

CITY OF DENTON CITY COUNCIL MINUTES  
December 6, 2022

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After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, December 6, 2022, at 2:00 p.m. in the Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

**PRESENT:** Mayor Gerard Hudspeth, Mayor Pro Tem Brian Beck and Council Members Vicki Byrd, Jesse Davis, Brandon Chase McGee, and Chris Watts (Virtual)

**ABSENT:** None

**VACANT:** District 4

Also present were City Manager Sara Hensley and City Attorney Mack Reinwand.

**The posted agenda noted the registration process for in-person, call-in, and virtual public participation at this meeting. While citizen commentary received via the online registration process was not read, each member for the City Council received each online commentary as it was submitted. In-person, call-in, and online comments received are reflected in the exhibit to the minutes of this meeting.**

**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:
  - Mayor Pro Tem Beck: Item 4.L (22-2038)
- The following items were pulled for Individual Consideration:
  - Council Member Davis: Items 4.G (22-1819) and 4.T (22-2457)
  - Council Member Watts: Item 4.Q (22-2423)

**3. Work Session Reports**

- A. ID 22-2410 Receive a report, hold a discussion, and give staff direction regarding a citywide Fair Chance Hiring ordinance. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus for a Work Session.

- B. ID 22-2411 Receive a report, hold a discussion, and give staff direction regarding options for a 2023 charter amendment election. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus for a Work Session.

- C. ID 22-1900 Receive a report, hold a discussion, and give staff direction regarding the updates to the Roadway Impact Fees. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes. The item will return to a future meeting for further discussion.

- D. ID 22-2209 Receive a report, hold a discussion, and give staff direction on potential amendments to City of Denton Code of Ordinances Chapter 2 Article XI. Ethics. [Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes. The item will return to a future meeting for further discussion.

The work session was recessed for a short break at 4:21 p.m. and reconvened at 4:40 p.m.

- E. ID 22-1714 Receive a report, hold a discussion, and give staff direction regarding updates to the City Criteria Manuals. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, there was no direction provided. The formal adoption of the Criteria Manuals will be scheduled at an upcoming meeting, tentatively scheduled for December 13, 2022.

- F. ID 22-1678 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

(1) Work session on Community Benefit Agreements.

(2) Ordinance stipulating that if sales tax exceeds the anticipated amount, 15% of the overage will be spent on one-time expenditures for Denton Police Officers.

(3) Vote on adopting an ordinance identical to Prop. B at the next meeting after consensus direction is given.

(4) Work session to prohibit public input at city-sponsored meetings including but not limited to city council meetings, from individuals participating via video feed if said individual is operating a motor vehicle. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, results were as follows:

- ID 22-1678 (1) Work session on Community Benefit Agreements
  - No consensus for a work session.
- ID 22-1678 (2) Ordinance stipulating that if sales tax exceeds the anticipated amount, 15% of the overage will be spent on one-time expenditures for Denton Police Officers.
  - Consensus for a work session on the allocation of excess sales tax.
- ID 22-1678 (3) Vote on adopting an ordinance identical to Prop. B at the next meeting after consensus direction is given.
  - No consensus for a work session.
- ID 22-1678 (4) Work session to prohibit public input at city-sponsored meetings including but not limited to city council meetings, from individuals participating via video feed if said individual is operating a motor vehicle.
  - No consensus for a work session.

The work session ended at 5:30 p.m.

### **CLOSED MEETING – NOT HELD**

#### **1. Closed Meeting:**

The City Council did not convene into a Closed Meeting; therefore, the following items were not considered.

- A. ID 22-2531 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys regarding a legal update on the Delilah Project, where 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 otherwise compromise the City's legal position.

**NOT DELIBERATED**

As noted above, the Closed Meeting was not held.

### **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, December 6, 2022, at 6:33 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

**PRESENT:** Mayor Gerard Hudspeth, Mayor Pro Tem Brian Beck and Council Members Vicki Byrd, Jesse Davis, Brandon Chase McGee, and Chris Watts (Virtual)

**ABSENT:** None

**VACANT:** District 4

Also present were City Manager Sara Hensley and City Attorney Mack Reinwand.

Council Member Davis arrived at 6:45 p.m.

