

CITY OF DENTON CITY COUNCIL MINUTES
November 19, 2019

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, November 19, 2019, at 1:02 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were City Manager Todd Hileman and City Attorney Aaron Leal

WORK SESSION

1. Citizen Comments on Consent Agenda Items

None.

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

- Consent 4.F (ID 19-2742) - As requested, staff provided clarification as to the budget for development construction projects. (Briggs)
- Consent Item 4.I (ID 19-2816) - The item was pulled from consideration. (Watts)
- Consent Item 4.J (ID 19-2818) - As requested, staff provided clarification regarding TCEQ fees. (Briggs)
- Consent Item 4.K (ID 19-2828) - As requested, staff provided clarification that voting for this item would not make moot the original vote. (Briggs)
- Consent Item 4.C (ID 19-2721) - Pulled for individual consideration. (Leal)

3. Work Session Reports

- A. ID 19-2782 Receive a report, hold a discussion, and give staff direction regarding the employee residency survey results and other Cities residency incentives information.

The presentation was made and discussion followed.

Following discussion, there was no direction provided in that the item was presented as a follow up to Council Member Request ID 19-2083, Item 4.

- B. ID 19-2805 Receive a report, hold a discussion and give staff direction regarding the implementation of an exclusive pedestrian phase in the traffic signal operations of the downtown intersections at Oak and Elm, Oak and Locust, Hickory and Elm, and Hickory and Locust as a pilot program for evaluation as a safety improvement for all modes of transportation in the downtown area.

The presentation was made and discussion followed.

Following discussion, staff was directed to proceed with implementation of the pilot program for evaluation as a safety improvement for all modes of transportation in the downtown area.

- C. ID 19-2274 Receive a report, hold a discussion, and give staff direction regarding proposed City Initiated Zoning Changes.

The presentation was made and discussion followed.

Following discussion, staff was directed to proceed with Option 2 which is to continue with City initiated zoning changes addressing non-conforming uses and structures and include properties in advance of any redevelopment or development.

The meeting recessed for a short break at 2:30 p.m. and reconvened at 2:37 p.m.

- D. ID 19-2766 Receive a report, hold a discussion, and provide staff direction regarding incentivizing graywater systems using impact fees and the relationship between graywater systems, impact fees, and infrastructure planning.

The presentation was made and discussion followed.

Following discussion, staff was directed to prepare a fee structure with rebate option for consideration at a future meeting.

- E. ID 19-2770 Receive a report, hold a discussion, and give staff direction regarding Roadway Impact Fees.

The presentation was made and discussion followed.

Following discussion, staff was directed to prepare fees for consideration at a future meeting.

The Work Session ended at 3:56 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 3:56 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:
 - A. ID 19-2807 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code, Section 551.071. Receive a presentation from staff regarding public power competitive and financial matters related to a Power Purchase Agreement between the City of Denton, as the seller of power and electric energy services, and Texas Woman's University, as a buyer of power and electric energy services; discuss, deliberate, and provide direction to staff regarding the same. Consultation with the City's attorneys regarding legal issues associated with the above matters 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.

DELIBERATED

The Closed Meeting started at 4:06 p.m. and ended at 4:15 p.m. No votes or actions were taken during the Closed Meeting.

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, November 19, 2019, at 6:34 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were City Manager Todd Hileman and City Attorney Aaron Leal

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

2. PROCLAMATIONS/PRESENTATIONS

- A. ID 19-2811 Resolution of Appreciation for Julie Glover in honor of her upcoming retirement and dedicated service to the City of Denton - ISSUED

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.

None.

- C. Additional Citizen Reports (Open Microphone)

- Eva Grecco, 802 W. Oak Street - regarding citizens not being limited on speaking time when addressing the City Council at a meeting; luncheon meetings held wherein citizens pay for lunches eaten; there is a very big dip at the corner of West Oak and Ponder near the intersection and sign letting the public know about dip has been removed
- Willie Hudspeth, 623 Newton - confederate statue on the square not mentioned during an earlier Work Session presentation; symbolizes slavery; homeless situation behind his home; need to provide assistance to the homeless

4. CONSENT AGENDA

The consent agenda consisted of Items 4.A-K. During the Work Session held earlier in the day, Item 4.C (ID 19-2721) was pulled for individual consideration by City Attorney Leal. Item 4.I (ID 19-2816) was pulled from consideration by Mayor Watts.

Council Member Ryan moved to adopt the Consent Agenda, now consisting of items 4.A, 4.B, 4.D-H, 4.J, and 4.K. Motion seconded by Mayor Pro Tem Hudspeth. Motion carried.

