4,000,000).

Ordinance No. 2017-344

- T. ID 17-1513 Consider adoption of an ordinance approving a salary increase for Todd Hileman under the performance review provision of his employment agreement with the City; authorizing the expenditure of funds; and providing an effective date.

Ordinance No. 2017-345

- U. ID 17-1514 Consider adoption of an ordinance approving a salary increase for Robin A. Ramsay under the performance review provision of his employment agreement with the City; authorizing the expenditure of funds; and providing an effective date.

Ordinance No. 2017-346

- V. ID 17-1566 Consider adoption of an ordinance of the City of Denton, Texas authorizing the approval of a third amendment to a professional services agreement between the City of Denton and Clarion Associates, LLC, amending the contract approved by City Council on September 11, 2012, in the not-to-exceed amount of \$150,000, amended by Amendment 1 approved by City Council on December 13, 2016 in the net amount of \$140,107.35, and Amendment 2 approved by Purchasing staff in the amount of \$32,300, said third amendment to provide additional services related to updating the City of Denton Development Code in the amount of \$93,380; providing for the expenditure of funds therefor; and providing an effective date (File 5503-providing for an additional third amendment expenditure amount not-to-exceed \$93,380, with the total contract amount not-to-exceed \$415,787.35).

Item O was considered.

Ordinance No. 2017-339

- O. ID 17-1492 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Federal Government Relations and Lobbying Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6580-awarded to CapitalEdge Strategies, LLC in the three (3) year not-to-exceed amount of \$177,000).

Sarah Kuechler, Assistant to the City Manager, presented the details of the proposed contract which included the services provided, scope of the contract, and accomplishments.

Council discussed the activities the firm provided, the updates provided by the firm, and the meetings they held with federal officials.

Council Member Gregory motioned, Council Member Ryan seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Ryan "aye", Council Member Gregory "aye", and Mayor Watts "aye". Mayor Pro Tem Bagheri "nay". Motion carried with a 5-1 vote.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 17-1402 Consider adoption of an ordinance authorizing a development agreement between the City of Denton and DW Carmel, LLC (the "Developer"); providing for the payment by the Developer to the City of Four Hundred Thousand Dollars and No Cents (\$400,000.00) for the City to construct the balance of the Edwards Road perimeter paving improvements required by Phase 5A and 5B of the Villages of Carmel addition(s) to the City of Denton, as Developer's contribution; authorizing the City Manager to execute the agreement; and providing for an effective date. (Edwards Road paving improvements - Villages of Carmel subdivision)

Jim Jenks, Senior Engineer, presented the details of the development agreement for the Edwards Road paving improvements. He reviewed the location of the project, the background of the development, and the negotiations involved in the proposed agreement.

Paul Williamson, Real Estate Manager, presented information on the purchase of associated property.

Council discussed why the full estimated price was not being charged the developer, requesting \$400,000 as a down payment and the rest of the expenses due on completion of the project.

Council Member Gregory motioned to adopt the ordinance. Motion died for lack of a second.

Mayor Pro Tem Bagheri motioned to amend with approval with the addition of a true up provision following the completion of paving and itemization of costs.

Rod Zilke, representing the developer, stated he could not speak on behalf of the owner regarding the change in the agreement terms.

Motion died for lack of a second.

Council Member Gregory suggested a friendly amendment to postpone to an event certain.

Council Member Hudspeth motioned, Council Member Briggs seconded to postpone consideration to the December 5th City Council meeting. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Resolution No. R2017-048

- B. ID 17-1470 Consider approval of a resolution authorizing the creation of a Steering Committee to guide the development of the Small Area Plan and Implementation Strategy for the area generally bounded by on the north by Panhandle Street, on the east by Fort Worth Drive/Carroll Boulevard, and on the west and south by Bonnie Brae Street and Interstate 35 East; and providing an effective date.

Ron Menguita, Long Range Planning Administrator, presented the information on the creation of the resolution for a Small Area Planning Steering Committee. He reviewed the makeup of the Committee.

