

CITY OF DENTON CITY COUNCIL MINUTES
May 4, 2021

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, May 4, 2021, at 2:01 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were Interim City Manager Sara Hensley and City Attorney Aaron Leal.

Note: Mayor Gerard Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor, and Paul Meltzer participated in the work session, closed meeting and meeting via video/teleconference under the provisions allowed by the Texas Government Code Section 551.127

The posted agenda noted the registration process for public participation at this virtual meeting. However, there were no online registrations or call ins on any items on the agenda.

WORK SESSION

1. Citizen Comments on Consent Agenda Items

None

2. Requests for clarification of agenda items listed on this agenda.

- Clarification was requested on the following items:
 - Council Member Ryan: Item 4.J (21-802)
- The following item(s) were pulled for Individual Consideration:
 - None

3. Work Session Reports

- A. ID 21-280 Receive a report, hold a discussion, and give staff direction regarding the runoff election if applicable, including locations, dates, and times.

The item was not presented as the unofficial results and discussions with Denton County verified a Runoff Election was not needed.

- B. ID 21-690 Receive a report, hold a discussion, and give staff direction regarding a request for a resolution of the City of Denton stating no objection to the LDG Vintage Ranch, LP 4% housing tax credit application to Texas Department of Housing and Community Affairs for proposed new construction of Vintage Ranch Apartments in Denton, Texas to provide affordable rental housing.

The item was presented and discussion followed.

Following discussion, City Council consensus was to schedule a resolution, as presented, for adoption at the May 18 meeting.

- C. ID 20-2529 Receive a report, hold a discussion, and give staff direction regarding an economic development incentive for Ranchland Foods, LLC.

The item was presented and discussion followed. Also presenting on the item was Kenny Davis, President/CEO for Ranchland Foods LLC (Applicant).

Following discussion, City Council consensus was to proceed as follows:

- Five (5)-year, performance-based incentive, total not to exceed \$218,500;
 - Relocation grant of \$100,000 (reimbursement of actual costs);
 - Stratified job-based grant of up to \$66,000;
 - Residency bonus of \$500 per employee who demonstrates a Denton residence up to \$52,500. (Verification of wage and residency based on IRS records);
- Chapter 380 agreement to be funded from the Economic Development Investment Fund;
- Nomination to Texas Enterprise Zone Program; and
- DME Economic Growth Rider.

The work session was recessed at 2:46 p.m. in order to convene the Closed Meeting.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 2:46 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.
 - A. ID 21-880 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential acquisition of certain real property located in the J. W. Withers Survey, Abstract No. 1343, J. Severe Survey, Abstract No. 1164, B.B.B. & C.R.R. Company Survey, Abstract No. 196, and W. M. Roark Survey, Abstract No. 1087, Denton County, Texas, and located generally along Brush Creek Road, Country Club Road and US HWY 377/Fort Worth Drive, City of Denton, Texas where a public deliberation of such potential

acquisition would have a detrimental effect on the City's position in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition of the real property 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 negotiation, administrative proceeding, or potential litigation.

DELIBERATED

- B. ID 21-888 Consultation with Attorneys - Under Texas Government Code Section 551.071 Consult with the City's attorneys and provide direction pertaining to the legal status, legal analysis, legal strategy, and potential resolution of litigation in Cause No. D-1-GN-21-001227, styled "City of Denton, Texas v. Electric Reliability Council of Texas (ERCOT)," pending in the 353rd Judicial District Court, Travis County, Texas; where discussion of these legal matters in an open meeting 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 otherwise compromise the City's legal position in pending litigation.

DELIBERATED

The closed meeting started at 3:06 p.m. and ended at 4:03 p.m. No votes or actions were taken during the closed meeting.

Following the closed meeting, the work session was reconvened and adjourned for the day at 4:04 p.m.

REGULAR MEETING

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Regular Meeting on Tuesday, May 4, 2021, at 6:33 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were Interim City Manager Sara Hensley and City Attorney Aaron Leal.