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

NAYS (0): None

- A. ID 19-2589 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, approving a grant application from Sally Cotter, representing Half Pint Children's Boutique, LLC, from the Downtown Reinvestment Grant Program not to exceed \$3,309; and providing for an effective date. The Economic Development Partnership Board recommends approval (10-0).

ASSIGNED ORDINANCE NO. 19-2589

- B. ID 19-2675 Consider adoption of an ordinance of the City of Denton releasing, abandoning, and vacating (i) a Public Access Easement granted to the City of Denton by Aaron Baltazar, Ltd., recorded as Instrument No. 2005-142281 in the Real Property Records, Denton County, Texas, and (ii) a Drainage Easement granted to the City of Denton by Aaron Baltazar, Ltd., recorded as Instrument No. 2005-142277 in the Real Property Records, Denton County, Texas; providing for severability and an effective date. (Beall Way Addition - Access and Drainage Easement Abandonment Request)

ASSIGNED ORDINANCE NO. 19-2675

- D. ID 19-2727 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager or his designee, to execute a contract through the State of Texas Smart Buy Program for the purchase of library print materials as awarded by State of Texas Contract Number 715-M2 Publications, Audiovisual Materials, Books, and Cataloging Services (Prepared Materials Only); providing for the expenditure of funds therefore; and providing an effective date (File 7219 - awarded to Baker & Taylor, LLC, in the not-to-exceed amount of \$350,000).

ASSIGNED ORDINANCE NO. 19-2727

- E. ID 19-2737 Consider approval of the minutes of November 4 and November 5, 2019.

- F. ID 19-2742 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 Professional Services Agreement between the City of Denton and HR Green, Inc., amending the contract approved by City Council on October 23, 2018, in the not-to-exceed amount of \$815,147; said first amendment to provide additional review of development construction projects for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6818 - providing for an additional first amendment expenditure amount not-to-exceed \$578,915, with the total contract amount not-to-exceed \$1,394,062).

ASSIGNED ORDINANCE NO. 19-2742

- G. ID 19-2741 Consider adoption of an ordinance of the City of Denton, approving a City co-sponsorship to Bridging Hope Ministries in an amount not to exceed \$993 of in-kind services and resources for the 5th Annual Christmas Banquet, which will be held on Sunday, December 1, 2019, from 3:00 p.m. to 5:00 p.m., at the Denton Civic Center; and providing an effective date.

ASSIGNED ORDINANCE NO. 19-2741

- H. ID 19-2758 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a Contract of Sale by and between JoDo Co, LLC and the City, for the sale and purchase of fee simple title of an approximate total of 1.12 acres of land located in the Hiram Cisco Survey, Abstract Number 1184, City and County of Denton,

Texas, and also known as 712, 716, and 800 East McKinney Street and 723-725 East Oak Street, for the purchase price of Six Hundred Ten Thousand Dollars and No/100 (\$610,000.00); authorizing the expenditure of funds therefor; providing for severability and an effective date.

ASSIGNED ORDINANCE NO. 19-2758

- J. ID 19-2818 Consider adoption of an ordinance of the City of Denton authorizing the expenditure of funds for payments by the City of Denton to the Texas Commission on Environmental Quality for waste disposal fees; and providing an effective date (waste disposal fee in the total amount of \$350,000).

ASSIGNED ORDINANCE NO. 19-2818

- K. ID 19-2828 Consider adoption of an ordinance of the City of Denton, Texas, Nunc pro Tunc, correcting an inadvertent mistake in section 6 of the Second Amendment to the City Attorney's Employment Agreement approved by City Council on November 5, 2019 by ordinance 2019-2625; authorizing the Mayor to execute a corrected second amendment to the City Attorney's Employment Agreement; providing for a severability clause; providing for a savings clause and providing an effective date.

ASSIGNED ORDINANCE NO. 19-2828

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

- C. ID 19-2721 Consider a resolution by the City of Denton authorizing the city manager to apply for and accept the 2019 UASI - City of Denton - Fire EMS Rescue Task Force Grant (grant no. 3421002) in the amount of \$144,137.31 from the State of Texas, Office of the Governor, through a grant from the US Department of Homeland Security for the period of November 1, 2019 through October 31, 2020; and providing an effective date.

ASSIGNED RESOLUTION NO. 19-2721

Pulled for individual consideration by City Attorney Leal.

The item was not presented, commentary followed.

Staff clarified the ordinance being considered was to accept the 2019 UASI - City of Denton - "SPECIALIZED REGIONAL RESPONSE TEAM SUSTAINMENT" Grant and the caption read "Fire EMS Rescue Task Force Grant" in error. City Attorney Leal confirmed the item could be adopted with the motion being to adopt the substitute ordinance.

