

CITY OF DENTON CITY COUNCIL MINUTES
October 20, 2020

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, October 20, 2020 at 2:02 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Chris Watt, 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.

Mayor Pro Tem Hudspeth served as Presiding Officer in the absence of Mayor Watts.

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.

WORK SESSION

1. Citizen Comments on Consent Agenda Items

Citizen comments received are noted in Exhibit A.

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

- Clarification was requested on the following items:
 - Council Member Briggs: Items 4.G (ID 20-1792), 4.K (ID 20-2060), and 4.P (ID 20-2065)
 - Council Member Armintor: Item 4.U (ID 20-1873)
- The following item(s) were pulled for Individual Consideration:
 - Council Member Meltzer: Item 4.G (ID 20-1792)
 - Council Member Armintor: Item 4.J (ID 20-2058)

3. Work Session Reports

- A. ID 20-556 Receive a report, hold a discussion, and give staff direction on municipal broadband service models, and their potential application to the City of Denton.

NOTE: The item resulted from Work Session Item 3.A (ID 20-003-2) Municipal Broadband presented/discussed at the request of Council Member Briggs at the January 28, 2020 meeting during which City Council consensus was to schedule for discussion at a future work session.

The item was presented and discussion followed.

Following discussion, City Council consensus was to continue with Option 1 - Continue working with incumbent providers to provide services to Denton. Staff confirmed they would provide an Informal Staff Report on whether/if the City requires infrastructure for broadband services to be installed in new subdivisions in advance of construction.

The work session was recessed for a short break at 2:54 p.m. and reconvened at 3:03 p.m.

- B. ID 20-1186 Receive a report and hold a discussion regarding plugged gas well issues, including risks and public protections from plugged wells, current inspection practices, setback distances in Denton and other area cities, and zoning incentives such as density bonuses that could encourage plugging wells in areas of new development.

NOTE: The item resulted from Work Session Item 3.B (ID 19-2257-1) Plugged Gas Wells presented/discussed at the request of Council Member Meltzer at the December 10, 2019 meeting and Work Session Item 3.D (ID 20-005-2) Appropriate Zoning/Land Use Incentives for Developing Areas Near Capped Gas Wells presented/discussed at the request of Council Member Davis at the February 11, 2020 meeting during which City Council consensus was to schedule for discussion at a future work session.

The item was presented and discussion followed.

Following discussion, City Council consensus was to schedule amendments to the Denton Development Code (1) prohibiting dedications to the City with a plugged well (i.e. right-of-way, drainage areas, parks, etc.); (2) "No build" easement around plugged wells within a 20 ft. radius; and (3) take another look at incentives available at a later date when staff returns with options in this area.

- C. ID 20-1778 Receive a report, hold a discussion, and give staff direction regarding pending 2020 Non-Annexation Agreements (NAAs) and Non-Ag Exempt Properties.

The item related to Individual Consideration Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) scheduled for consideration during the Regular Meeting to follow.

The item was presented and discussion followed.

Following discussion, there was no direction provided.

- D. ID 20-1492 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
1. Discuss Collins Road expansion

The item was presented and discussion followed.

Following discussion, results were as follows:

- Item 20-1492-1. Discuss the Collins Road expansion
 - Consensus was to move forward with a work session.

The work session ended at 4:15 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 4:15 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.
 - A. ID 20-1958 Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074. Deliberate and discuss the evaluation, duties, discipline, procedures, and contracts of the City Attorney and City Manager.

DELIBERATED

The closed meeting started at 4:25 p.m. and ended at 6:44 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, October 20, 2020, at 6:51 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 is not read, each member of the City Council received each registration as it was submitted.

1. PLEDGE OF ALLEGIANCE

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

2. PROCLAMATIONS/PRESENTATIONS

- A. ID 20-2055 Resolution of Appreciation for Dr. Kenneth E. Banks
PRESENTED
- B. ID 20-2088 Complete Count Committee
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 20-2120 Property deterioration due to construction on Teasley
NOT PRESENTED

Attempts to reach out to the presenter were unsuccessful.

- 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-W. During the Work Session held earlier in the day, Item 4.G (ID 20-1792) was pulled for Individual Consideration by Council Member Meltzer and Item 4.J (ID 20-2058) was pulled for Individual Consideration by Council Member Armintor.

