

## CITY OF DENTON CITY COUNCIL MINUTES

August 2, 2016

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, August 2, 2016 at 1:00 p.m. in the Council Work Session Room at City Hall.

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

ABSENT: None.

### 1. Citizen Comments on Consent Agenda Items

Brian Bentley spoke on Item 4B. He noted that the public notice did not follow the ordinance notification in terms of business days versus calendar days. He also commented on the definition of enclosure and requested Council pull the item for reconsideration.

### 2. Requests for clarification of agenda items listed on the agenda for August 2, 2016.

Council Member Gregory asked about the decision for refunding for Consent Agenda Item A.

Chuck Springer, Director of Finance, stated that there would be a savings of about \$370,000 per year over 12 years or about \$5.2 million total savings. The proposal would also take out remaining revenue bonds that were outstanding and freeing up reserve funds.

Council Member Bagheri requested to pull Consent Agenda Items B and G for separate consideration.

Interim City Manager Martin stated that Consent Item 4D would be pulled as it required a public hearing. Item 5C had been discussed at the August 1 meeting and would not be discussed at this meeting. The applicant for Public Hearing 6A had requested that it be moved to August 16th.

Council Member Wazny asked for an explanation of why Closed Meeting Item F was being discussed in the Closed Meeting and not in Open Session.

City Attorney Burgess stated that the item was posted as consultation with attorney to address the ethics matters as they concerned the Charter. In her opinion it was a proper posting and met the requirements of the Open Meetings Act.

Council Member Briggs asked for an explanation of the notification days as noted by Mr. Bentley.

Stephanie Berry, City Prosecutor, stated that the original dangerous notification days were two business days. The wording should be made clearer by just noting 30 days. Staff was working on addressing the issue of invisible fence.

City Attorney Burgess stated that the issue of the invisible fence was as the result of a situation in Robson Ranch where a dog was killed by another dog only confined by an electronic enclosure. The change in wording for the days issue could be made at this meeting.

Council Member Briggs stated that she had received emails requesting that Closed Meeting Item F be removed from the Closed Meeting and considered in Open Session.

City Attorney Burgess noted that she had legal advice that she wanted to give to Council. If Council wanted an open Work Session after that, it could be posted for a later meeting. Council would need to waive attorney/client privilege if it wanted that information in Open Session.

Council Member Gregory felt that the policy needed to be in Open Session but that it was best to get legal advice in Closed Meeting.

Mayor Watts questioned if the Closed Meeting posting allowed an Open Session discussion at this meeting.

City Attorney Burgess stated that Council would need to waive its attorney/client privilege and any discussion could only be in the parameters of the posting not exceed the wording of the posting itself. After the attorney briefing Council might want an additional meeting for proper posting.

Council Member Gregory stated that if the item were to be discussed in Open Session, he would want to see what was being discussed in backup materials so that he knew in advance what was going to be discussed.

City Attorney Burgess suggested Council hear her advice this evening and then decide whether they wanted an Open Session and disclose to the public.

Mayor Watts suggested proceeding with the Closed Session for the legal advice and post for a later work session.

### 3. Work Session Reports

- A. ID 16-912 Receive a report, hold a discussion, and give staff direction regarding nominations to the City's Boards and Commissions.

Jennifer Walters, City Secretary, reviewed the vacancies and proposed nominations submitted by Council as noted in the listing in the backup materials.

Council discussed the nominations and presented additional nominations for consideration.

City Secretary Walters stated that a revised list would be in the Council Chambers for their approval during the regular meeting.

- B. ID 16-948 Receive a report, hold a discussion, and give staff direction regarding the Community Event Center project.

Lee Howell, Police Chief, presented an update on the Community Market in terms of the Exposition parking lot. He expressed concerns regarding using that lot for the Community Market and Event Center.

One issue was parking as there already were parking issues around the building due to DCTA and general parking. There was still an area in the Police Department that was not developed and future parking would be needed for those areas. The future development of the Railyard and the effect on parking needed to also be factored. The mini-warehouse parking was recently sold and he was unsure of what going in there.

A second issue was traffic congestion as it would continue to get worse around the neighborhood. He had stated concerns several times about these issues including the types of vehicles coming and going in the area that would hamper traffic congestion. The ingress and egress of the area of City Hall East was difficult without added congestion.

A third issue was building security that included employee safety and vehicle safety. Crowds of people in the neighborhood would inhibit a safe secure entrance around City Hall East.

