

CITY OF DENTON CITY COUNCIL MINUTES
September 1, 2020

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Special Called Meeting on Tuesday, September 1, 2020, at 12:04 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, City Attorney Aaron Leal, and First Assistant City Attorney Larry Collister

Note: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth, and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer participated in the work session, closed meeting, and regular meeting via video/teleconference.

The posted agenda noted the registration process for public participation at this virtual meeting. While citizen commentary received via the online registration process was not read, each member of the City Council received each registration as it was submitted.

ITEM FOR INDIVIDUAL CONSIDERATION

- A. ID 20-1756 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, extending the effective period of the declaration of disaster executed by the Mayor on September 1, 2020 regarding the inactive private water system which served Green Tree Estates; authorizing the expenditure of amounts not to exceed \$10,000 during this period; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1756

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

Citizen comments received are noted in Exhibit A.

The item was presented and discussion followed.

Mayor Pro Tem Hudspeth moved to adopt the item with an amendment to extend for two weeks and require the payment be paid by the residents receiving the water delivery service. Motion seconded by Council Member Davis.

Discussion continued.

Council Member Briggs offered a friendly amendment to consider full cost of service to be paid by residents commencing on October 5, 2020. Mayor Pro Tem Hudspeth and Council Member Davis accepted the friendly amendment.

Discussion continued.

Council Member Armintor moved to postpone consideration of the item to September 4, 2020 with a special called meeting set that day. Council Member Briggs seconded the motion. Motion failed.

AYES (2): Council Members Briggs and Armintor

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

Discussion continued.

Mayor Watts called the vote on the original motion by Mayor Pro Tem Hudspeth, seconded by Council Member Davis, and including Council Member Briggs' accepted friendly amendment to provide for a two-week extension and require payment be made by the residents receiving the water delivery service commencing October 5, 2020. Motion failed.

AYES (3): Mayor Pro Tem Hudspeth and Council Members Davis and Ryan

NAYS (4): Mayor Watts and Council Members Briggs, Armintor, and Meltzer

Discussion continued.

Council Member Meltzer moved to approve the item as presented with an expiration date of September 15, 2020 at the current rate. Motion was seconded by Council Member Armintor. Motion passed.

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

NAYS (1): Council Member Ryan

The meeting was recessed for a short break at 1:10 p.m. and reconvened at 1:21 p.m.

WORK SESSION

1. Citizen Comments on Consent Agenda Items

None

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

- Clarification was requested on the following items:
 - Council Member Meltzer: Item 4.M (ID 20-1639)
 - Council Member Briggs: Items 4.H (ID 20-1647) and 4.M (ID 20-1639)
 - Council Member Armintor: Items 4.H (ID 20-1647), 4.I (ID 20-1648), 4.J (ID 20-1649), 4.K (ID 20-1650), and 4.L (ID 20-1651)
 - The following items were pulled for Individual Consideration:
 - Council Member Meltzer: Items 4.C (ID 20-1598) and 4.D (ID 20-1643)
 - Council Member Hudspeth: Item 4.O (ID 20-1734)
- NOTE: At the time the Consent Agenda was presented, Council Member Briggs pulled Item P (ID 20-1742) for Individual Consideration.

3. **Work Session Reports**

- A. ID 20-1717 Receive a report, hold a discussion, and give staff direction regarding economic development incentive applications for TeamOfDefenders and From the Future.

The item was presented and discussion followed.

Following discussion, City Council consensus was to have Staff proceed as presented and provide an update at a future meeting.

- B. ID 20-1488 Receive a report, hold a discussion, and give staff direction regarding an audit follow-up of the Procurement Card Process Audit.

The item was presented and discussion followed.

Following discussion, there was no direction provided as the presentation was for reporting purposes only.

- C. ID 20-1535 Receive a report, hold a discussion, and give staff direction regarding an interlocal agreement whereby the City of Denton provides public safety communication services to the Town of Little Elm for an annual fee.

The item was presented and discussion followed.

Following discussion, City Council consensus was to proceed with the interlocal agreement and present for consideration at a future meeting.

The Work Session was recessed for a short break at 2:56 p.m. and reconvened at 3:10 p.m.

- D. ID 20-1510 Receive a report, hold a discussion, and give staff direction regarding an update of the ALL-WALK CROSSWALK pilot program at the downtown intersections at Oak and Elm, Oak and Locust, Hickory and Elm, and Hickory and Locust.

The item was presented and discussion followed.

Following discussion, City Council consensus was to continue with Option 2 which included leaving the AWCW signal timing in place and adding the diagonal crosswalk markings.