Council Member Ryan moved to adopt the Consent Agenda now consisting of Items 4.A-F, 4.H, 4.I, and 4.K-W. Motion seconded by Council Member Davis. 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 20-1985 Consider adoption of an ordinance approving a Pipeline Crossing Contract by and between the City of Denton and the Kansas City Southern Railway Company relating to the location of a City water pipeline within the railroad right-of-way, located at Mile Post D100.16 Alliance Subdivision, within the County and City of Denton, Texas; authorizing the City Manager to execute the Agreement; authorizing the expenditure of funds; and providing an effective date. (KCS RR Agreement, Country Club Terrace Phase 1b - Mark Laird)
ASSIGNED ORDINANCE NO. 20-1985

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.

- B. ID 20-1986 Consider adoption of an ordinance approving a Pipeline Crossing Contract by and between the City of Denton and the Kansas City Southern Railway Company relating to the location of a City water pipeline within the railroad right-of-way, located at Mile Post D100.32 Alliance Subdivision, within the County and City of Denton, Texas; authorizing the City Manager to execute the Agreement; authorizing the expenditure of funds; and providing an effective date. (KCS RR Agreement, Country Club Terrace Phase 1a - Mark Laird)
ASSIGNED ORDINANCE NO. 20-1986

- C. ID 20-2001 Consider approval of a resolution of the City of Denton amending the Naming Policy Guidelines for City Buildings, Facilities, Land, or any Portion Thereof to include provisions for temporary names; providing a repealer; and declaring an effective date.
ASSIGNED RESOLUTION NO. 20-2001

- D. ID 20-2002 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 expend funds for payment of the annual Water Quality Fee to the Texas Commission on Environmental Quality for the operation of the City's Pecan Creek Water Reclamation Plant; and providing an effective date. (Consolidated Water Quality Fee in the total not-to-exceed amount of \$127,000.00).
ASSIGNED ORDINANCE NO. 20-2002

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.

- E. ID 20-2003 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 expend funds for payment of the annual Water System Fee to the Texas Commission on Environmental Quality; and, providing an effective date. (Water System Fee in the total not-to-exceed amount of \$100,000.00).
ASSIGNED ORDINANCE NO. 20-2003

- F. ID 20-2004 Consider adoption of an ordinance of the City of Denton, Texas, a Texas Home-Rule Municipal Corporation, authorizing the expenditure of funds for payment to the U.S. Army Corps of Engineers for the annual major capital repair ("MCR") and Operations and Maintenance (O&M) fees for water storage at Lake Lewisville and Lake Ray Roberts; and, providing an effective date (Water storage MCR and O&M fees in the total amount not to exceed \$200,000).

ASSIGNED ORDINANCE NO. 20-2004

- H. ID 20-2010 Consider adoption of an ordinance of the City of Denton approving an agreement between the Denton Parks Foundation and the City of Denton to allow the Denton Parks Foundation to raise funds and support programming for the Parks and Recreation Department; authorizing the city manager or his designee to execute the Denton Parks Foundation agreement; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2010

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.

- I. ID 20-2051 Consider adoption of an ordinance of the City of Denton authorizing the expenditure of funds for payments by the City to the Texas Commission on Environmental Quality for waste disposal fees; and providing an effective date (waste disposal fee in the total amount of \$450,000).

ASSIGNED ORDINANCE NO. 20-2051

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.

- K. ID 20-2060 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 2 to the contract between the City of Denton and Quality Excavation, LLC, for additional work on the Hinkle and Windsor Paving and Drainage Project (Magnolia PH II); providing for the expenditure of funds therefor; and providing an effective date (IFB 6902 - Change Order No. 2 in the not-to-exceed amount of \$494,958.57 for a total contract award aggregated to \$7,240,961.78). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 20-2060

- L. ID 20-2061 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 Quality Excavation, LLC, for the construction of the Downtown Storm Sewer Trunk Line PH I Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 7086 - awarded to Quality Excavation, LLC, in the not-to-exceed amount of \$1,141,102.20). The Public Utilities Board recommends approval (5 - 0).

