

## CITY OF DENTON CITY COUNCIL MINUTES

November 6, 2018

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, November 6, 2018 at 2:00 p.m. in the Council Work Session Room at City Hall.

PRESENT: Mayor Pro Tem Ryan, Council Member Armintor, Council Member Meltzer, and Mayor Watts.

ABSENT: Council Members Hudspeth, Briggs and Duff.

### 1. Citizen Comments on Consent Agenda Items

Pam Barnes spoke on Consent Agenda Item K regarding the Kiwanis fireworks show and the City's commitment to assist with the funding.

Hank Dickinson spoke on Consent Agenda Item K regarding the Kiwanis fireworks show and City funding.

### 2. Requests for clarification of agenda items listed on the agenda for November 6, 2018.

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

Council Member Meltzer – Consent Agenda Items C and I

Council Member Armintor – Consent Agenda Item O

### 3. Work Session Reports

- A. ID 18-1577 Receive a report, hold a discussion, and give staff direction regarding the annual funding recommendation processes carried out by the Community Development Advisory Committee and the Human Services Advisory Committee.

Danielle Shaw, Human Services Coordinator, presented information on the review committee process for two city grant programs and notification to the public of the upcoming grant availability. She noted the two committees involved in the process, the Community Development Advisory Committee and the Human Services Advisory Committee. She presented information on the time frame for the process for applying for grants as well as a 3 year funding history. Funding priorities and services provided with the funding was also presented.

Council discussed:

- What leftover funds were used for
  - Reasoning why no General Fund dollars were used for Community Development and were only used for Human Services
- B. DCA18-0006 Receive a report, hold a discussion, and give staff direction regarding an amendment to the Denton Development Code, amending Subchapter 35.3 - Procedures by adding a citizen participation section.

Ron Menguita, Principal Planner, presented information on a proposed Code amendment for citizen participation procedures in advance of proposals coming before the Planning and Zoning Commission. He reviewed the city of Southlake program and noted the proposed code amendment procedures. Next steps and options on how to proceed were noted.

Council discussion included:

- Make sure this program did not delay the development process
- Public comments would not alter the legal requirements regarding a project meeting code
- Definition of neighborhoods
- Determine who would prepare the citizen's report
- Work through this issue through the revision of the Denton Development Code rather than this as a standalone process
- Whether staff was supplying the mailing list to developer and how the mailing list was developed
- This process was codifying the practice already done to hold neighborhood meetings
- If the requirement was to hold two neighborhood meetings, the developer should be setting date and time for the meetings
- The developer should be submitting the citizen participation report
- This proposal was a part of the DDC update
- This proposal had not been vetted with the development committee at this point in time
- Concern that the process might become too micromanaged
- No implementation until the development committee had weighed in on the proposal
- Staff should be preparing the citizen report
- Reasoning for two citizen meetings
- Consider a voluntary trial period of the proposal before formal adoption of the DDC amendment with staff preparing the citizen report

Consensus of the Council was to hold a voluntary trial period with staff preparing the citizen report until the formal DDC amendment was considered. The developer would receive the 200 and 500 foot notification list that was used for the City's formal notification process. Once the list was completed, the schedule of neighborhood meetings would be listed on the website for additional public notification and included the notice of meeting and description of area to be considered. The notification process would be clear and would include any neighborhood organizations in the area which would be a task for the developer and not staff.

The Closed Meeting item listed below was not considered.

1. Closed Meeting:

A. ID 18-1836 Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074

Deliberate and discuss the evaluation, duties, discipline, procedures, compensation and contracts of the City Attorney and City Auditor.

Regular Meeting of the City of Denton City Council at 6:30 p.m. in the Council Chambers at City Hall.

Council Member Duff arrived at the meeting.

**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 18-1770 Presentation of the 2018 Texas Amateur Athletic Federation (TAAF) Member City of the Year Award (population 75,000 and over) by Mark Lord to the Parks and Recreation Department.

Mark Lord, Executive Director of Texas Athletic Federation, presented the following awards to the Denton Parks and Recreation Department - Member City of the Year Award for the Region and State Member City of the Year Award.

- B. ID 18-1802 Benjamin Lyon Chapter, National Society Daughters of the American Revolution Day

Mayor Watts presented the proclamation for the Benjamin Lyon Chapter, National Society Daughters of the American Revolution Day.

- C. ID 18-1803 Robson Ranch Support Our Troops

Mayor Watts presented the proclamation for Robson Ranch Support Our Troops Day.