Council Member Ryan moved to adopt the substitute ordinance accepting the 2019 UASI - City of Denton - "SPECIALIZED REGIONAL RESPONSE TEAM SUSTAINMENT" Grant. Motion seconded by Mayor Pro Tem Hudspeth. Motion carried.

AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer
NAYS (0): None

ITEM PULLED FROM CONSIDERATION

- I. ID 19-2816 Consider approval of a resolution of the City of Denton authorizing the Mayor to execute a Transit Oriented Development Planning Grant Partnership Agreement with the Denton County Transportation Authority (DCTA), City of Highland Village, City of Lewisville, and Denton County for a grant application to conduct a Transit Oriented Development Study for the Kansas City Southern (KCS) rail corridor; and providing an effective date.

As announced during the Work Session earlier in the meeting, the item was pulled from consideration by Mayor Watts.

5. ITEM(S) FOR INDIVIDUAL CONSIDERATION - CONSIDERATION OF THE USE OF EMINENT DOMAIN TO CONDEMN REAL PROPERTY INTERESTS

- L. ID 19-2809 Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of various (I) fee simple tracts, (II) permanent easements, and (III) temporary construction easements, generally located along Mayhill Road, south of Spencer Road and north of Interstate Highway 35E, situated in the David Hough Survey - Abstract 646, the D. Lombard Addition, and the D. Lombard Survey - Abstract 784, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit "A" (collectively, the "Property Interests"); authorizing the City Manager and City Attorney, or their respective designees, to acquire the Property Interests by agreement if possible including making initial and final offers required by law; authorizing the use of the power of eminent domain to condemn the Property Interests if an agreement cannot be reached; authorizing the City Attorney, or his designee, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; makings findings; providing a savings clause; and providing an effective date

ASSIGNED ORDINANCE NO. 19-2809

The item was presented and discussion followed.

The following spoke on the item:

- Kevin Nelms, 2100 S. Mayhill Road - in opposition to the item

Mayor Pro Tem Hudspeth moved that the City of Denton, after having made the offers required by state law, use the power of eminent domain, if needed, to acquired various fee simple tracts, permanent easements, and temporary construction easement generally located along the 2000 Block of South Mayhill Road, south to the intersection of South Mayhill Road and Colorado Boulevard, and being situated in the David Hough Survey – Abstract 646, the D. Lombard Addition, and the D. Lombard Survey – Abstract 784, all in the City and County of Denton, Texas and being more particularly described in Exhibit “A” to the ordinance now

under consideration and on the screens overhead, now being displayed for the audience, all of which are for a valid public use, necessary to provide for the expansion and improvement of Mayhill Road, a municipal street and roadway located in the City of Denton and for flood control and storm water improvements necessitated by such flood control, to serve the public and citizens of the City of Denton. Motion seconded by Council Member Ryan. Motion carried.

AYES (5): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis, Ryan, and Meltzer

NAYS (2): Council Members Briggs and Armintor

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 19-2674 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 ImageNet Consulting, LLC, through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract# DIR-TSO-4159 for the lease of 90 digital copiers for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (File 7134 - awarded to ImageNet Consulting, LLC, in the five (5) year not-to-exceed amount of \$1,182,585).

ASSIGNED ORDINANCE NO. 19-2674

The item was presented and discussion followed.

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

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

NAYS (0): NONE

- B. ID 19-2439 Consider adoption of an ordinance of the City of Denton, a Texas municipal home-rule corporation, repealing the entirety of Division 3. - Right-of-Way Construction, Article II - Construction and Repair, Chapter 25 - streets, sidewalks and public places, of the City's Code of Ordinances; repealing the entirety of Division 4. - Barricading of Construction and Public Rights-of-Way, Article II Construction and Repair, Chapter 25 Streets, Sidewalks and Public Places, of the City's Code of Ordinances; creating a new Division 3. - Right-of-Way Construction Management, Article II - Construction and Repair, Chapter 25- Streets, Sidewalks and Public Places, of the City's Code of Ordinances; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability; and establishing an effective date.

ASSIGNED ORDINANCE NO. 19-2439

The item was presented and discussion followed.

Council Member Armintor moved to adopt the item as presented. Motion seconded by Council Member Briggs. Motion carried.

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

NAYS (0): None

- C. ID 19-2440 Consider approval of a resolution of the City of Denton, a Texas home-rule municipal corporation, authorizing the use of the Construction Manager-at-Risk delivery method for the construction of a Public Safety Facility; authorizing the City Manager to take all necessary action, and providing an effective date (File 7151).