ASSIGNED ORDINANCE NO. 20-2061

- M. ID 20-2062 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 Argos USA, LLC, for concrete delivery for city departments, providing for the expenditure of funds therefor; and providing an effective date (RFP 7414 - awarded to Argos USA, 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 \$400,000). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 20-2062

- N. ID 20-2063 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 John Burns Construction Company of Texas, Inc., for the construction of the Hickory Substation underground transmission and distribution duct banks; providing for the expenditure of funds therefor; and providing an effective date (RFP 7420 - awarded to John Burns Construction Company of Texas, Inc., in the not-to-exceed amount of \$811,370.70). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 20-2063

- O. ID 20-2064 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 with Associated Supply Company, Inc., dba ASCO Equipment Co., through the Buy Board Cooperative Purchasing Network Contract # 597-19, for authorized Case construction equipment repair services for the Fleet Department; providing for the expenditure of funds therefor; and providing an effective date (File 7443 - awarded Associated Supply Company, Inc., dba ASCO Equipment Co., in the five (5) year not-to-exceed amount of \$100,000). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 20-2064

- P. ID 20-2065 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a fourth amendment to a Professional Services Agreement between the City of Denton and Bojorquez Law Firm, PC, amending the contract approved by Purchasing on November 28, 2017, in the not-to-exceed amount of \$40,000; amended by Amendments 1-3 approved by Purchasing and City Manager; said fourth amendment to provide additional independent, outside legal services under certain

circumstances as defined in the Ethics Ordinance; providing for the expenditure of funds therefor; and providing an effective date (File 6655 - providing for an additional fourth amendment expenditure amount not-to-exceed \$30,000, with the total contract amount not-to-exceed \$115,034.71).

ASSIGNED ORDINANCE NO. 20-2065

- Q. ID 20-2066 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 American Business Electronics, Inc. dba ABE Corp, for security services and card access control for all City Departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7409 - awarded to American Business Electronics, Inc. dba ABE Corp, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$2,000,000).

ASSIGNED ORDINANCE NO. 20-2066

- R. ID 20-2067 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 CapitalEdge Strategies, LLC, for Federal Government Relations and Lobbying Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 7423 - awarded to CapitalEdge Strategies, LLC, in the total six (6) year not-to-exceed amount of \$354,000).

ASSIGNED ORDINANCE NO. 20-2067

- S. ID 20-2070 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement with the Texas Commission on the Arts for an Arts Respond-Cultural District Program Grant in the amount of \$28,000 for the period of September 1, 2020 through August 21, 2021 and authorizing the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2070

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.

- T. ID 20-2097 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to accept the Special Projects Grant #SPP-21005 for State Fiscal Year 2021 (Federal Award Identification #LS-246193-OLS-20) from the Texas State Library and Archives Commission through the Institute of Museum and Library Services in the amount of \$54,058.00, for the period of September 1, 2020 through August 31, 2021; authorizing the City Manager to carry out all duties of the City pursuant to the grant; providing a savings clause; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2097

- U. ID 20-1873 Consider approval of a resolution of the City of Denton amending Resolution No. 2012-026 to change the name of the Committee on Citizen Engagement to the Committee on Community Engagement; and providing an effective date.

ASSIGNED RESOLUTION NO. 20-1873

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.

- V. ID 20-2125 Consider adoption of an ordinance of the City of Denton ratifying prior expenditures to provide accommodations for persons experiencing homelessness during the declared disaster related to COVID-19 and authorizing the expenditure of additional funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2125

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.

- W. ID 20-2132 Consider approval of the minutes of October 6, 2020.

APPROVED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- G. ID 20-1792 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a contract for public artwork with Daniel Black; approving the conceptual design for a public art mural to be painted on the Union Pacific Railroad underpass located on Robertson Street east of Bell Avenue; providing for the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1792

Pulled for Individual Consideration by Council Member Meltzer.

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 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

- J. ID 20-2058 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a Facility Use Agreement with other law enforcement agencies for the use of Denton Police Department Training Center and Firearms Range; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2058

Pulled for Individual Consideration by Council Member Armintor.

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

The item was not presented and discussion followed.