Note: Mayor Gerard Hudspeth, Mayor Pro Tem Jesse Davis and Council Members Birdia Johnson, Connie Baker, John Ryan, Deb Armintor, and Paul Meltzer participated in the work session, closed meeting and meeting via video/teleconference under the provisions allowed by the Texas Government Code Section 551.127

The posted agenda noted the registration process for public participation at this virtual meeting. However, there were no online registrations or call ins on any items on the agenda.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag and B. Texas Flag

2. PROCLAMATIONS/PRESENTATIONS

A. ID 21-667 Proclamation: Military Spouse Appreciation
PRESENTED

B. ID 21-808 Proclamation: Mental Health Month and Children's Mental Health Awareness Day
PRESENTED

C. ID 21-832 Proclamation: Drinking Water Week
PRESENTED

3. PRESENTATION FROM MEMBERS OF THE PUBLIC

A. Reports from members of the public

1) Receive Scheduled Citizen Reports from Members of the Public
a. Nathan Goldsmith, Address not provided. regarding the traffic in Southridge.
PRESENTED

2) Additional Citizen Reports (Open Microphone)
None

4. CONSENT AGENDA

The Consent Agenda consisted of Items 4.A-W. No items were pulled for Individual Consideration.

Council Member Ryan moved to adopt the Consent Agenda as presented. Motion seconded by Council Member Armintor. Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, Armintor, and Meltzer

NAYS (0): None

A. ID 21-810 Consider the approval of the minutes for April 20, 2021.
APPROVED

B. ID 21-504 Consider adoption of an ordinance of the City of Denton approving a second substantial amendment to the City's 2020 Action Plan for Housing and Community Development; authorizing the Interim City Manager to sign and submit the second substantial amendment; and providing an effective date.
ASSIGNED ORDINANCE NO. 21-504

- C. ID 21-731 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or her designee, to accept an offer from the Texas Department of Transportation ("TxDOT") to convey a 0.0677 acre portion of property to TxDOT in the E. Puchalski Survey, Abstract No. 996, jointly owned by the City of Denton and the county of Denton, located at 3105 West Prairie Street; authorizing the City Manager to execute all documents necessary to consummate the contemplated transaction including a memorandum of agreement, a possession and use agreement, and a deed; authorizing the City Manager to carry out all duties of the city pursuant to the agreements; providing a savings clause; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-731

- D. ID 21-794 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the Interim City Manager to execute Amendment 1 to Agreement with Giving HOPE, Inc., to change the Emergency Solutions Grant CARES Act (ESG-CV) funding allocated under the Agreement to an amount not to exceed \$158,701 and to change the date on which the Agreement terminates to July 31, 2021; providing for the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-794

- E. ID 21-795 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the Interim City Manager to execute Amendment 1 to Agreement with Grace Like Rain, Inc., to change the Emergency Solutions Grant CARES Act (ESG-CV) funding allocated under the Agreement to an amount not to exceed \$104,897.91 and to change the date on which the Agreement terminates to July 31, 2021; providing for the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-795

- F. ID 21-809 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a Service Agreement with United Way Of Denton County, Inc., for allocation of funding from the Emergency Solutions Grant CARES Act (ESG-CV), as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7525-005 - Service Agreement for allocation of funding for the Emergency Solutions Grant CARES Act (ESG-CV) awarded to United Way Of Denton County, Inc., in the not-to-exceed amount of \$128,273.36).

ASSIGNED ORDINANCE NO. 21-809

- G. ID 21-799 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a contract between the City of Denton and Rey-Mar Construction, amending the contract approved by City Council on May 21, 2019, in the not-to-exceed amount of \$3,418,000.00; amended by Amendment 1 approved by Purchasing; said second amendment to providing additional construction services for the Hickory Creek Lift Station; providing for the expenditure of funds therefor; and providing an effective date (File 6894 - providing for an additional second amendment expenditure amount not-to-exceed \$128,170.68, with the total contract amount not-to-exceed \$3,555,833.36). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 21-799

- H. ID 21-800 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7214 for Utility Scale Solar Energy for Denton Municipal Electric; and providing an effective date (RFP 7214). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 21-800