Other issues such as child custody exchanges which needed to be done in a more private location rather than in crowds of people. The Department had requested a package for improved security for the parking lots for the police fleet, employee security, and personal vehicles. There was also the issue of noise and crowds in the street due to the type of events at the location. The 911 communications center was in that area of the building and exterior noise might interfere with communications.

There was also the recent violence against police and police stations that were targets and locating the Market at this site might not be the best location in those circumstances. Uncontrolled crowds across from the Police Department was a concern. The area was also in the path of a lot of growth and from his standpoint he was concerned with managing that growth and not create a situation that would create problems. If the Department continued to lose control of the parking lots and security, a new location for Police Department might be necessary.

Council discussed the needs of the Police Department in terms of space and safety; the possibility of the area around the Police Department becoming a vibrant redevelopment area; whether the Police Department was located in a location that was no longer suitable; safety issues with large crowds around the Police Department especially in light of recent events; and the growing training program for the Police Department in terms of parking.

Council Member Gregory stated that when the ad hoc committee first met, it seemed like the main discussion was the parking issue and the need to have minimum of 80 parking spots. Now it seemed as though 133 parking places would be needed.

Howell stated that handicapped spots would be needed for the Training Center and while additional parking would be appreciated, it was not known how that would last with growth.

Mayor Pro Tem Roden questioned if the Chief would be more comfortable with the site if the scope of the project were pulled back, only have on events on Saturdays; limit the level of music, etc.

Howell stated that he would like to be involved in the discussions concerning the site. When it was first presented it already had Council approval as a temporary site which now was elevated into an event center with lots of unknowns.

Mayor Watts stated that this project was not what he had envisioned last year when Council approved the site and could not endorse an event center there as that was not what he had envisioned.

Council discussed potential economic development in the area; the fact that the Farmer's Market was not moving from its current location, and the difference between Farmer's Market and Community Market in terms of how items were sold.

Vicki Oppenheim with the Community Market presented recent trends and accomplishments of the Community Market.

Council considered the ability of the Community Market to remain at the current County site, the amount of pedestrian/bike riders who attend the market, and the possibility of limiting the number of vendors at the Market.

Mayor Watts stated that he struggled with putting the Community Market in this location and suggested modifying the charge given to ad hoc committee to continue to liaison with the Community Market for short term and long term partnerships, explore alternative locations and consider a temporary move of the Community Market to the location.

In terms of proceeding with the current site or an alternative location, Council Member Gregory was in favor of an alternate location and amending the charge to the ad hoc committee; Mayor Pro Tem Roden was in favor of keeping the current location; Mayor Watts was in favor of moving from the site; Council Member Wazny was in favor of moving from the site; Council Member Hawkins was in favor of moving from the site; Council Member Bagheri was in favor of staying on site with vendor limitations but was also open to other sites; and Council Member Briggs was in favor of looking at other sites.

Consensus of the Council was to have the ad hoc committee identify options associated with the proposal; research pros and cons; and bring back a proposal within 60-90 days. There were no areas off the table where temporary sites could be a consideration.

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 16-699 Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with City's attorneys, hold a discussion, and give staff direction regarding policy considerations with regard to the IH35 thoroughfare, where a public discussion of this matter would conflict with the duty of the City's attorneys under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

B. ID 16-913 Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074.

Deliberate and discuss the appointment and duties of public officers to boards or commissions exercising discretionary or rule making power as opposed to purely advisory powers, which includes without limitation the Health and Building Standards Commission, the Historic Landmark Commission, the Planning and Zoning Commission, and the Zoning Board of Adjustment.

- C. ID 16-927 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086 - Consultation with Attorneys - Under Texas Government Code Sec. 551.071.

Receive a presentation from Denton Municipal Electric staff ("DME") regarding public power competitive and financial matters pertaining to plans, strategies, opportunities, and developments for generation improvements to the DME system; discuss and deliberate strategies regarding same; discuss and deliberate opportunities and strategies for the City to acquire purchased power and enter into agreements regarding the same, in order to meet its future energy needs. Discuss, deliberate and provide Staff with direction. Consult with City's attorneys with regard to agreements related to generation improvements to the DME system as it concerns legal issues associated with these potential agreements where a public discussion of this legal matter would conflict with the duty of the City's attorneys under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

- D. ID 16-930 Deliberations Regarding Certain Public Power Utilities: Competitive Matters --- Under Texas Government Code Sec. 551.086; Consultation with Attorneys --- Under Texas Government Code Sec. 551.071.