- E. ID 20-526 Receive a report, hold a discussion, and give staff direction regarding Looking Forward: A Master Facilities Plan for the Denton Public Library.

The item was presented and discussion followed.

Following discussion, City Council consensus was to move forward with the Plan as presented.

- F. ID 20-1743 Receive a report, hold a discussion, and give staff direction regarding Risk Level 5 of the Mosquito Surveillance and Response Plan of the City of Denton.

The item was presented and discussion followed.

Following discussion, City Council consensus to proceed with the Plan as presented.

The Work Session was recessed for a short break at 4:20 p.m. and reconvened at 4:28 p.m.

- G. ID 20-1201 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
1. Repealing the prohibition on sleeping in cars.

The item was presented and discussion followed.

Following discussion, results were as follows:

1. Repealing the prohibition on sleeping in cars.
 - o There was no City Council consensus to proceed with a work session.

The Work Session ended at 4:34 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 4:34 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.
 - A. ID 20-1745 Deliberate regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Discuss, deliberate, receive information from staff, and provide staff with direction pertaining to the potential purchase of real property located southeast of the corner of Thomas J. Egan Rd. and Jim Christal Rd. in Denton, Denton County, Texas ("Property"), where the deliberation of same in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person or potential litigation. Consultation with the City's attorneys regarding legal issues associated with potential claims against the City associated with the Property, 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 negotiations or potential litigation.

DELIBERATED

The Closed Meeting started at 4:36 p.m. and ended at 4:59 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, September 1, 2020, at 6:35 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.

Note: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth, and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer participated in the work session, and regular meeting via video/teleconference under the provisions allowed by the Texas Government Code Section 551.127.

The posted agenda noted the registration process for public participation at this virtual meeting. While citizen commentary received via the online registration process was not read, each member of the City Council received each registration as it was submitted.

1. PLEDGE OF ALLEGIANCE

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

2. PROCLAMATIONS/PRESENTATIONS

- A. ID 20-1716 Live United Month
PRESENTED

3. PRESENTATION 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 20-1751 Tyheshia Scott, 9121 Wordeman Drive, Providence Village, regarding
"Census 2020 Count: Working Together to Shape our Future."
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-P. During the Work Session held earlier in the day, Items 4.C (ID20-1598) and 4.D (ID 20-1643) were pulled for Individual Consideration by Council Member Meltzer; Item 4.O (ID 20-1734) was pulled for Individual Consideration by Mayor Pro Tem Hudspeth; and, Item 4.P (ID 20-1742) was pulled for Individual Consideration by Council Member Briggs.

Council Member Ryan moved to adopt the Consent Agenda, now consisting of Items 4.A-B and 4.E-N. Motion seconded by Council Member Meltzer. Motion carried.

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

- A. ID 20-1471 Consider approval of a resolution re-establishing the Hotel Occupancy Tax (HOT) and Sponsorship Committee, a standing committee of the City Council of the City of Denton, to be known as the Community Partnership Committee; and providing an effective date.

ASSIGNED RESOLUTION NO. 20-1471

- B. ID 20-1593 Consider adoption of an ordinance authorizing a Water and Wastewater Utilities Cost Participation Agreement between the City of Denton and Lennar Homes of Texas Land and Construction, Ltd. ("Lennar Homes") for the City's participation in the oversizing of water and wastewater mains in accordance with the terms and conditions of this ordinance; authorizing the expenditure of funds; and providing an effective date. (In the not-to-exceed amount of \$276,450.00). The Public Utilities Board recommends approval (7-0).

ASSIGNED ORDINANCE NO. 20-1593

- E. ID 20-1644 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 Consolidated Traffic Controls, Inc., for the purchase of Traffic Signals and Hardware, Section A - Signal and Pedestrian Heads, Section E - Detectors and Section F - Crossing Systems, to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7398 - awarded to Consolidated Traffic Controls, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$500,000).

ASSIGNED ORDINANCE NO. 20-1644

- F. ID 20-1645 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 MoboTrex Inc., for the purchase of Traffic Signals and Hardware, Section C - Camera Systems and Section H - Traffic Lights, to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7398 - awarded to MoboTrex Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$750,000).

ASSIGNED ORDINANCE NO. 20-1645

- G. ID 20-1646 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 Paradigm Traffic Systems Inc., for the purchase of Traffic Signals and Hardware, Section B - Pelco Mounting Hardware, Section D - Cabinet Electronics and Section J - Paradigm, to be stocked in the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7398 - awarded to Paradigm Traffic Systems Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$2,250,000).