Following discussion, Mayor Pro Tem Hudspeth moved to adopt the item as presented. Motion seconded by Council Member Davis. 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 20-2085 Consider adoption of an ordinance of the City of Denton amending Chapter 23 of the City Code - Police - to add Article VI, Section 23-177, creating the Denton Police Department Chief of Police Advisory Board and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2085

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 item was presented and discussion followed.

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

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

NAYS (0): None

The regular meeting was recessed for a short break at 7:50 p.m. and reconvened at 7:59 p.m.

- B. ID 20-1851 Consider approval of a resolution of the City of Denton adopting an Urban Forest Master Plan as policy for the City of Denton; and declaring an effective date.

ASSIGNED RESOLUTION NO. 20-1851

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

The item was presented and discussion followed.

Following discussion, Council Member Briggs 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

- C. ID 20-2068 Consider adoption of an ordinance approving an economic development agreement under Chapter 380 of the Local Government Code to promote economic development and to stimulate business activity and economic growth of the City of Denton, between the City of Denton and From the Future, LLC, regarding the expansion of operations and increase in the number of high wage or knowledge-based jobs in the City of Denton; authorizing the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2068

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 item was presented and discussion followed.

Following discussion, 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

- D. ID 20-2069 Consider adoption of an ordinance approving an economic development agreement under Chapter 380 of the Local Government Code to promote economic development and to stimulate business activity and economic growth of the City of Denton,

between the City of Denton and TeamOfDefenders, LLC, regarding the expansion of operations and increase in the number of high wage or knowledge-based jobs in the City of Denton, Texas; authorizing the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2069

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 item was presented and discussion followed.

Following discussion, Council Member Armintor 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

- E. ID 20-2071 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-1, an area of approximately 315 acres located east of H. Lively Road, south side of FM 2449, west side of John Paine Road; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2071

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

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

- F. ID 20-2072 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-2, an area of approximately 258 acres located on the south side of University Drive, west and east sides of Thomas J. Egan Road, north of Jim Christal Road, west of Masch Branch Road; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2072

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, Council Member Ryan moved to adopt the item as presented. 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

- G. ID 20-2074 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as DH-3, an area of approximately 421 acres located on the south side of Spring Side Road, north, south and west of Corbin Road, west of I-35; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2074

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, 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

- H. ID 20-2075 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as DH-4, an area of approximately 347 acres located on the east side of Bonnie Brae Street, west of Fort Worth Drive, east and west of Vintage Boulevard; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2075

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, 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

- I. ID 20-2076 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as DH-5, an area of approximately 219.127 acres located on the east side of Fort Worth Drive, west side of Country Club Drive, north of Brush Creek Road; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2076

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, 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

- J. ID 20-2077 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as DH-9, an area of approximately 298 acres located on the north side of Pockrus Page Road, north, south and northeast of Edwards Road; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2077

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, Council Member Briggs 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

- K. ID 20-2079 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as DH-12, an area of

approximately 1,154 acres located on the south side of E. University Drive, east of N. Mayhill Road, north and south of Blagg Road, north and south of Mills Road, and east and west of S. Trinity Road; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2079

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, Council Member Briggs 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

- L. ID 20-2080 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as PAA-1, an area approximately 1,171 acres located on the south side of Jim Christal Road, the north side of Tom Cole Road, west of Masch Branch Road; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2080

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, Council Member Mayor Pro Tem Hudspeth 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

- M. ID 20-2081 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as PAA-2, an area approximately 1,472 acres located on the south side of FM 1173, north W. University Drive, west of I-35; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2081

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following 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

- N. ID 20-2082 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as PAA-3, an area approximately 1,075 acres located on the south side of Ganzer Road, north and south of Barthold Road, north of FM 1173, west of I-35; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2082

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

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

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, Council Member Meltzer 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

- O. ID 20-2083 Consider adoption of an ordinance of the City of Denton, Texas providing for acceptance of eligible Non-Annexation Agreements (NAAs) for agricultural, wildlife management, or timberland use properties within an area of land adjacent to and abutting the existing City limits of the City of Denton, Texas, generally identified as PAA-4, an area of approximately 1,555 acres located on the south side of Milan Road, north of Loop 288, east of I-35; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-2083

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

The item was briefly discussed under Item 1.C (ID 20-2778) deliberated during the Work Session held earlier in the day.