**The posted agenda noted the registration process for in-person, call-in, and virtual public participation at this meeting. While citizen commentary received via the online registration process was not read, each member for the City Council received each online commentary as it was submitted. In-person, call-in, and online comments received are reflected on the exhibit to the minutes of this meeting.**

**1. PLEDGE OF ALLEGIANCE**

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

**2. PROCLAMATIONS/PRESENTATIONS**

A. ID 22-2489 Proclamation: Texas Arbor Day  
**PRESENTED**

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

A. Review of procedures for addressing the City Council.

B. Reports from members of the public

1) Receive Scheduled Citizen Reports from Members of the Public

a. ID 22-2496 Mr. Stephen Dillenburg, 1004 Abbots Lane, Denton, regarding departure from foundational principles.  
**PRESENTED**

- b. ID 22-2504 Ms. Danna Zoltner, 610 Emery St., Denton, regarding Bell Street closing.

**PRESENTED**

- c. ID 22-2516 Ms. Hope Smith, 160 E Vista Ridge Mall Dr., Lewisville, regarding road work/construction impacting Mt. Pilgrim CME Church and its members.

**PRESENTED**

2) Additional Citizen Reports (Open Microphone)

Citizen comments received are noted in Exhibit A.

**4. CONSENT AGENDA**

The Consent Agenda consisted of Items 4.A-V. During the Work Session held earlier in the day, Items 4.G (22-1819) and 4.T (22-2457) were pulled for Individual Consideration by Council Member Davis, and Item 4.Q (22-2423) was pulled for Individual Consideration by Council Member Watts.

Council Member Davis moved to adopt the Consent Agenda, now consisting of Items 4.A-F, H-P, R, S, U, and V. Motion seconded by Mayor Pro Tem Beck. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

- A. ID 22-827 Consider approval of the minutes of the November 1 and November 15, 2022 (Joint Council/Denton Housing Authority Board of Commissioners Special Called and Regular) Meetings.

**APPROVED**

- B. ID 22-1395 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Animal Shelter Advisory Committee and correct the term of a member previously appointed to the Health & Building Standards Commission.

**APPROVED**

**APPOINTMENTS LISTED ON EXHIBIT B**

- C. ID 22-2455 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to sign a Medical Office Building Lease and First Amendment to Medical Office Building Lease by and between the City of Denton and Epic Development, Inc. for the use and occupancy of premises at 3537 South I-35E,

Denton, Texas 76210 for the City of Denton Employee Health Center for a three (3) year period; authorizing the expenditure of funds therefor (with a one-year cost of \$72,216.00, and a three (3) year not-to-exceed amount of \$223,300.00); and providing an effective date.  
**ASSIGNED ORDINANCE NO. 22-2455**

- D. ID 22-1776 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City of Denton and the Denton Affordable Housing Corporation to provide HOME Investment Partnership Program funds for the rehabilitation of six (6) rental units located at 710, 712, 714, 716, 718 and 720 Roberts Street, Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$200,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-1776**

- E. ID 22-2203 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute Amendment 1 to an Agreement with Denton Community Food Center to provide Community Development Block Grant - Coronavirus funds for public facility improvements in Denton, Texas, extending the term of the Agreement to March 31, 2023; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-2203**

- F. ID 22-2373 Consider adoption of an ordinance of the City of Denton granting Ridgemont Commercial Construction a noise exception pursuant to Section 17-20 of the City of Denton Code of Ordinances, with respect to sound levels and hours of operation for concrete pours and retaining wall rock delivery related to construction of two new industrial buildings, located at 3333 W University Dr; granting an increase in sound levels and a variance in the hours of operation which may be affected by weather, from 1:00 a.m. to 8:30 p.m., during weekdays only, with sound not to exceed 85 decibels; and providing an effective date.

**ASSIGNED ORDINANCE NO. 22-2373**

- H. ID 22-2022 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an interlocal cooperation agreement with the Town of Little Elm, providing for a volume agreement for the landfill for a term of two (2) years beginning October 1, 2022, with no renewals or extensions; and providing an effective date. The Public Utilities Board recommends approval (4-0).

**ASSIGNED ORDINANCE NO. 22-2022**

- I. ID 22-2023 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an interlocal cooperation agreement with Wise County, providing for a volume agreement for the landfill for a term of two (2) years beginning October 1, 2022, with no renewals or extensions; and providing an effective date. The Public Utilities Board recommends approval (4-0).