ASSIGNED RESOLUTION NO. 19-2440

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

The item was presented and no discussion followed.

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

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

NAYS (0): NONE

ABSTAIN: (1) Council Member Briggs

- D. ID 19-2468 Consider adoption of an ordinance of the City of Denton, Texas authorizing the expenditures of funds for the payment of wholesale transmission charges in the total amount of \$7,219,975.36 and, providing an effective date.

ASSIGNED ORDINANCE NO. 19-2468

The item was presented and discussion followed.

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

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

NAYS (0): None

- E. ID 19-2728 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 Pavecon Public Works LP, for the construction of the South Bonnie Brae Street Widening and Improvements Phase II/Vintage Blvd project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 7118 - awarded to Pavecon Public Works LP, in the not-to-exceed amount of \$11,638,323.40).

ASSIGNED ORDINANCE NO. 19-2728

The item was presented and discussion followed.

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

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

NAYS (1): Council Member Armintor

- F. ID 19-2729 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 Jagoe-Public Company, for the construction of the McKinney Street Phase II project for the City of Denton with geographical limits as follows: From Loop 288 east to South Fork Road from 2 lanes to 4 lanes with continuous center turn lane; providing for the expenditure of funds therefor; and providing an effective date (IFB 7154 - awarded to Jagoe-Public Company, in the not-to-exceed amount of \$10,471,821.75).

ASSIGNED ORDINANCE NO. 19-2729

The item was presented and discussion followed.

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

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

NAYS (1): Council Member Armintor

The meeting was recessed for a short break at 7:48 p.m. and reconvened at 7:56 p.m.

7. PUBLIC HEARINGS

- A. DCA19-0015a Hold a public hearing and consider adoption of an Ordinance of the City of Denton amending Section 1.7.8, Rezonings with Overlay Conditions Under Prior Regulations, of the Denton Development Code; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; and providing for severability and an effective date. The Planning and Zoning Commission recommends approval 6-0. (DCA19-0015a, Rezonings with Overlay Conditions, Ron Menguita)

ASSIGNED ORDINANCE NO. DCA19-0015a

The item was presented and discussion followed.

The public hearing was opened; and with no speakers coming forward, the public hearing was closed.

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

AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth, and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer
NAYS (0): None

- B. DCA19-0014a Hold a public hearing and consider adoption of an ordinance of the City of Denton amending Section 1.3.4, Conflicts with Other Ordinances and Criteria Manuals, and establishing Section 2.11, Development Criteria Manual Procedure; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; and providing for severability and an effective date. The Planning and Zoning Commission recommends approval 6-0. (DCA19-0014a, Development Criteria Manual Procedure, Ron Menguita)

ASSIGNED ORDINANCE NO. DCA19-0014a

The item was presented and discussion followed.

The public hearing was opened; and with no speakers coming forward, the public hearing was closed.

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

AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth, and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer
NAYS (0): None

- C. DCA19-0009c Hold a public hearing and consider adoption of an ordinance of the City of Denton amending Subchapters 1, 6, and 8 of the Denton Development Code, relating to applicability, gas well drilling and production reverse setbacks, definitions, and procedures; providing a cumulative clause; providing a severability clause; providing for a penalty; and providing an effective date. (DCA19-0009c, Gas Wells, Hayley Zagurski)

ASSIGNED ORDINANCE NO. DCA19-0009c

The item was presented and discussion followed.

The public hearing was opened and the following spoke on the item:

- Catherine Lustgarten, 11809 Southerland Drive - in opposition to the item
- Marnete Neale, 731 Hillcrest - in support of the item
- Sharon Spiess, 7501 Stallion Street - in opposition to the item
- Jim Moffitt, 505 Oakbrook Drive, Lewisville - in opposition to the item
- Carol Soph, 1620 Victoria - in opposition to the item
- Ben Huttash, 925 Sierra Drive - in opposition to the item

The meeting was recessed for a short break at 9:20 p.m. and reconvened at 9:27 p.m.