Receive competitive public power information and financial information from staff regarding approval of the Genscape, Inc., a Delaware Corporation, "Master License and Services Agreement (North America)," being a three-year agreement, and being a sole-source acquisition which is exempt from the requirements of competitive bidding under the provisions of Section 252.022, Texas Local Government Code, for software relating to bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services for purposes of supporting the Energy Management Organization of DME; discuss, deliberate, provide staff with direction, consider and take final action, making a recommendation regarding said Agreement. Consultation with the City's attorneys regarding legal issues associated with the above acquisition 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 administrative proceeding or potential litigation.

- E. ID 16-952 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 regarding the potential acquisition, exchange, lease or value of real property located generally in the 800 block of East Hickory in the City of Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the potential real property matter

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 administrative proceeding or potential litigation.

F. ID 16-963 Consultation with Attorneys Under Texas Government Code Section 551.071

Consult with the City's Attorneys and provide direction regarding review of state and local Ethics law and regulations, to include provisions of the Denton City Charter as they relate to Ethics matters, where a public discussion of these matters would conflict with the duty of the City's attorneys under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

G. ID 16-1017 Deliberations regarding Real Property - Under Texas Government Code Section 511.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests generally located in (1) the Gibson Myers Survey, Abstract No. 843, the Johnson, Green, Myers, and Brummell Survey, Abstract No. 1699, the Moses H. Davis Survey, Abstract No. 377, and the William Wilburn Survey, Abstract No. 1419, and (2) the William A. Thompson Survey, Abstract No. 1238, both located in the City of Denton, Denton County, Texas, for the possible construction of an electric generation facility where deliberation in an open meeting would have a detrimental effect on the position of a governmental body in negotiations with a third party. Consultation with the City's attorney's regarding legal issues associated with the acquisition of the real property interests 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 administrative proceeding or potential litigation.

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**

- A. ID 16-898 Sidney Allison Award from Water Environment Association of Texas presented to P. S. Arora for Significant Contributions to the Engineering, Operation and Maintenance of Wastewater Collection and Transportation

Mayor Watts presented the award to PS Arora for his contributions to Engineering, Operation and Maintenance of Wastewater Collection and Transportation.

B. ID 16-978 Mayor's Summer Youth Jobs Program

Mayor Watts presented the proclamation for Mayor's Summer Youth Jobs Program.

**3. PRESENTATION FROM MEMBERS OF THE PUBLIC**

A. Review of procedures for addressing the City Council and B. Receive Scheduled Citizen Reports from Members of the Public.

1. ID 16-1003 Willie Hudspeth regarding the City Manager position and Police Department preparedness for racial unrest.

Mr. Hudspeth was not present at the meeting.

C. Additional Citizen Reports

William Frenkel spoke in favor of the Community Market

**4. CONSENT AGENDA**

Mayor Watts noted that Consent Agenda Items B and G would be considered individually. Item D would be moved to a different meeting.

Council Member Hawkins motioned, Mayor Pro Tem Roden seconded to approve the Consent Agenda and accompanying ordinances and resolutions with the exception of Items B and G which would be considered individually and Item D which would be moved to a different meeting. On roll call vote, Mayor Pro Tem Roden "aye", Council Member Wazny "aye", Council Member Briggs "aye", Council Member Hawkins "aye", Council Member Gregory "aye", Council Member Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance No. 2016-216

- A. ID 16-876 Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$46,000,000 in principal amount of "City of Denton General Obligation Refunding Bonds, Series 2016" (including up to \$15,700,000 for Electric Fund activities, up to \$27,900,000 for Water Fund Activities, and up to \$2,400,000 for Wastewater Fund activities); authorizing the issuance of the Bonds; delegating the authority to certain City officials to execute certain documents relating to the sale of the Bonds; approving and authorizing instruments and procedures relating to said Bonds; and enacting other provisions relating to the subject. Audit/Finance Committee recommends approval (2-0).

Resolution No. R2016-020

- C. ID 16-903 Consider approval of a resolution of the City Council of the City of Denton, Texas designating Denton, Texas a Bee City USA®; providing an effective date.

This item was not considered.

- D. ID 16-908 Consider adoption of an ordinance of the City of Denton, Texas amending section 28-253 of the Code of Ordinances to provide for the adoption of the 2015 International Energy Conservation Code (IECC) as published by the International Code Council; providing for amendments thereto; providing a penalty for violation of a fine not to exceed \$2,000.00; providing for severability; repealing all ordinances in conflict therewith; and providing an effective date.

Ordinance No. 2016-218

- E. ID 16-931 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for Audit Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6118-awarded to Pattillo, Brown & Hill, L.L.P., for a term of three (3) years with two (2) one year renewal options, in the not-to-exceed amount of \$477,350). The Audit/Finance Committee recommends approval (2-0).