**ASSIGNED ORDINANCE NO. 22-2023**

- J. ID 22-2347 Consider adoption of an ordinance of the City of Denton, Texas authorizing the City manager or designee to fulfill the annual responsibilities of the City of Denton ("City"), as a municipal solid waste disposal facility operator to pay its required Texas Commission on Environmental Quality ("TCEQ") disposal fee pursuant to Title 30 Chapter 330 of the Texas Administrative code; including paying any amounts required by the TCEQ and funded in the annual budget; declaring an effective date. The Public Utilities Board recommends approval (4-0).

**ASSIGNED ORDINANCE NO. 22-2347**

- K. ID 22-2037 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Juneteenth Celebration Committee for the 2023 Juneteenth Celebration sponsorship; and providing an effective date. (\$5,000 cash sponsorship and \$10,302.40 in-kind services - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 22-2037**

- L. ID 22-2038 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Kiwanis Youth Services, Inc., for the 4th of July fireworks show sponsorship; and providing an effective date. (\$36,000 cash sponsorship and \$21,914.71 in-kind services - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 22-2038**

- M. ID 22-2142 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Denton Area Running Club for the 2022 Downtown Denton Turkey Trot and Kids' Gobble Wobble sponsorship; and providing an effective date. (\$4,876.41 in-kind services - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 22-2142**

- N. ID 22-2171 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Explorium Denton, Inc., for the 2023 Touch a Truck sponsorship; and providing an effective date. (\$1,000 cash sponsorship and 1,818.32 in-kind services - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 22-2171**

- O. ID 22-2172 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton and Juneteenth University for the 2023 Denton Juneteenth Parade sponsorship; and providing an effective date. (\$500 cash sponsorship and \$4,365.30 in-kind services - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 22-2172**

- P. ID 22-2422 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Freese and Nichols, Inc., to provide design services, bidding assistance, and construction phase services for the Ray Roberts Water Treatment Plant Chemical Systems Improvement Project for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-014 - Professional Services Agreement for design services awarded to Freese and Nichols, Inc., in the not-to-exceed amount of \$2,233,740.00). The Public Utilities Board recommends approval (4-0).

**ASSIGNED ORDINANCE NO. 22-2422**

- R. ID 22-2425 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Tyler Technologies, Inc., through the Sourcewell Cooperative Purchasing Network Contract Number 090320-TTI, for maintenance and support for Incode Case Management, Probation Tracking, and Mobile Electronic Citation Software for Municipal Courts and Public Safety; authorizing the expenditure of funds therefor; and providing an effective date (File 8126 - awarded to Tyler Technologies, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$675,000.00).

**ASSIGNED ORDINANCE NO. 22-2425**

- S. ID 22-2426 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Lessek Enterprises, LLC dba Impress Graphics, for printing and mailing services for Resident Updates and Construction Guide newsletters for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 8009 - awarded to Lessek Enterprises, LLC dba Impress Graphics, 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 \$447,600.00).

**ASSIGNED ORDINANCE NO. 22-2426**

- U. ID 22-2458 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Lessek Enterprises, LLC dba Impress Graphics, for large volume mailing services and daily pick-up, metering, and delivery to the United States Post Office for the City of Denton's residual mail; providing for the expenditure of funds therefor; and providing an effective date (RFP 8107 - awarded to Lessek Enterprises, LLC dba Impress Graphics, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$1,225,000.00).

**ASSIGNED ORDINANCE NO. 22-2458**

- V. ID 22-2461 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with HDR Architecture, Inc., for assistance in the creation of the Northeast Denton Area Plan on behalf of the City of Denton as set forth in the contract; providing for



the expenditure of funds therefor; and providing an effective date (RFQ 8038 - Professional Services Agreement for planning services awarded to HDR Architecture, Inc., in the not-to-exceed amount of \$200,000.00).

**ASSIGNED ORDINANCE NO. 22-2461**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

- G. ID 22-1819 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement between the City of Denton and the University of North Texas for the expenditure of sixty-one thousand nine hundred and ninety dollars (\$61,990) for the purchase and commissioning of sculptures of Abner Haynes and Dr. Leon King and corresponding steel name arches; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (4-0). The Public Art Committee recommends approval (4-0).

**ASSIGNED ORDINANCE NO. 22-1819**

Pulled for Individual Consideration by Council Member Davis.

Council Member Davis had a conflict of interest and left the Council Chambers.

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

The item was presented and no discussion followed.