- I. ID 21-801 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Felix Construction Company, for the repair of LLWTP Filter #2 at the Lake Lewisville Water Treatment Plant for the Water Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7587 - awarded to Felix Construction Company, in the not-to-exceed amount of \$150,000.00). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 21-801

- J. ID 21-802 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Anixter, Inc., for the supply of electric meter equipment for the City of Denton, Section A - Electric Meters with the AMI Board; providing for the expenditure of funds therefor; and providing an effective date (IFB 7611 - awarded to Anixter, 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 \$7,355,400.00). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 21-802

- K. ID 21-804 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Texas Electric Cooperatives, Inc., for the supply of electric meter equipment for the City of Denton, Section B - Electric Meter Sockets, Section C - Secondary Instrument Rated Transformers, and Section D - Primary Instrument Rated Transformers; providing for the expenditure of funds therefor; and providing an effective date (IFB 7611 - awarded to Texas Electric Cooperatives, 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 \$403,600.00). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 21-804

- L. ID 21-805 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Trilliant Networks, Inc., for the supply of electric meter equipment for the City of Denton, Section E - Trilliant Secure Mesh AMI Equipment; providing for the expenditure of funds therefor; and providing an effective date (IFB 7611 - awarded to Trilliant Networks, 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 \$362,700.00). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 21-805

- M. ID 21-806 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a Professional Services Agreement with NewGen Strategies and Solutions, LLC, for the Electric Utility Cost of Service and Rate Design Study for Denton Municipal Electric, as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7628 - Professional Services Agreement for cost services awarded to NewGen Strategies and Solutions, LLC, in the five (5) year not-to-exceed amount of \$169,500.00). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 21-806

- N. ID 21-807 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract through the State of Texas Smart Buy Program for the purchase of library print materials as awarded by State of Texas Contract Number 715-M2 Publications, Audiovisual Materials, Books, and Cataloging Services (Prepared Materials Only); providing for the expenditure of funds therefor; and providing an effective date (File 7673 - awarded to Baker & Taylor, LLC, for a term ending October 31, 2024, and in the not-to-exceed amount of \$1,250,000.00).

ASSIGNED ORDINANCE NO. 21-807

- O. ID 21-831 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Ameri-Mex Contractors Inc., for the reconstruction of a residential property located at 3313 Sunnydale Lane, under the City of Denton Home Improvement Program; providing for the expenditure of funds therefor; and providing an effective date (RFP 7616 - awarded to Ameri-Mex Contractors Inc., in the not-to-exceed amount of \$103,400.00).

ASSIGNED ORDINANCE NO. 21-831

- P. ID 21-836 Consider adoption of an ordinance amending Ordinance No. 20-2079 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-12 of approximately 1,154 acres located on the south side of E. University Drive, East of N. Mayhill Road, north and south of Blagg Road, north and south of Mills Road, and east and west of S. Trinity Road; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-836

- Q. ID 21-837 Consider adoption of an ordinance amending Ordinance No. 20-2080 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-1 of approximately 1,171 acres located on the south side of Jim Christal Road, the north side of Tom Cole Road, west of Masch Branch Road; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-837

- R. ID 21-838 Consider adoption of an ordinance amending Ordinance No. 20-2081 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-2, an area approximately 1,472 acres located on the south side of FM 1173, north of W. University Drive, west of I-35; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-838

- S. ID 21-839 Consider adoption of an ordinance amending Ordinance No. 20-2082 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-3, an area approximately 1,075 acres located on the south side of Ganzer Road, north and south of Barthold Road, north of FM 1173, west of I-35; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-839

- T. ID 21-840 Consider adoption of an ordinance amending Ordinance No. 20-2083 providing for acceptance of additional eligible Non-Annexation Agreements for agricultural, wildlife management or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-4, an area approximately 1,555 acres located on the south side of Milam Road, north of Loop 288, east of I-35; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-840

- U. ID 21-841 Consider adoption of an ordinance providing for acceptance of eligible 212.172 Non-Annexation Agreements for properties that do not have an agricultural, wildlife management or timberland ad valorem tax exemption within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-3, an area of approximately 421 acres located on the south side of Spring Side Road, north, south and west of Corbin Road, west of I-35; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-841