ASSIGNED ORDINANCE NO. 20-1646

- H. ID 20-1647 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 Custom Landscapes, Inc., dba Classic Landscapes and Maintenance, for mowing services and maintenance for Section L - Fire Stations; providing for the expenditure of funds therefor; and providing an effective date (RFP 7378 - awarded to Custom Landscapes, Inc., dba Classic Landscapes and Maintenance, in the one (1) year not-to-exceed amount of \$24,200).
ASSIGNED ORDINANCE NO. 20-1647
- I. ID 20-1648 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 Rene Saldivar dba Firehouse 22 Lawn Landscape, for mowing services and maintenance for Sections A - Parks Recreation - Parks, B - Parks Recreation - Medians (Northside) and I - Public Buildings; providing for the expenditure of funds therefor; and providing an effective date (RFP 7378 - awarded to Rene Saldivar dba Firehouse 22 Lawn Landscape, in the one (1) year not-to-exceed amount of \$226,842).
ASSIGNED ORDINANCE NO. 20-1648
- J. ID 20-1649 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 Freedom Commercial Services, LLC, for mowing services and maintenance for Section H - Added Locations; providing for the expenditure of funds therefor; and providing an effective date (RFP 7378 - awarded to Freedom Commercial Services, LLC, in the one (1) year not-to-exceed amount of \$13,800).
ASSIGNED ORDINANCE NO. 20-1649
- K. ID 20-1650 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 Kingreen Services Co., LLC, for mowing services and maintenance for Section E - Cemeteries; providing for the expenditure of funds therefor; and providing an effective date (RFP 7378 - awarded to Kingreen Services Co., LLC, in the one (1) year not-to-exceed amount of \$95,063).
ASSIGNED ORDINANCE NO. 20-1650
- L. ID 20-1651 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 Natures Greenery, Inc., for mowing services and maintenance for Sections C - Medians/ROW (South), D - Water Production, F - Large Acreage, G - Rights-of-way, J - Libraries Color Bed Maintenance, K - Walking Trails, and M - Water Reclamation; providing for the expenditure of funds therefor; and providing an effective date (RFP 7378 - awarded to Natures Greenery, Inc., for a one (1) year not-to-exceed amount of \$737,650).
ASSIGNED ORDINANCE NO. 20-1651

- M. ID 20-1639 Consider approval of a resolution of the City Council of the city of Denton adopting a Sustainability Plan entitled "Simply Sustainable -A Framework for Denton's Future"; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1639

- N. ID 20-1712 Consider approval of the minutes of August 18, 2020.

APPROVED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- C. ID 20-1598 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a Memorandum of Understanding with Denton County Mental Health and Retardation Center (MHMR) related to a grant awarded to MHMR from the Substance Abuse and Mental Health Services Administration (SAMHSA), COVID-19 Emergency Response for Suicide Prevention Grant Program; ratifying all prior actions taken by the City Manager in furtherance of this grant; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1598

Pulled for Individual Consideration by Council Member Meltzer.

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

The item was presented and discussion followed.

Following discussion, Council Member Meltzer 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

- D. ID 20-1643 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract extension between the City of Denton and Exceleron Software, LLC, through September 9, 2025, to continue to provide prepaid utilities services to customers of the City of Denton; and declaring an effective date (File 5346 - extending a contract with Exceleron Software, LLC, to September 9, 2025). The Public Utilities Board recommends approval (7 - 0).

ASSIGNED ORDINANCE NO. 20-1643

Pulled for Individual Consideration by Council Member Meltzer.

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

The item was presented and discussion followed.

Following discussion, 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

- O. ID 20-1734 Consider adoption of an ordinance authorizing expenditure of \$300,000, as previously discussed in closed session, for outside counsel and other previously discussed trial and appellate expenses in litigation styled "Michael Grim and Jim Maynard v. City of Denton, Texas," tried in the 68th Judicial District Court, Dallas County, Texas; and declaring an effective date.

ASSIGNED ORDINANCE NO. 20-1734

Pulled for Individual Consideration by Mayor Pro Tem Hudspeth.

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

The item was presented and discussion followed.

At 7:19 p.m., the City Council convened into an Executive Session pursuant to Chapter 551 of the Texas Government Code, Section 551.071, (Consultation with Attorneys).

The Executive Session started at 7:24 p.m. and ended at 7:29 p.m. No votes or actions were taken during the Executive Session.