Items 5.E (ID 20-2071), 5.F (ID 20-2072), 5.G. (20-2074), 5.H (ID 20-2075), 5.I (ID 20-2076), 5.J (ID 20-2077), 5.K (ID 20-2079), 5.L (ID 20-2080), 5.M (ID 20-2081), 5.N (ID 20-2082), and 5.O (ID 20-2083) were collectively read into the record, presented, and discussed, but voted on individually.

Following discussion, 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

The regular meeting was recessed for a short break at 8:45 p.m. and reconvened at 8:52 p.m.

6. PUBLIC HEARINGS

- A. AESA20-0004b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving an Alternative Environmentally Sensitive Area Plan for a renovation at Ryan High School. The approximately 78.904-acre property, generally located on the north side of East McKinney Street, approximately 1,740 feet east of the intersection

of Mayhill Road in the City of Denton, Denton County, Texas; adopting an amendment to the city's official Environmentally Sensitive Areas Map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date (AESA20-0004, Ryan High School Renovation, Christi Upton).

ASSIGNED ORDINANCE NO. AESA20-0004b

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.

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

The item was presented and discussion followed.

The public hearing was opened and with no callers on queue, the public hearing was closed.

Following discussion, Council Member Briggs 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

- B. AESA20-0002c Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a request for an Alternative Environmentally Sensitive Area Plan for approximately 18.83-acre site, generally located on the south side Duchess Drive approximately 1,850 feet west of South Loop 288 in the City of Denton, Denton County, Texas; adopting an amendment to the city's official Environmentally Sensitive Areas Map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (AESA20-0002, Eagle Cove, Christi Upton).

ASSIGNED ORDINANCE NO. AESA20-0002c

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

The item was presented and discussion followed.

The public hearing was opened and with no callers on queue, the public hearing was closed.

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

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

NAYS (2): Council Members Briggs and Meltzer

- C. Z19-0012c Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Residential 2 (R2) District to Residential 4 (R4) District on approximately 2.61 acres of land generally located east of Mockingbird Lane, approximately 133 feet south of Audra Lane in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted 7-0 to recommend denial of the request. (Z19-0012c Mockingbird Single Family Residential, Julie Wyatt)

REMANDED TO THE PLANNING AND ZONING COMMISSION

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 item was presented and discussion followed.

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 Briggs moved to remand the item to the Planning & Zoning Commission as follows:

1. Review of the new presentation discussed during this meeting.
2. Review new items presented by the applicant.
3. Send a new notice to property owners within the 200-mile radius.

Motion seconded by Council Member Armintor. Motion carried.

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

NAYS (0): None

- D. DCA20-0004a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code Subchapter 5, "Use Regulations," related to the Table Of Allowed Uses And Use-Specific Standards for Tattoo and Piercing Parlors in the Mixed-Use Neighborhood (MN) District; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. (DCA20-0004, Tattoo and Body Piercing Parlor, Richard D. Cannone, AICP)
- ASSIGNED ORDINANCE NO. DCA20-0004a**

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 item was presented and discussion followed.

The public hearing was opened and with no callers on queue, the public hearing was closed.

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

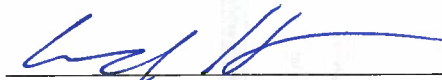
AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer

NAYS (0): None

7. CONCLUDING ITEMS

Council Members expressed item of interest.

With no further business, the meeting was adjourned at 10:08 p.m.