- V. ID 21-842 Consider adoption of an ordinance providing for acceptance of eligible 212.172 Non-Annexation Agreements for properties that do not have an agricultural, wildlife management or timberland ad valorem tax exemption within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-12, an area of approximately 1,154 acres located on the south side of E. University Drive, east of N. Mayhill Road, north and south of Blagg Road, north and south of Mills Road, and east and west of S. Trinity Road; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-842

- W. ID 21-843 Consider adoption of an ordinance providing for acceptance of eligible 212.172 Non-Annexation Agreements for properties that do not have an agricultural, wildlife management or timberland ad valorem tax exemption within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as PAA-4, an area of approximately 1,555 acres located on the south side of Milam Road, north of Loop 288, east of I-35; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-843

5. ITEMS FOR INDIVIDUAL CONSIDERATION - CONSIDERATION OF THE USE OF EMINENT DOMAIN TO CONDEMN REAL PROPERTY INTERESTS

- A. ID 21-717 Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of various (I) permanent water & wastewater easements, (II) permanent electric easements, and (III) temporary construction easements, generally located along Interstate 35E, east of Loop 288 and north of U.S. Highway 380 (University Drive), situated in the John McGowan Survey - Abstract No. 797; the Gideon Walker Survey - Abstract No. 1330, the Memphis, El Paso and Pacific Railroad Company Survey - Abstract No. 950, the Daniel Lombard Survey - Abstract No. 784, and the J. Worrall Survey - Abstract No. 1433, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit "A" (collectively, the "Property Interests"); authorizing the Interim City Manager and City Attorney, or their respective designees, to acquire the Property Interests by agreement if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if agreement cannot be reached; authorizing the City Attorney, or his designee, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-717

The item was presented and discussion followed.

There were no online registrations or call-ins on the item.

Following discussion, Mayor Pro Tem Davis moved that the City of Denton, after having made the offers required by State law, use the power of eminent domain, if needed, to acquire various permanent easements and temporary construction easements, situated in the John McGowan Survey – Abstract No. 797; the Gideon Walker Survey – Abstract No. 1330, the Memphis, El Paso and Pacific Railroad Company Survey – Abstract No. 950, the Daniel Lombard Survey – Abstract No. 784, and the J. Worrall Survey – Abstract No. 1433, all in the City of Denton, Denton County, Texas, and more particularly described on Exhibit “A” to the ordinance now under consideration and on the screen to be displayed to the audience, all of which are for a valid public use necessary to provide the water, wastewater, and electrical utility relocation adjacent to Interstate Highway 35E, to serve the public and citizens of the City of Denton.

Each page of Exhibit A of the proposed ordinance was shown online prior to a second to the motion being called.

Motion seconded by Council Member Baker. Motion carried.

Following additional discussion, Mayor Hudspeth called the vote on the item.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, and Meltzer

NAYS (1): Council Member Armintor

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 21-705 Consider approval of a resolution confirming revisions to comment cards provided for individuals to comment at City Council meetings; and providing an effective date.

ASSIGNED RESOLUTION NO. 21-705

The item was a result of City Council Request Item 3.C. ID 21-002 submitted by Council Member Armintor and deliberated by City Council on January 5, 2021.

There were no online registrations or call-ins on the item.

The item was presented and discussion followed.

Upon inquiry, City Attorney Leal confirmed that use of the citizen contact information obtained through the process outlined in the proposed resolution being considered could not be released. The purpose of the use is strictly for communicating regarding the item that they submitted the comment card/information on/for.

Following discussion, Council Member Meltzer moved to adopt the item as presented. Motion seconded by Mayor Pro Tem Davis. Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, Armintor, and Meltzer

NAYS (0): None

- B. S21-0002a Consider adoption of an ordinance of the City of Denton extending the approval period for a Specific Use Permit to allow for a multifamily dwelling use originally approved via Ordinance S19-0002a for an approximately 15.467-acre property generally located on the north side of East McKinney Street, approximately 1,130 feet east of North Loop 288 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 for severability and an effective date. (S21-0002a, Forest Crossing, Julie Wyatt)

ASSIGNED ORDINANCE NO. S21-0002a

There were no online registrations or call-ins on the item.