Mayor Pro Tem Beck moved to adopt the item as presented. Motion seconded by Council Member McGee. Motion carried.

AYES (5): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, McGee, and Watts

NAYS (0): None

ABSTENTIONS (1): Council Member Davis

VACANT (1): District 4

- Q. ID 22-2423 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and CBS Mechanical Services, Inc., dba CMS Mechanical Services, Inc., amending the contract approved by the City Council on January 14, 2020, in the not-to-exceed amount of \$765,000.00; said first amendment to continue to provide plumbing repairs, installations and preventive maintenance in City of Denton buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 7229 - providing for an additional first amendment expenditure amount not-to-exceed \$191,250.00, with the total contract amount not-to-exceed \$956,250.00).

**ASSIGNED ORDINANCE NO. 22-2423**

Pulled for Individual Consideration by Council Member Watts.

Council Member Watts had a conflict of interest and left the Council Chambers.

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

The item was presented and no discussion followed.

Mayor Pro Tem Beck moved to adopt the item as presented. Motion seconded by Council Member McGee. Motion carried.

AYES (5): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, and McGee.

NAYS (0): None

ABSTENTIONS (1): Council Member Watts

VACANT (1): District 4

- T. ID 22-2457 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative Purchasing Agreement with Denton County, under the Government Code, Chapter 791.001, to authorize the use of consolidated communication systems for public safety and governmental services for the City of Denton; authorizing the expenditure of funds therefor; and declaring an effective date (File 8083 - award an Interlocal Cooperative Purchasing Agreement with Denton County, in the five (5) year not-to-exceed amount of \$991,536.00).  
**ASSIGNED ORDINANCE NO. 22-2457**

Pulled for Individual Consideration by Council Member Davis.

Council Member Davis had a conflict of interest and left the Council Chambers.

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

The item was presented and no discussion followed.

Mayor Pro Tem Beck moved to adopt the item as presented. Motion seconded by Council Member McGee. Motion carried.

AYES (5): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, McGee, and Watts

NAYS (0): None

ABSTENTIONS (1): Council Member Davis

VACANT (1): District 4

## **5. PUBLIC HEARINGS**

- A. ID 22-1901 Hold a public hearing and consider adoption of an ordinance amending Chapter 18 "Motor Vehicles and Traffic", Article III "Speed of Vehicles", Section 18-73 "Speed Limits on Certain Roads and Highways", "City Streets", "University Campus Streets", "School Zones", of the Code of Ordinances of the City of Denton, to change the locations, extent, and speed limits of certain city streets and speed zones in the vicinity of a school; providing a repealer clause; providing a savings clause; providing a severability clause; providing a penalty clause; providing for publication; providing codification; and providing an effective date.

### **ASSIGNED ORDINANCE NO. 22-1901**

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 Beck moved to adopt the item as presented. Motion seconded by Council Member Byrd. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

- B. DCA22-0007a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code, specifically amendments related to Sections 8.3.2C.1 Access, 7.8.10 Cross Access between Abutting Development, 8.3.2A.4 Double Frontage Lots and Driveways, Sections 5.2 and 8.3.2A.11 Access to a Site Across a Property, and Section 8.3.2A.6 Driveway Spacing; 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 [7-0] to recommend approval of the amendments. Motion for approval by Vice-Chair Smith and second by Commissioner Villarreal. (DCA22-0007a, Access Requirements and Cross-Access, Ron Menguita)

### **ASSIGNED ORDINANCE NO. DCA22-0007a**

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 Beck moved to adopt the item as presented. Motion seconded by Council Member Davis. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

- C. Z22-0016b 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 Planned Development Residential 7 (PD-R7) to Residential 6 (R6) District on approximately 21.013 acres of land generally located west of Lane Street and Mockingbird Lane and north of the terminus of Trailhead Lane, 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 [6-0] to recommend approval of the request. Motion for approval by Commissioner McDade and second by Commissioner Pruett. (Z22-0016b, Oak Vista, Julie Wyatt)

**ASSIGNED ORDINANCE NO. Z22-0016b**

All members of the City Council received the comments as submitted and had the opportunity to review all submissions prior to the start of the meeting and consider such comments when voting on the item. The summary of public commentary/registrations are noted on Exhibit A.

The item was presented and discussion followed.

The public hearing was opened and citizen comments received are noted on Exhibit A.

With no other callers on queue, the public hearing was closed.