Willie Hudspeth submitted a Speaker Card in favor of the proposal.

Deb Armintor submitted a Speaker Card and spoke in favor.

Council discussed that there already was a small area plan for this area, the size of the area for consideration and the loss of the Fry Street area plan with this proposal.

Council Member Briggs motioned, Mayor Pro Tem Bagheri seconded to adopt the ordinance. On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Gregory "aye", and Mayor Pro Tem Bagheri "aye". Council Member Ryan "nay", and Mayor Watts "nay". Motion carried with a 4-2 vote.

- C. ID 17-1516 Consider approval of appointments to the Small Area Plan Steering Committee.

Ron Menguita, Long Range Planning Administrator, noted the suggested appointments to the Steering Committee. He presented the next steps for the Committee.

Mayor Pro Tem Bagheri motioned, Council Member Briggs seconded to approve the appointments.

Willie Hudspeth submitted a Speaker Card and spoke in favor.

On roll call vote, Council Member Hudspeth "aye", Council Member Briggs "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2017-347

- D. ID 17-1482 Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager to initiate foreclosure proceedings on property known as Lot 8A, Block 7, Jasper Addition, recorded in Cabinet Y, Page 771, filed December 9, 2008, plat records, Denton County, Texas; providing for the expenditure of funds therefor; severability and an effective date.

Barbara Ross, Community Development Division Manager, presented the background details on the foreclosure proceedings.

Council discussed whether approval would guarantee foreclosure; whether funds for the foreclosure would go back into the program for funding other projects; and whether there was another mechanism to take ownership of the property.

Willie Hudspeth spoke in opposition.

Deb Armintor spoke in opposition.

Council discussed whether there was anyone living currently in the home and the conversation with church members regarding the property.

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

Ordinance No. 2017-348

- E. ID 17-1488 Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for Directional Boring Services for Denton Municipal Electric and other utility departments which includes labor, equipment, tools, supervision, as well as all administrative and insurance costs incurred by the contractor, necessary to complete installations of underground directional bores; providing for the expenditure of funds therefor; and providing an effective date (RFP 6516-awarded to C&C Directional Boring, LLC, in the five (5) year not-to-exceed amount of \$3,000,000). The Public Utilities Board recommends approval (7-0).

Rowdy Patterson, DME Line Superintendent, presented the details on the proposal. He noted the background of directional boring, the necessity for directional boring, active boring projects currently underway, the RFP process, and the staff recommendation.

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

Ordinance No. 2017-349

- F. ID 17-1489 Consider adoption of an ordinance accepting competitive proposals and awarding a public works contract for Underground Electric Installation Services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 6518-awarded to FX5 Construction & Excavation, Inc. in the three (3) year not-to-exceed amount of \$6,000,000). The Public Utilities Board recommends approval (7-0).

Rowdy Patterson, DME Line Superintendent, presented the background information on the contract proposal. He noted examples of underground installation, current projects underway with underground, forecasted projects, the RFP process, and recommendation.

Council discussed whether there was a program to convert overhead to underground.

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

Resolution No. R2017-049

- G. ID 17-1534 Consider approval of a resolution amending Resolution No. R2017-040 regarding a Steering Committee to consider and advise the City Council on renovation and operation options for City Hall West; providing a repealer clause; and providing an effective date.

Mark Nelson, Director of Transportation/Facilities, presented the background of the proposed resolution to amend a prior resolution concerning the nomination of members to the steering committee. He noted the key points of the resolution.

Council Member Briggs suggested amending the date to August 1, 2018 with no residency requirements for nominations.

Willie Hudspeth addressed his concerns regarding the project as to how it fit into the rest of the area.

Council Member Briggs motioned, Council Member Ryan seconded to adopt the ordinance. On roll call vote, Council Member Briggs "aye", Council Member Ryan "aye", Council Member Gregory "aye", Mayor Pro Tem Bagheri "aye", and Mayor Watts "aye". Council Member Hudspeth "nay". Motion carried with a 5-1 vote.