- D. ID 18-1819 Small Business Saturday

As no one was present to accept the proclamation, Mayor Watts noted that it would be mailed to the requestor.

- E. ID 18-1827 National Transgender Awareness Week

Mayor Watts presented the proclamation for National Transgender Awareness Week.

- F. ID 18-1840 Resolution of Appreciation for Judge Robin Ramsay

Mayor Watts presented the Resolution of Appreciation and Plaque of Appreciation for Judge Robin Ramsay.

Mayor Pro Tem Ryan motioned, Council Member Meltzer seconded to approve the Resolution of Appreciation. On roll call vote, Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council

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

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

A. Review of procedures for addressing the City Council.

B. Receive Scheduled Citizen Reports from Members of the Public

1. ID 18-1787 Reyna Galyon regarding traffic on Teasley Lane and the safety of school children.

Ms. Galyon presented her suggestions for safer traffic around her school especially on Teasley Lane.

2. ID 18-1800 Randy Hunt regarding value creation in National Register Districts.

Mr. Hunt presented information on historic districts and incentives for National Registry Districts. Historic neighborhoods surrounding the universities needed to be protected and offered incentives to the property owners to preserve these structures.

4. ID 18-1818 Aaron Powell regarding protected bike lanes.

Aaron Powell, representing Bike Denton, presented information on the importance of protected bike lanes, conventional bike lane construction, delineator posts, bike lanes outside parked cars, and planters/curbs.

3. ID 18-1806 Sonia Vazquez regarding benefits of protected bike lanes.

Ms. Vazquez presented information on protected bike lanes and why they were needed in Denton.

C. Additional Citizen Reports

Charles Browning presented information on cars parking in the bike lanes on Highland causing a dangerous situation for those riding bikes in the area. He suggested a physical barrier to keep cars out of the bike lanes.

Suzanne Townsdin presented information on the benefits of biking in the community in terms of economics, safety, and health. She asked for Council's support for safer bike routes in Denton.

**4. CONSENT AGENDA**

Council Member Meltzer motioned, Mayor Pro Tem Ryan seconded to approve the Consent Agenda and accompanying ordinances and resolutions. On roll call vote, Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance 18-1123

- A. ID 18-1123 Consider adoption of an ordinance of the City of Denton, Texas, modifying the following sections of the Code of Ordinances: (1) Section 14-87, Article IV - smoking, Chapter 14 - Health and Human Services; (2) Section 22-31(13), Article II- Park Rules, Chapter 22 - Parks and Recreation; and, section 22-31.1, Article II - Park Rules, Chapter 22 - Parks and Recreation; providing for a severability clause; providing for a savings clause; providing for publication; and, declaring an effective date.

Ordinance 18-1445

- B. ID 18-1445 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Buy Board Cooperative Purchasing network Contract Number 498-15 with TMA System, LLC, for the purchase and implementation of TMA Systems work order software system for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (File 6892 - awarded to TMA System, LLC, for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of \$72,330.25).

Ordinance 18-1531

- C. ID 18-1531 Consider adoption of an ordinance of the City of Denton, Texas amending certain provisions of Chapter 17 of the Denton Code of Ordinances, The Denton Property Maintenance Code, including sections 17-3, 17-42, and 17-62 to provide for code enforcement officer authority; providing for penalty not to exceed \$500 for violations of this ordinance; providing a savings clause; providing for a severability clause, savings clause, and an effective date.

Ordinance 18-1662

- D. ID 18-1662 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Halff Associates, Inc., for Architect or Engineer Services for the Locust and Elm Street Water, Wastewater, and Drainage Improvements project, as set forth in the agreement; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-041 - Professional Services Agreement for Architect or Engineer Services awarded to Halff Associates, Inc. in the not-to-exceed amount of \$837,900). The Public Utilities Board recommends approval (6-0).

Ordinance 18-1674

- E. ID 18-1674 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Buy Board Cooperative Purchasing Network Contract Number 498-15, for the purchase of Electronic Bidding Software for the City of Denton Materials Management Department; providing for the expenditure of funds therefor; and providing an effective date (File 6873 - awarded to Ion Wave Technologies, Inc., for a five (5) year not-to-exceed amount of \$101,500).