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

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

- D. S22-0003b 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 new monopole tower no more than 150 feet in height on approximately 4.37 acres of land, located south of Barcelona Street, approximately 300 feet west of the intersection of Barcelona Street and Mesa 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 [7-0] to recommend approval. Motion for approval by Vice-Chair Smith and second by Commissioner Cole. (S22-0003b, Speed of Light, Sean Jacobson)

**ASSIGNED ORDINANCE NO. S22-0003b**

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 Beck moved to adopt the item as presented. Motion seconded by Council Member Byrd. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

- E. Z22-0017b 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 a Rural Residential (RR) Zoning District to a Light Industrial (LI) Zoning District on approximately 29.9354 acres of land, generally located east of Lovers Lane, approximately 1,808 feet south of the intersection of FM 1173 and Lovers Lane, 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 establishing an effective date. The Planning and Zoning Commission voted [7-0] to recommend approval of the request. Motion for approval by Vice-Chair Smith and second by Commissioner McDade. (Z22-0017b, Johnsrud Ranch Industrial, Sean Jacobson)

**ASSIGNED ORDINANCE NO. Z22-0017b**

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

The item was presented and discussion followed.

The public hearing was opened and citizen comments received are noted on Exhibit A.

With no other callers on queue, the public hearing was closed.

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

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

**6. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. A22-0002c Conduct the second of two readings of an ordinance of the City of Denton, Texas annexing approximately 82.96 acres of land, generally located on the north side of Barthold Road approximately 1,300 feet west of Interstate 35 (I-35) into the City of Denton, Denton County, Texas; providing for a correction to the city map to include the annexed land; and provide for a savings clause and an effective date. (A22-0002c, Barthold Road Voluntary Annexation, Ron Menguita)

**ASSIGNED ORDINANCE NO. A22-0002c**

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

The item was presented and no discussion followed.

Council Member Davis moved to adopt the item as presented. Motion seconded by Council Member McGee. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

- B. ID 22-2243 Consider adoption of an ordinance providing for acceptance of a restated Non-Annexation Agreement for an agricultural, wildlife management or timberland use property within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as a portion of PAA3, an area of 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. 22-2435**

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

The item was presented and no discussion followed.

Council Member McGee moved to adopt the item as presented. Motion seconded by Council Member Byrd. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts  
NAYS (0): None  
VACANT (1): District 4

- C. ID 22-2435 Consider an appointment to City Council Committee: Community Partnership Committee.

**APPROVED**

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

Items 6.C. (22-2435), 6.D. (22-2436), 6.E. (22-2437), 6.F. (22-2439), 6.G. (22-2438), and 6.H. (22-2433) were collectively presented, and discussed and voted on individually.

Following discussion, Mayor Hudspeth moved to appoint Council Member McGee as shown on Exhibit B. Motion seconded by Council Member Davis. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts  
NAYS (0): None  
VACANT (1): District 4

- D. ID 22-2436 Consider an appointment to City Council Committee: Mobility Committee.

**TABLED TO THE DECEMBER 13, 2023 MEETING**

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

Items 6.C. (22-2435), 6.D. (22-2436), 6.E. (22-2437), 6.F. (22-2439), 6.G. (22-2438), and 6.H. (22-2433) were collectively presented, and discussed and voted on individually.

During the discussion, Mayor Hudspeth delayed the item to later in the meeting.

Later in the meeting, the item returned for consideration.

Mayor Hudspeth moved to table the item to the December 13, 2022 Council Meeting. Motion seconded by Council Member Watts. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts  
NAYS (0): None  
VACANT (1): District 4

- E. ID 22-2437 Consider approval of a resolution of the City of Denton appointing a member to the Discover Denton Advisory Board; and declaring an effective date.

**ASSIGNED RESOLUTION NO. 22-2439**

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

Items 6.C. (22-2435), 6.D. (22-2436), 6.E. (22-2437), 6.F. (22-2439), 6.G. (22-2438), and 6.H. (22-2433) were collectively presented, and discussed and voted on individually.

Mayor Hudspeth moved to appoint Council Member Davis as shown on Exhibit B. Motion seconded by Council Member McGee. Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts

NAYS (0): None

VACANT (1): District 4

- F. ID 22-2439 Consider approval of a resolution of the City of Denton appointing a Primary Member as the official voting representative to the North Central Texas Council of Governments' Regional Transportation Council; and providing an effective date.