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

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

- P. ID 20-1742 Consider approval of a resolution of the City of Denton, a Texas home-rule municipal corporation, authorizing the use of Risk Level 5 control measures pursuant to the City's Mosquito Surveillance and Response Plan - 2020 Season; and, declaring an effective date.

ASSIGNED RESOLUTION NO. 20-1742

Pulled for Individual Consideration by Council Member Briggs.

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

The item was presented and discussion followed.

Following discussion, Council Member Davis 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 Briggs, Davis, Ryan, and Meltzer

NAYS (1): Council Member Armintor

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 20-751 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 HR Green, Inc., for Engineering Development Services related to the review of development projects for the City of Denton, as set forth in the agreement; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7192 - awarded to HR Green, Inc., 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 \$4,973,027).

ASSIGNED ORDINANCE NO. 20-751

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

The item was presented and discussion followed.

Following discussion, Council Member Davis 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 20-1527 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, granting to Atmos Energy Corporation, Mid-Tex Division, a Texas and Virginia Corporation, its successors and assigns, a non-exclusive franchise to furnish, transport, and supply natural gas to the general public in the City of Denton and Denton County, Texas, to construct maintain and operate pipelines and equipment in the City of Denton, Texas, for the transportation, delivery, sale, and distribution of natural gas in, out of and through said city for all purposes; providing for the payment of a fee or charge for the use of the public rights-of-ways; providing that such fee shall be in lieu of other fees and charges, excepting Ad valorem taxes; repealing all previous Atmos Energy Gas Franchise Ordinances; prescribing the terms, conditions, obligations and limitations under which such franchise shall be exercised; a most favored nations clause; a severability clause; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1527

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

The item was presented and discussion followed.

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

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

The meeting was recessed for a short break at 8:01 p.m. and reconvened at 8:07 p.m.

- C. ID 20-1690 Consider adoption of an ordinance of the City of Denton authorizing the Mayor to execute an Interlocal Cooperation Agreement with Denton County, Texas, a duly organized political subdivision of the State of Texas, for the construction of a 10-foot sidewalk addition along US 380 between Mayhill Road and Greenbelt Nature Park, part of a TxDOT improvement project, wherein Denton County agrees to contribute an amount not to exceed Fifty-Five Thousand Dollars (\$55,000.00); authorizing the expenditure of funds thereof; and declaring an effective date.

ASSIGNED ORDINANCE NO. 20-1690

Council Member Davis had a conflict of interest on the item and was removed from the video conference for this item, thereby not participating on its deliberation.

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/registration(s) is noted in Exhibit A.

Items 5.C (ID 20-1690) and 5.D (ID 20-1692) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion of this item, Mayor Pro Tem Hudspeth moved to adopt the item as presented. Motion seconded by Council Member Armintor. Motion carried.

AYES (6): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Ryan, Armintor, and Meltzer
NAYS (0): None
ABSTAIN (1): Council Member Davis

- D. ID 20-1692 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an Advanced Funding Agreement Amendment #1 in the amount of \$95,000.00, by and between the Texas Department of Transportation (TxDOT) and the City of Denton, regarding payment for sidewalk installation along the north side of US 380/University between Mayhill Road and the Greenbelt Nature Park related to the

Voluntary Advanced Funding Agreement, CSJ #0135-10-057, SL 288 to the US 377/380 Intersection Project located within the City of Denton; authorizing the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1692

Council Member Davis had a conflict of interest on the item and was removed from the video conference for this item, thereby not participating on its deliberation.

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/registration(s) is noted in Exhibit A.

Items 5.C (ID 20-1690) and 5.D (ID 20-1692) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion of this item, Council Member Meltzer 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, Ryan, Armintor, and Meltzer

NAYS (0): None

ABSTAIN (1): Council Member Davis

6. PUBLIC HEARINGS

- A. PDA19-0004d Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending the Concept Plan and approving the Detailed Plan for 7.2 acres of land in sections J & K of Planned Development District No. 132 (The Preserve), generally located at the southwest corner of Lakeview Boulevard and Edwards Road, 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. (PDA19-0004d; The Preserve at Pecan Creek, Julie Wyatt)

ASSIGNED ORDINANCE NO. PDA19-0004d

The item was presented and discussion followed.

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/registration(s) is noted in Exhibit A.

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

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

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

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan
NAYS (3): Council Members Briggs, Armintor, and Meltzer

- B. S20-0004a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow for a Multi-Family Dwelling use on approximately 16.2 acres of land, generally located on the northwest corner of Duchess Drive and Loop 288, in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability; and establishing an effective date. (S20-0004, Denton Grove Apartments, Julie Wyatt)
POSTPONED TO SEPTEMBER 15

The item was presented and discussion followed.