Ordinance 18-1675

- F. ID 18-1675 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract for the purchase of OverDrive, Inc. digital services for downloadable ebooks and audiobooks for the Denton Public Library, with OverDrive, Inc., which is the sole provider of this software, in accordance with Texas Local Government Code 252.022, provides that procurement of commodities and services that are available from one source are exempt from competitive bidding; and if over \$50,000 shall be awarded by the governing body; and providing an effective date (File 6911 - awarded to OverDrive, Inc., in the one (1) year not-to-exceed amount of \$120,000).

Ordinance 18-1676

- G. ID 18-1676 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract for the implementation of CodeRED Emergency Notification System and CodeRED Weather Warning Service with OnSolve, LLC, which is the sole provider of this software, in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding; and if over \$50,000 shall be awarded by the governing body, and providing an effective (File 6912 - awarded to OnSolve, LLC, for a three (3) year not-to-exceed amount of \$134,000).

Ordinance 18-1681

- H. ID 18-1681 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to approve a contract with Coufal-Prater Equipment, LLC dba United Ag & Turf, for mowers and tractors for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 6864 - awarded to Coufal-Prater Equipment, LLC dba United Ag & Turf in the five (5) year not-to-exceed amount of \$550,000). The Public Utilities Board recommends approval (6-0).

Ordinance 18-1683

- I. ID 18-1683 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to approve a contract with James Wood Autopark, Inc., for the supply of medium duty truck chassis for various City of Denton Departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 6865 - awarded to James Wood Autopark, Inc., in the three (3) year not-to-exceed amount of \$4,000,000). The Public Utilities Board recommends approval (6-0).

Ordinance 18-1703

- J. ID 18-1703 Consider adoption of an ordinance of the City of Denton authorizing the city manager, or his designee, to execute and deliver an amendment to an agreement for furnishing and installing traffic signal equipment by a municipality between the City of Denton and the Texas Department of Transportation, regarding the city's request for reimbursement of the cost of installing traffic signal equipment directly related to the operation of intersections along the I-35E Frontage Road within the city

that are specified in the agreement; authorizing the expenditure of funds thereof; and providing an effective date.

Ordinance 18-1744

- K. ID 18-1744 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, Texas, and Kiwanis Youth Services, Inc. for the purpose of 4th of July Fireworks Show sponsorship; providing for the expenditure of funds; and providing for an effective date. (\$40,000 - Hotel Occupancy Tax and Sponsorship Committee recommends approval 3-0)

Ordinance 18-1745

- L. ID 18-1745 Consider adoption of an ordinance of the City Council of Denton, Texas authorizing the City Manager to execute and deliver an Amendment to an Agreement for furnishing and installing traffic signal equipment by a municipality between the City of Denton and the Texas Department of Transportation (TXDOT) regarding the city's request for reimbursement of the cost of installing traffic signal equipment directly related to the operation of intersections on FM 2499 within the city that are specified in said agreement; authorizing the expenditure of funds therefor; and providing an effective date.

Ordinance 18-1758

- M. ID 18-1758 Consider adoption of an ordinance of the City of Denton, Texas, amending Ordinance No. 2017-376 to prescribe updated titles and number of positions for certain classifications of Fire Department personnel; providing repealer, cumulative and severability clauses; and declaring an effective date.

Ordinance 18-1796

- N. ID 18-1796 Consider adoption of an ordinance of the City of Denton authorizing an agreement between the City of Denton, TX, and Explorium Denton for the purpose of the Coffee Crawl sponsorship; providing for the expenditure of funds; and providing an effective date. (\$3,000 - The Hotel Occupancy Tax and Sponsorship Committee recommends approval 3-0).

Resolution 18-1797

- O. ID 18-1797 Consider approval of a resolution of the City of Denton authorizing the City Manager, or his designee, accept the 2018 Urban Area Security Initiative (UASI) Grant (Grant No. 3692101) in the amount of \$26,000 from the State of Texas Office of the Governor through the US Department of Homeland Security; for the period of September 1, 2018 through August 31, 2019; providing an effective date.

Ordinance 18-1811

- P. ID 18-1811 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Stuart C. Irby Company for the supply of electric utility overhead transmission conductors (Suwanee) for the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 6761 - awarded

to Stuart C. Irby Company, for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of \$1,500,000).

Ordinance 18-1812

- Q. ID 18-1812 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager or his designee to execute a contract for Temporary Labor Services for various City of Denton departments, which is available from the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing contract # TS06-17 and in accordance with the provisions of Texas Local Government code 271.083, providing the statutory authority for the City to participate in the cooperative purchasing program; providing for the expenditure of funds therefor; and providing an effective date (File 6852- awarded to Robert Half International, Inc., in the three (3) year not-to-exceed amount of \$300,000).