Ordinance No. 2016-219

- F. ID 16-932 Consider adoption of an ordinance accepting competitive proposals and awarding a contract for the supply of Electric Substation Control Buildings for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 6115-awarded to Crown Technical Systems in the three (3) year not-to-exceed amount of \$3,530,000). The Public Utilities Board recommends approval (6-0).

Ordinance No. 2016-221

- H. ID 16-947 Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a First Amendment to a Professional Services Agreement for architectural, structural, mechanical, and electrical design services in support of the new City of Denton Household Chemical Collections Facility to be located at 1527 South Mayhill, by and between Nelson + Morgan Architects, Inc. and the City of Denton, Texas; providing for the expenditure of funds therefor; and providing an effective date (File 5906 in the additional amount not-to-exceed \$163,625.63; aggregating a total not-to-exceed \$403,560.63). The Public Utilities Board recommends approval (6-0).

Item B. was considered.

Ordinance No. 2016-217

- B. ID 16-902 Consider adoption of an ordinance of the City of Denton, Texas amending the provisions of Chapter 6 "Animals" of the Code of Ordinances by adding a definition for enclosure to section 6-2, by changing by the time period for filing a dangerous animal case in section 6-34 to 30 days, by removing section 6-34(d), and



by adding section 6-49 to add provisions to allow the keeping of bees within the city limits of Denton with certain restrictions; providing for a severability clause; providing for a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; and providing an effective date.

A Speaker Card was submitted by Brian Bentley who spoke in opposition.

City Attorney Burgess stated that a revised ordinance had been presented to Council. It changed the 30 day time period to calendar days instead of business days. The definition did not change and was still the same as the original ordinance.

Council Member Bagheri motioned to clarify Section 4, Item 4 that immediate neighbors needed to be notified; Section 7 to include the words "immediately preceding this paragraph"; and remove the honey bee registration penalty.

Mayor Pro Tem Roden asked if there was normally no penalty clauses in ordinances.

City Attorney Burgess stated that penalty provisions were not typically carved out of an ordinance. They usually applied to the entire ordinance. This penalty only related to the registration fee.

Stephanie Berry, City Prosecutor, stated that the provision could be worded that the offence would be removed if the paperwork were completed.

Council Member Bagheri amended her motion to state "violations without a fine with proof of registration" and keep the wording for immediate neighbors.

Council Member Gregory, as seconder to the motion, approved that change.

Mayor Watts offered a friendly amendment to change "immediate neighbors" to "adjacent to the property". Both Council Member Bagheri and Council Member Gregory approved that friendly amendment.

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

Ordinance No, 2016-220

- G. ID 16-939 Consider adoption of an ordinance of the City of Denton, Texas, granting a three-year exception to Section 17-20 of the Code of Ordinances of the City of Denton, Texas, with respect to sound levels and hours of operations for the North Texas State Fair and Rodeo, held at 2217 N. Carroll Blvd, that begins on the third Friday of August and ends on the fourth Sunday of August; specifically, August 18-27, 2016, August 17-26, 2017, and August 16-25, 2018. The request is to extend the hours of operation from Monday through Thursday from 10 p.m. till midnight; Friday and Saturday from 10 p.m. till 1 a.m.; and grant extended hours of operation and an exception to the noise ordinance on Sunday from 11 a.m. to 11 p.m., not to exceed 70 decibels; and provide an effective date.

Council Member Bagheri stated that she had asked for individual consideration of this item as she was not comfortable with the exception until 11 p.m. for the noise variance. She motioned to remove the 70 db and the late hours.

Emerson Vorel, Director of Parks and Recreation noted that the noise level would not exceed 70 db for all of the days.

Council Member Bagheri asked what a normal db noise level was.

Vorel stated that most exceptions were for 70 db and without that exception it would be 65.

Mayor Pro Tem Roden asked if this request was a departure from previous years.

Vorel stated that it was the same since 1995.

Mayor Watts asked about the approval for three year increments.

Vorel stated that the three year approvals had been done since 2004.

Council Member Bagheri amended her motion to not allow the exception past midnight for any night with the 70 db noise level.

Mayor Pro Tem Roden stated that if the proposal had been allowed over the past 10 years and to consider looking at it for the next time and not do this year so late in the process.

Council Member Briggs suggested amending the proposal to keep the provision for one year as is and then evaluate next year.

Council Member Bagheri amended her motion to approve a one year provision with the time and db listed.

Council Member Wazny stated that the Fair planned many years in advance and it would be tying their hands with a one year agreement. She was in favor of keeping the three year contract to allow them to plan their venues.