GERARD HUDSPETH
MAYOR PRO TEM
CITY OF DENTON, TEXAS



ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: November 10, 2020

October 20, 2020 City Council Regular Meeting - EXHIBIT A

Speaker Commentaries/Registrations Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Michael	Montes	2700 Colorado Boulevard Apt. 1326	Denton	Open Mic	N/A	Telephone	Understands that City Council is non-partisan. Has received 7 phone calls from the area young democrats and a couple of other organizations (voice mails, text messages). Filed PD report as they were canvassing for a member of the City Council; may not be the only one. Being harassed; sometimes before 6 a.m. Other issue is earlier this week, the 911 Dispatch center went down for the city; seems like it was down, then rolling over to Denton County, then trying to post non-emergency number. Once fixed, posted that. Many supporting the PD Ad Hoc Use-of-Force Committee. System being down up to 45 minutes is very critical.
Eric	Pruitt		Denton	Open Mic	N/A	Telephone	Thought he would not be eligible to speak this evening and did submit online comment. Next to last public hearing, RZ to R4, the change is very easy. Houses would not be worth as much. Often not a fan of R4 housing development and that additional tax revenue those bring, doesn't cover. This is not the case with this one. No liability to the city in receiving the increased revenue. Will help lower taxes for others if approved. Encourages to keep fiscal side as the deliberation of that item is taking place.
Amnee Pundari	Bissett (Applicant) Pothini (Applicant)	100 W Oak Street 2625 Creekside Place	Denton Flower Mound	Z19-0012 Z19-0012	Support Support	Telephone Telephone	Provided an overview of the proposed project. Presented an overview of the proposed project, specific to the results of the feasibility conducted on comparable price range/size for homes in the area.
Daniel	Theophanes	7509 Sunburst Trail	Denton	20-1873	Opposed	Online	Citizen is used to convey both rights and responsibilities. I have moved away from Oregon, where they have expunged Citizen from education curriculum and other state documents. Even submitting this comment I am referred to as a Citizen. This is Good. This proposal is not a neutral change. This is activity walking down an illiberal road.
Tony	Metraux	2019 Mercedes Road	Denton	20-1792	Support	Online	No Comment
Tony	Metraux	2019 Mercedes Road	Denton	20-2010	Support	Online	No Comment
Tony	Metraux	2019 Mercedes Road	Denton	20-2051	Support	Online	No Comment
Tony	Metraux	2019 Mercedes Road	Denton	20-2070	Support	Online	No Comment
Tony	Metraux	2019 Mercedes Road	Denton	20-1873	Support	Online	No Comment
Tony	Metraux	2019 Mercedes Road	Denton	20-2125	Support	Online	No Comment
Tony	Metraux	2019 Mercedes Road	Denton	20-2068	Support	Online	No Comment
Tony	Metraux	2019 Mercedes Road	Denton	20-2069	Support	Online	No Comment
Marisa	Compean	5209 Abby way	Denton	20-2002	Opposed	Online	Denton is blowing up and I LOVE IT. We have so many new businesses and roads and expansion is always great and leads to growth that benefits us all, but once you take away the beauty and heart of what makes Denton great, we lose our town. We cannot let beautiful backroads be torn down. We need to keep some of Denton, the BEAUTY of Denton, please #saveheartfield. I have lived in Denton for 15 years and this treasure of land needs to stay a part of Denton! Thank you, Marisa Compean
Ronald	Shenberger	1516 E Windsor Drive	Denton	20-1985	Support	Online	No Comment
Eric	Pruett	2111 Westwood Dr.	Denton	20-2068	Support	Online	No Comment
Eric	Pruett	2111 Westwood Dr.	Denton	20-2069	Support	Online	No Comment
Eric	Pruett	2111 Westwood Dr.	Denton	Z19-0012c	Support	Online	R4 provides increased tax revenue with almost no increased city liability. It is more fiscally sustainable than R2, as PZ Chair Rozell pointed out: https://denton.txnexus.com/videos/757937?is=6785 The proposal has an HOA-maintained private road rather than a city owned road. This is a no brainer from a fiscal perspective. Approve it. It will lower your constituent's taxes. I'd rather Chase Lane was stubbled out and connected, and townhomes weren't banned. But this is better than empty land.
Eric	Pruett	2111 Westwood Dr.	Denton	DCA20-0004a	Support	Online	I'm for lighter use-regulation of our code. We have sufficient protections in our code to keep this use from being a nuisance.
Jill	Jester	2106 Stonegate Dr.	Denton	20-2085	Support	Online	In case I am unable to phone in, I wanted my support noted in favor of the Police Chief's Policy Advisory Board as recommended by the Use Of Force Committee. Chief Dixon has done a wonderful job in Denton as well as our UOF Committee. We deserve approval of their recommendation. Please vote in favor!

NOTE: Comments for those citizens addressing the City Council are an abbreviated summary. Information contained within this exhibit includes only commentary for Open Microphone, Consent, Individual Consideration and Public Hearing Items.