Ordinance 18-1813

- R. ID 18-1813 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Elite Tree Service, LLC for tree trimming and removal services for Parks and Recreation and other City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 6870 - awarded to Elite Tree Service, LLC, 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 \$350,000).

Ordinance 18-1815

- S. ID 18-1815 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with T.G. Whitton Company, for the supply of welding and fabrication services for various City of Denton Departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 6879 - awarded to T.G. Whitton Company, in the five (5) year not to exceed amount of \$400,000).

Ordinance 18-1816

- T. ID 18-1816 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., for Engineering Services for the Mews Streets Improvements - Public Engagement and Planning Level Design, as set forth in the agreement; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-044 - Professional Services Agreement for Engineering Services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$99,800).

Resolution 18-1838

- U. ID 18-1838 Consider approval of a resolution repealing the City of Denton's Use of the City Hall Meeting Spaces Policy Reference Number 500.01, and repealing the



Use of Conference Rooms Policy Reference Number 500.02; incorporating a Use of City Facilities and Meeting Rooms Policy Reference Number 500.06, of the City's current policies and procedures; and providing an effective date.

Resolution 18-1841

- V. ID 18-1841 Consider approval of a resolution of the City Council of the City of Denton, Texas, appointing an Interim Municipal Judge; setting forth the terms of the appointment; setting forth the Interim Municipal Judge's appointment and salary; and providing an effective date.

Ordinance 18-1842

- W. ID 18-1842 Consider adoption of an ordinance approving a salary increase for Todd Hileman under the performance review provision of his employment agreement with the City; authorizing the expenditure of funds; and providing an effective date.

Ordinance 18-1871

- X. ID 18-1871 Consider adoption of an ordinance of the City of Denton, Texas, concurring with the City Manager's reorganization of the City of Denton's administrative departments and divisions; and providing an effective date.

Ordinance 18-1873

- Y. ID 18-1873 Consider adoption of an ordinance of the City of Denton, approving a City sponsorship in an amount not to exceed \$3,650 of in-kind services and resources for the Bridging Hope Ministries Sleep Out America event, starting at 6:00 p.m. on Friday, November 16, 2018, and ending on Saturday, November 17, 2018, at 8:00 a.m., to be held at Quakertown Park on the north side of said park; and providing an effective date.

Ordinance 18-1874

- Z. ID 18-1874 Consider adoption of an ordinance of the City of Denton, granting the Bridging Hope Ministries, pursuant to section 22-31 of the Code of Ordinances, an exception to have its Sleep Out America event in the Quakertown Park, starting on Friday, November 16, 2018, from 6:00 p.m. and ending on Saturday, November 17, 2018, at 8:00 a.m.; granting permission to camp on the North side of Quakertown Park, in a location at said park other than the area designated for overnight camping; and providing an effective date.

Resolution 18-1923

- AA. ID 18-1923 Consider approval of a resolution of the City Council of the City of Denton, Texas, creating the 2020 Census Complete Count Committee; affirming partnership support of the 2020 United States Census to increase census response rates and community outreach initiatives; and declaring an effective date.

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

- A. ID 18-1792 Consider nominations/appointments to the City's Boards and Commissions: Health & Building Standards Commission and Library Board.

Jennifer Walters, City Secretary, noted that Council Member Armintor had nominated Cyndell Addison as an alternate to the Health and Building Standards Commission and Mayor Pro Tem Ryan had nominated Deon Starnes to the Library Board.

Council Member Meltzer motioned, Mayor Pro Tem Ryan seconded to approve the nominations. On roll call vote, Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

### Ordinance 18-1839

- B. ID 18-1839 Consider adoption of an ordinance of the City of Denton confirming the Board of Ethics' rules of procedure as required by the Code of Ordinances, Chapter 2, Article XI, Section 2-277(k); and providing an effective date.

Jesse Davis, Chair-Board of Ethics, presented the background of the ethics ordinance. He noted the key points for the procedures and the recommendations from the Board.

Mayor Pro Tem Ryan motioned, Council Member Armintor seconded to adopt the ordinance. On roll call vote, Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

## **6. PUBLIC HEARINGS**

- A. Z18-0021b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a zoning change from Neighborhood Residential 2 (NR-2) to a Neighborhood Residential Mixed-Use (NRMU) District on two adjacent tracts, one of approximately 5.723 acres and the other of approximately 4.389 acres. The subject site is generally located southwest of the intersection of Teasley Lane and Pennsylvania 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. STAFF HAS POSTPONED THIS ITEM TO THE DECEMBER 4, 2018 CITY COUNCIL MEETING.