- H. S17-0004b Consider adoption of an ordinance of the City of Denton, Texas, regarding a Specific Use Permit for a drive-through facility in a Downtown Commercial General (DC-G) zoning district and use classification on approximately 1.11 acres of land generally located east of North Texas Boulevard, between I-35E and Wilshire Street 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. The Planning and Zoning Commission recommended approval of the request with a condition (6-0). This item was continued at the August, 15, 2017 City Council meeting. (S17-0004)

Richard Cannone, Interim Planning Director, presented the background of the proposal in terms of location of the property, prior uses of the property, the request for the SUP for a drive-through, and requirement for a Traffic Impact analysis. He noted that a supermajority vote of Council was required for approval.

City Attorney Leal stated that a supermajority vote would still be six members of the Council even though there was one member absent.

Cannone continued with traffic impact analysis in terms of scope of the analysis, comparison of trip generation, traffic generation along the frontage road, site access, and pedestrian routes and activity.

Council questioned if the green space was developed, would the number of driveways been the same.

The following individuals submitted Speaker Cards:

Greg Massey, representing McDonald's, spoke in favor.

Jimmy Lopez, representing McDonald's, spoke in favor. He noted that with the SUP approval the driveway on North Texas Blvd. would be closed.

Dean Staller, representing McDonald's, spoke in favor.

Council discussed traffic analysis for special events.

Sejin Brooks, representing McDonald's, spoke in favor.

Mayor Watts noted that as the property was currently zoned, a building could be built but the drive through required the SUP.

Council Member Gregory motioned, Council Member Ryan seconded to adopt the ordinance with the conditions of no driveway on North Texas Blvd. and with the site plan presented to the Planning and Zoning Commission. On roll call vote, Council Member Briggs "aye", Council Member Ryan "aye", and Council Member Gregory "aye". Council Member Hudspeth "nay", Mayor Pro Tem Bagheri "nay", and Mayor Watts "nay". Motion failed with a 3-3 vote.

6. PUBLIC HEARINGS

- A. Z17-0023a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding an initial zoning classification of Neighborhood Residential 6 (NR-6) District on approximately 16.39 acres. The property is generally located at the northeast corner of Mayhill Road and Mills Road. The Planning and Zoning Commission voted 7-0 to approve the request. (Z17-0023, Cope Addition).

Richard Cannone, Interim Planning Director, presented details on the proposal, analysis compatibility, future land use, mobility, public notification and recommendations.

The Mayor opened the public hearing.

No one spoke during the public hearing.

The Mayor closed public hearing.

Council discussed the traffic flow in and out of the proposal.

Aaron Graves, applicant, stated that the current plan was to have ingress and egress on Mills Road and nothing on Mayhill.

Council discussed improvements on Mills Road, surrounding zoning and access issues plus density issues at the location,

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

Member Briggs "nay", Council Member Gregory "nay", Mayor Pro Tem Bagheri "nay", and Mayor Watts "nay". Motion failed with a 2-4 vote.

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 Gregory requested an update on the smoking ordinance.

Mayor Pro Tem Bagheri requested a Work Session on the public improvement district ordinance.

Mayor Pro Tem Bagheri requested information on homelessness/tent city being removed and associated policies.

Council Member Briggs requested an update on the tree ordinance and the possibility of purchasing stands of trees for preservation.

Council Member Briggs requested an update on the hands free enforcement, including the number of warning and tickets issued and associated fees.

Council Member Briggs requested information on a historic designation for the downtown area.

Council Member Ryan requested information on the DDC subcommittee created by ordinance in terms of purpose of the committee and associated meetings.

Mayor Watts requested information on converting aboveground electric utilities to underground.

Mayor Watts requested a staff report on the I35E highway lighting project.

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

There was no continuation of the Closed Meeting.

With no further business, the meeting was adjourned at 9:35 p.m.

CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS

JENNIFER WALTERS
CITY SECRETARY
CITY OF DENTON, TEXAS