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/registration(s) is noted in Exhibit A.

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

Following discussion, Council Member Meltzer moved to adopt the item as presented. Motion seconded by Council Member Briggs.

City Council was advised by City Attorney Leal of the need to convene in Executive Session.

At 9:30 p.m., the City Council convened into an Executive Session pursuant to Chapter 551 of the Texas Government Code, Section 551.071, (Consultation with Attorneys).

The Executive Session started at 9:32 ended at 9:53 p.m. No votes or actions were taken during the Executive Session.

Discussion continued.

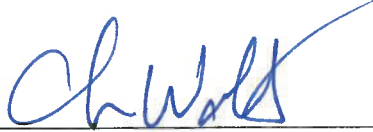
Following discussion, Council Member Meltzer moved to postpone the item to September 15, 2020 or earlier as needed. Motion seconded by Council Member Briggs. Motion carried.

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

7. **CONCLUDING ITEMS**

Council Members expressed item of interest.

With no further business, the meeting was adjourned at 10:09 p.m.



CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS



ZOLAINA R. PARKER
DEPUTY CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: September 15, 2020

Speaker Commentaries/Registrations
Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Carney	Blyeu	1544 Charles Street	Denton	20-1734	Opposed	Online	Denton residents (tax payers) have already spent too much on this case that Keely Briggs initiated. Stop spending our money on this frivolous pursuit to save face. You are throwing away money where you have no chance of winning in the end.
Jason	Burke	7328 Desert Willow Drive	Denton	PD19-0004d	Support	Online	Sounds great. Ready to see this land developed.
Elva	Hernandez	6509 Willow Lane	Denton	20-1756	Support	Telephone	Asking for extension of Emergency Declaration until 1/01/2020, the plumbing work has not been finished yet and they are still working on it; one home is already connected; please consider strong storms coming the upcoming days; for example today they cannot work the rest of the day because of the storm; additionally, the garbage containers are perfect if the truck will stop in front of our house like any other resident and not have to take a mile away; for me and the rest of my community it is hard to do so with the cold weather, thanks in advance for your attention.
Jon	Hohman	Not Provided	Denton	Open Mic	N/A	Telephone	Health is very important; quoted several studies referencing neurological side effect; Simply Sustainable Denton Plan does not talk about food diversion, yet City will not allow businesses to pick up from residences; can become an example, clean our own air; ad for customers regarding
Kara	Klement	3612 Barrydale Drive	Denton	PD19-0004d	Opposed	Online	I would like to keep the current zoning in place.
Jean	Latisha	Not Provided	Port Worth	S20-0004a	Support	Telephone	Presented overview of proposed development.
Beatrice	Martinez	4055 Ash Lane	Denton	20-1756	Support	Telephone	Good Afternoon first of all, I'm one of the families who have connected to the water in Denton. I want to thank everyone for your hard work and good job. I ask for my community an extension of 2 weeks to 1 month for the families which are still pending. The connections are not fully established for the rest of the families and the plumber is still working on the connections - thank you for listening to us an have Good Afternoon.
David	Neely	6604 Lantana Drive	Denton	PD19-0004d	Opposed	Online	No Comment
Eric	Pruett	2111 Westwood Drive	Denton	20-1690	Support	Online	Please thank staff for bringing this long effort to connect our side path network to a future rehabilitated greenbelt trail to conclusion. I trust and hope for a safe crossing of US380 at Mayhill to connect this to the Mayhill side path.
Eric	Pruett	2111 Westwood Drive	Denton	20-1692	Support	Online	No Comment
Eric	Pruett	2111 Westwood Drive	Denton	PD19-0004d	Against	Telephone	Appreciates the history of development going back to 1988; not consistent with 2030 Plan and will cause more driving, why not rezone to something that will allow small businesses; community interest should be to build complete neighborhoods; make town adaptable with complete neighborhoods we are proud of.
Eric	Pruett	2111 Westwood Drive	Denton	S20-0004a	Support	Online	The future intended mixed-use character of the area as presented by staff seems like it may be better ensured if lot 1 (southwest corner) and surrounding areas were rezoned to MN instead of SC. MN requires parking to be behind buildings, for instance, whereas SC does not. It makes sense why rezoning is not a part of this SUP request, but I hope the owners in this area agree to that vision. I also hope there are long-term plans to connect Duchess Drive to a future parks trail along Pecan Creek.

NOTE: Comments for those citizens addressing the City Council are an abbreviated summary.