**ASSIGNED RESOLUTION NO. 22-2439**

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

Items 6.C. (22-2435), 6.D. (22-2436), 6.E. (22-2437), 6.F. (22-2439), 6.G. (22-2438), and 6.H. (22-2433) were collectively presented, and discussed and voted on individually.

Following discussion, Mayor Hudspeth moved to appoint Council Member Watts as shown on Exhibit B. Motion seconded by Council Member Watts. Motion carried.

AYES (4): Mayor Hudspeth, and Council Members Byrd, Davis, and Watts

NAYS (2): Mayor Pro Tem Beck and Council Member McGee

VACANT (1): District 4

- G. ID 22-2438 Consider approval of a resolution of the City of Denton replacing Alison Maguire as a member to the Denton County Behavioral Health Leadership Team; and declaring an effective date.

**NOT APPROVED**

All members of the City Council received the comments as submitted and had the opportunity to review all submissions prior to the start of the meeting and consider such comments when voting on the item. The summary of public commentary/registrations are noted on Exhibit A.



Items 6.C. (22-2435), 6.D. (22-2436), 6.E. (22-2437), 6.F. (22-2439), 6.G. (22-2438), and 6.H. (22-2433) were collectively presented, and discussed and voted on individually.

Citizen comments received are noted on Exhibit A.

Following discussion, Mayor Hudspeth moved to return to the prior status of appointments for the Denton County Behavioral Health Leadership Team. Motion seconded by Council Member Davis.

Following further discussion, Mayor Hudspeth amended his motion to restore Dani Shaw as the City's voting member on the Denton County Behavioral Health Leadership Team. Council Member Davis, having seconded the original motion, accepted the amendment. Motion failed due to a tie vote.

AYES (3): Mayor Hudspeth, Council Members Davis and Watts

NAYS (3): Mayor Pro Tem Beck, and Council Members Byrd and McGee

VACANT (1): District 4

NOTE: As a result of non-approval of the item, Ms. Alison Maguire would continue as the City's voting member on the Denton County Behavioral Health Leadership Team.

- H. ID 22-2433 Consider approval of a resolution of the City Council for the City of Denton appointing a Primary Representative to the Board of Directors of the Denton County Transportation Authority; and providing for an effective date.

**NOT APPROVED**

All members of the City Council received the comments as submitted and had the opportunity to review all submissions prior to the start of the meeting and consider such comments when voting on the item. The summary of public commentary/registrations are noted on Exhibit A.

Items 6.C. (22-2435), 6.D. (22-2436), 6.E. (22-2437), 6.F. (22-2439), 6.G. (22-2438), and 6.H. (22-2433) were collectively presented, and discussed and voted on individually.

Citizen comments received are noted on Exhibit A.

Following discussion, Council Member Davis moved to appoint Pat Smith as the Primary Representative to the Denton County Transportation Authority. Motion seconded by Council Member Watts.

Following further discussion, Council Member Davis amended his motion was to appoint Pat Smith as the Primary Representative and Alison Maguire as the Alternate Representative. Council Member Watts, having seconded the original motion, accepted the amendment.

During additional discussion, Council Member Byrd Called the Question. Mayor Pro Tem seconded the Call to the Question. Motion carried.

AYES (5): Mayor Hudspeth, Mayor Pro Tem Beck, and Council Members Byrd, Davis, and Watts

NAYS (1): Council Member McGee

VACANT (1): District 4

Mayor Hudspeth republished Council Member Davis' amended motion, seconded by Council Member Watts, to appoint Pat Smith as the Primary Representative and Alison Maguire as the Alternate Representative. Motion failed due to a tie vote.

AYES (3): Mayor Hudspeth, Council Members Davis, and Watts

NAYS (3): Mayor Pro Tem Beck, and Council Members Byrd and McGee


VACANT (1): District 4


NOTE: As a result of non-approval of the item, Ms. Alison Maguire would continue as the City's Primary Representative and Pat Smith would continue as the City's Alternate Representative on the Denton County Transportation Authority.

## 7. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 9:47 p.m.

  
\_\_\_\_\_  
GERARD HUDSPETH  
MAYOR  
CITY OF DENTON, TEXAS

  
\_\_\_\_\_  
KAREN GAY  
ASSISTANT CITY SECRETARY  
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: January 10, 2023