This item was not considered.

- B. S18-0008a Hold a public hearing and consider adoption of an ordinance for a Specific Use Permit to allow for a multi-family residential use as part of a mixed-use development on approximately 31 acres. The property is generally located on the north side of Windsor Drive, east of the I-35 N frontage road in the City of Denton,

Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (S18-0008, Windsor Drive Apartments, Hayley Zagurski). **THIS ITEM HAS BEEN WITHDRAWN AND WILL BE RENOTICED FOR A LATER MEETING DATE.**

This item was not considered.

- C. Z18-0014a Hold a public hearing and consider adoption of an ordinance to rezone approximately 9.08 acres from Planned Development 115 District to a Regional Center Commercial Downtown (RCC-D) District. The property is generally located on the south side of US Highway 77/North Elm Street, approximately 450 feet southeast 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 a severability clause and an effective date. The Planning and Zoning Commission voted 7-0 to approve the request. (Z18-0014, Commercial Rezoning, Julie Wyatt).

Julie Wyatt, Development Services, noted that the applicant had submitted a written request for postponement until December 4th date.

Council Member Meltzer motioned, Mayor Pro Tem Ryan seconded to postpone consideration until December 4, 2018. On roll call vote, Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

- D. DCA18-0005a Hold a public hearing and consider adoption of an ordinance regarding a proposed revision to the Denton Development Code; specifically to update the Planning and Zoning Commission Operational Procedures in Subchapter 4 Boards, Commissions, and Committees related to motions resulting in a tie vote; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. **THIS ITEM HAS BEEN POSTPONED TO THE DECEMBER 18TH CITY COUNCIL MEETING.** (DCA18-0005, Tie Vote Procedure, Julie Wyatt).

This item was not considered.

- E. Z18-0018b Hold a public hearing and consider an ordinance of the city of Denton, Texas, regarding a change in the zoning classification from a Neighborhood Residential 4 (NR-4) zoning district and use classification to a Neighborhood Residential Mixed Use 12 (NRMU-12) zoning district and use classification with an overlay on approximately 20.7 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 recommend approval (Z18-0018, Oak Vista Townhomes, Cindy Jackson)

Cindy Jackson, Development Services, noted that a written request had been received from the applicant to postpone consideration until December 4, 2018.

Council Member Armintor motioned, Mayor Pro Tem Ryan seconded to postpone consideration until December 4, 2018. On roll call vote, Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

Ordinance 18-1851

- F. ID 18-1851 Hold a public hearing and consider adoption of an ordinance granting approval, in accordance with Chapter 26 of the Texas Parks and Wildlife Code, of the non-park use of a part of Owsley Park for the purpose of installing and maintaining electric transmission, distribution, and communication lines for the City's Electric Utility Infrastructure Upgrade Project; providing for a notice by the City of Denton of non-park use for installation and maintenance of electric transmission, distribution, and communication lines and reservation of easement in the event of sale of park; and providing an effective date. Parks, Recreation, and Beautification Board unanimously recommended approval (7-0). [Hickory & Locust TM Line]

Brent Heath, Executive Manager for Energy Delivery, presented the background information on the location of the park, purpose of the request to rebuild the existing electric transmission lines, governance background, and recommendations of Parks Board and staff. The public hearing was a requirement of state legislation due to the use of park property.

The Mayor opened the public hearing.

Kim McKibben spoke in favor.

The Mayor closed the public hearing.

Council discussion included:

- Whether new poles would be installed in the same location as old poles
- Length of time to complete the construction of the new poles
- Lighting for the site
- Whether there would be the same street lights
- Whether the old poles would be coming down

Mayor Pro Tem Ryan motioned, Council Member Armintor seconded to adopt the ordinance. On roll call vote, Council Member Duff "aye", Mayor Pro Tem Ryan "aye", Council Member Armintor "aye", Council Member Meltzer "aye", and Mayor Watts "aye". Motion carried unanimously.

**7. CONCLUDING ITEMS**

- A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the City Council or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming

meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda

Council Member Meltzer

- Staff report on bike lane parking violations and ways to improve enforcement

Council Member Armintor

- Work Session to discuss what the options were for the height of the landfill

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 8:00 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