Motion died for lack of a second.

Mayor Pro Tem Roden motioned, Council Member Wazny seconded to adopt the ordinance as presented. On roll call vote, Mayor Pro Tem Roden "aye", Council Member Wazny "aye", Council Member Briggs "aye", Council Member Hawkins "aye", Council Member Gregory "aye", and Mayor Watts "aye". Council Member Bagheri "nay". Motion carried with a 6-1 vote.

## **5. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. ID 16-914 Consider nominations/appointments to the City's Boards and Commissions: Airport Advisory Board; Animal Shelter Advisory Committee; Community Development Advisory Committee; Health & Building Standards

Commission; Historic Landmark Commission; Human Services Advisory Committee; Library Board; Parks, Recreation and Beautification Board; Planning and Zoning Commission; Public Art Committee; Public Utilities Board; Traffic Safety Commission; and Zoning Board of Adjustment.

Jennifer Walters, City Secretary, reviewed the revised list of nominations from the Work Session.

The following individual submitted a Speaker Card:

Shaun Treat, spoke against the replacement of Amber Briggie from the Planning and Zoning Commission.

Comment Cards were submitted by:

Timothy Stoltzhus – opposed

Melissa Carr – in support of Amber Briggie

Council Member Gregory motioned, Council Member Hawkins seconded to approve the nominations as presented. On roll call vote, Mayor Pro Tem Roden "aye", Council Member Wazny "aye", Council Member Briggs "aye", Council Member Hawkins "aye", Council Member Gregory "aye", Council Member Bagheri "aye", and Mayor Watts "aye". Motion carried unanimously.

- B. A16-0002a Conduct the first of two readings of an ordinance to annex an approximately 0.375 acres generally located on the north side of Crawford Road, approximately 675 feet east of I-35W Crawford Road on-ramp (A16-0002; Ranch View Specialty Hospital).

Aimee Bissett, Director of Development Services, presented the details of the ordinance. This was the first reading of two readings for a voluntary annexation. She reviewed the location of the property and indicated that there was no action needed on this item at this meeting. She read the ordinance caption into the record.

Council did not take any action on this item.

- C. ADP16-0001e 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 Watts noted that this item was considered at the August 1, 2016 meeting. It would not be considered at this meeting.

## **6. PUBLIC HEARINGS**

- A. Z16-0003d Continue a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a rezoning request from Neighborhood Residential

3 District (NR-3) to Neighborhood Residential 6 District (NR-6) on approximately 0.6 acres, located on the northeast corner of North Bell Avenue and East Windsor Drive; and 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 recommends approval (4-2). (Z16-0003). This item was continued from the June 7, 2016 City Council meeting.

Mayor Watts noted that this was a continuation of a prior public hearing. The applicant had requested that the item be continued to the August 16<sup>th</sup> meeting.

No one spoke on the item.

The item would be continued to the August 16<sup>th</sup> meeting.

- B. ID 16-937 Hold a public hearing and consider adopting a resolution regarding the proposed site for construction, expansion, and use of an electric power transmission/distribution substation located in the southwest area of the City of Denton, north of Farmer to Market Road 2449, east of John Paine Road, south of Springdale Drive (on Hickory Creek), west of Interstate 35W; in the City of Denton, Texas; as part of Denton Municipal Electric's service territory. (Underwood Substation)

The Mayor opened the public hearing.

Brent Heath, Executive Manager of Energy Deliver, stated that this item dealt with the Underwood Substation. He reviewed the public involvement process, the reason for the new substation, and the constraints map for the best location of the substation. He also presented the pros and cons of the green, orange and blue locations plus reviewed the evaluation matrix, and the public involvement process. Staff's recommendation was the green substation site option.

Craig Schkade, representing the Hillwood Development, spoke in favor.

The Mayor closed the public hearing.

It was noted that the resolution would not be considered at this meeting. Staff was needing approval to move forward with a resolution approving the green substation site.

Mayor Pro Tem Roden motioned, Council Member Gregory seconded to proceed with preparing a resolution approving the green substation site. On roll call vote, Mayor Pro Tem Roden "aye", Council Member Wazny "aye", Council Member Briggs "aye", Council Member Hawkins "aye", Council Member Gregory "aye", Council Member Bagheri "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 Gregory requested a report on the train cars blocking Frame and Mingo.

Council Member Hawkins requested an update on high speed internet at Good Samaritan.

Council Member Hawkins requested a report on how addressing was done for city streets.

Mayor Watts requested a reconsideration of whether to have one or two sites for the Denton Renewable Plan.

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 7:49 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