The item was presented and discussion followed. The Applicant, Aimee Bissett with 97 Land Company, answered questions regarding the proposed project.

Following discussion, Council Member Ryan moved to adopt the item as presented. Motion seconded by Council Member Johnson. Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, Armintor, and Meltzer

NAYS (0): None

7. PUBLIC HEARINGS

- A. ID 21-502 Hold a public hearing inviting public comment on the 2021 Action Plan for Housing and Community Development.

There were no online registrations or call-ins on the item.

The item was presented and discussion followed.

The public hearing was opened and with no callers in the queue, the public hearing was closed.

Note: There was no formal action taken as the item was a public hearing only.

- B. AESA21-0001b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas approving an Alternative Environmentally Sensitive Area Plan for a site generally located on the northwest side of the intersection of Western Boulevard and Jim Christal Road, in the City of Denton, Denton County, Texas; adopting an amendment to the City's Official Environmentally Sensitive Areas Map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (AESA21-0001b, Exeter - Martino Property, Christi Upton)

ASSIGNED ORDINANCE NO. AESA21-0001b

There were no online registrations or call-ins on the item.

The item was presented and no discussion followed.

The public hearing was opened and with no callers in the queue, the public hearing was closed.

Council Member Ryan moved to adopt the item as presented. Motion seconded by Council Member Baker. Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, Armintor, and Meltzer

NAYS (0): None

- C. S20-0008b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow for a Multi-Family Dwelling use on approximately 16.106 acres of land, generally located on the south side of East McKinney Street, approximately 530 feet east of the intersection of Mayhill Road and East McKinney 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 for severability; and establishing an effective date. The Planning and Zoning Commission voted [7-0] to approve the request. (S20-0008b, Legacy Multifamily)

ASSIGNED ORDINANCE NO. S20-0008b

There were no online registrations or call-ins on the item.

The item was presented and discussion followed.

The public hearing was opened and with no callers in the queue, the public hearing was closed.

Following discussion, Council Member Meltzer moved to adopt the item as presented but include a requirement that the developer work with staff in including a coordinatized trail plan. Motion seconded by Mayor Pro Tem Davis. Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, Armintor, and Meltzer

NAYS (0): None

- D. Z20-0014c Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Residential 6 (R6) to a Light Industrial (LI) district on approximately 12.69 acres of land generally located on the east side of Geesling Road, approximately 320 feet south of E. University Drive 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 voted [5-0] to approve the request. (Z20-0014c, Geesling Road Industrial, Hayley Zagurski).

ASSIGNED ORDINANCE NO. Z20-0014c

There were no online registrations or call-ins on the item.

The item was presented and discussion followed.

The public hearing was opened and with no callers in the queue, the public hearing was closed.

Following discussion, Mayor Pro Tem Davis moved to adopt the item as presented. Motion seconded by Council Member Ryan. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, and Meltzer

NAYS (1): Council Member Armintor

- E. DCA21-0002a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code Section 2.6, "Subdivision Procedures" specifically, amending Subsection 2.6.3, "Preliminary Plat" prohibiting preliminary plats within the Extraterritorial Jurisdiction of the City; 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 voted [6-0] to approve the request. (DCA21-0002a, Prohibiting Preliminary Plats in the ETJ, Richard D. Cannone, AICP).

ASSIGNED ORDINANCE NO. DCA21-0002a

There were no online registrations or call-ins on the item.

The item was presented and no discussion followed.

The public hearing was opened and with no callers in the queue, the public hearing was closed.

Council Member Ryan moved to adopt the item as presented. Motion seconded by Council Member Johnson. Motion carried.


AYES (7): Mayor Hudspeth, Mayor Pro Tem Davis and Council Members Johnson, Baker, Ryan, Armintor, and Meltzer

NAYS (0): None


8. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 8:54 p.m.



GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS



ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: May 18, 2021