The public hearing continued with the following speaking on the item:

- Matthew Fry, 1600 Highland Park Road - in opposition to the item
- Currie Hawkins, 7204 Ragan Place, The Colony - in opposition to the item
- Jodi Ismert, 819 Anna Street - in opposition to the item
- Larry Beck, 2301 Paxton Way - in opposition to the item
- Rhonda Love, 1921 Hollyhill Lane - in opposition to the item
- Ed Soph, 1620 Victoria Drive - in opposition to the item
- Brian Beck, 124 Mill Pond - in opposition to the item
- Mat Pruneda, 1225 Tulane Drive - in support of the item

The following asked to have their name read into the record and their position noted as shown:

- Karen DeVinney, 1820 W. Oak - in opposition to the item
- Jack Thomson, 1401 Amhurst Drive - in opposition to the item
- Frances Punch, 2002 Wisteria Street - in opposition to the item
- Daniel Garza, 300 Northridge Street - in opposition to the item
- Hatice I. Salih, 300 Northridge Street - in opposition to the item
- Gretchen Niendorff, 2020 Mistywood Lane - in opposition to the item
- Janice Bigby, 1105 Sandpiper Drive - in opposition to the item
- Diana Leggett, 1019 Aileen Street - in opposition to the item
- David Martin, 3111 Darby Lane - in opposition to the item
- Karen McDaniels, 9605 Pinewood Drive - in opposition to the item
- Herbert Holl, 2419 Kayewood Drive - in opposition to the item
- Lee Anne Todd, 3316 Roselawn Drive - in opposition to the item
- Fran Witte, 3111 Darby Lane - in opposition to the item
- Michelle Lynn, 1401 Egan - in opposition to the item
- Oscar Ventura, 4717 Rhone Drive, Argyle - in support of the item
- Leslie Burkett, 2601 Loon Lake Road - in opposition to the item

With no other speakers coming forward, the public hearing was closed.

Council Member Armintor moved to postpone to a date certain, that being until the upcoming December 3rd Work Session was held on additional gas well related issues. Motion seconded by Council Member Meltzer. Motion failed.

AYES (2): Council Members Briggs and Armintor

NAYS (5): Mayor Watts, Mayor Pro Tem Hudspeth, and Council Members Davis, Ryan, and Meltzer

The meeting was recessed for a short break at 10:19 a.m. to allow staff to find and display a slide from a previous agenda item that related to the item and reconvened at 10:24 p.m.

Discussion continued.

Council Member Davis moved to approve the item as presented under Option 2, as follows:

- Subchapter 1: *General Standards*–Nonconformities
 - Option A2: allow nonconforming structures to go to ZBA to rebuild
- Subchapter 6: Gas Wells Reverse Setbacks:
 - Increase Reverse to 500' and add Minimum Reverse at 250'
 - Add/revise definitions for Reverse and Minimum Reverse
 - Clarify measurements for parks
- Subchapter 6: Gas Wells Variance/Relief Procedures
 - Standards ZBA (hardship) process to 250' with criteria
 - Administrative relief to 375' with criteria
- Subchapter 8: Subdivisions Cluster Subdivision procedures & applicability.
 - Revise procedure and applicability to allow use for Administrative Relief process without PD rezoning and minimum acreage requirements

Motion seconded by Council Member Briggs.

Council Member Meltzer moved a substitute motion to adopt the item as presented under Option 2 and amend the setback to 1500'. Motion seconded by Council Member Armintor. Motion failed.

AYES (3): Council Members Briggs, Armintor, and Meltzer

NAYS (4): Mayor Watts, Mayor Pro Tem Hudspeth, and Council Members Davis and Ryan

Council Member Armintor moved a substitute motion to amend the item to include capping of wells. The motion failed due to lack of a second.

Following discussion, Mayor Watts called the vote on Council Member Davis' original motion, seconded by Council Member Briggs, to approve the item as presented under Option 2 as follows:

- Subchapter 1: *General Standards*–Nonconformities
 - Option A2: allow nonconforming structures to go to ZBA to rebuild
- Subchapter 6: Gas Wells Reverse Setbacks:
 - Increase Reverse to 500' and add Minimum Reverse at 250'
 - Add/revise definitions for Reverse and Minimum Reverse
 - Clarify measurements for parks
- Subchapter 6: Gas Wells Variance/Relief Procedures
 - Standards ZBA (hardship) process to 250' with criteria
 - Administrative relief to 375' with criteria
- Subchapter 8: Subdivisions Cluster Subdivision procedures & applicability
 - Revise procedure and applicability to allow use for Administrative Relief process without PD rezoning and minimum acreage requirements

Motion carried.

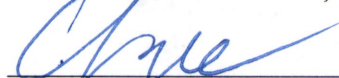
AYES (5): Mayor Watts and Council Members Briggs, Davis, Ryan, and Meltzer


NAYS (2): Mayor Pro Tem Hudspeth and Council Member Armintor

8. CONCLUDING ITEMS

Council Members expressed items of interest, congratulatory remarks and provided general announcements. Staff to provide responsive information to those requests for information as part of the Friday Report process.

With no further business, the meeting was adjourned at 11:07 p.m.


CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS


ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: December 10, 2019