

CITY OF DENTON CITY COUNCIL MINUTES

January 7, 2025

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, January 7, 2025, at 2:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Paul Meltzer and Council Members Brian Beck, Vicki Byrd, Joe Holland, Jill Jester (VIRTUAL), and Brandon Chase McGee

ABSENT: None

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

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

WORK SESSION

1. Citizen Comments on Consent Agenda Items

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

2. Requests for clarification of agenda items listed on this agenda for public hearing and individual consideration.

- Clarification:

- o None

- Pulled For Individual Consideration:

- o Mayor Hudspeth: Item 4.B

3. Work Session Reports

- A. ID 24-2036 Receive a report, hold a discussion, and give staff direction regarding Audit Project 043 - Animal Services. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to receive a follow up report in six (6) months.

- B. ID 24-2538 Receive a report, hold a discussion, and give staff direction regarding recent department reviews, facility and operational enhancements, procedure updates, and current and future department initiatives for Animal Services. [Estimated Presentation/Discussion Time: 1 hour]

The item was presented and discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes.

- C. ID 24-2518 Receive a report, hold a discussion, and give staff direction regarding vacancies, terms, quorum issues and/ or dissolution of certain boards and commissions. [Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to move forward with staff recommendations.

- D. ID 24-2514 Receive a report, hold a discussion, and give staff direction on pending City Council requests for: 1) Making the option of remote participation available for Planning and Zoning Commissioners when needed. [Estimated Presentation/Discussion Time: 30 minutes]

Following discussion, City Council consensus was as follows:

- o Consensus for an Informal Staff Report (ISR).

The work session ended at 4:13 p.m.

CLOSED MEETING – NOT HELD

1. Closed Meeting:

- A. ID 24-2635 Consultation with Attorneys - Under Texas Government Code Section 551.071. This Closed Session item is related to Consent Agenda Item ID 24-2529 and will be a placeholder unless the item is pulled for individual review. Consultation with City's attorneys under Texas Government Code Section 551.071 regarding proposed 311 short dialing code agreements with Verizon, T-Mobile, and AT&T Mobility 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 Texas Disciplinary Rules of Professional Conduct of State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

NOT DELIBERATED

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, January 7, 2025, at 6:31 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Paul Meltzer and Council Members Brian Beck, Vicki Byrd, Joe Holland, Jill Jester (VIRTUAL), and Brandon Chase McGee

ABSENT: None

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

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

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

2. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

A. Review of procedures for addressing the City Council.

B. Reports from members of the public shall be received through the following two (2) methods. A total of up to seven (7) speakers are permitted to provide public comment and may include any combination of prior registration and open microphone speakers.

1) Pre-registration. This section of the agenda permits any person who has registered in advance to make a citizen report regarding a public business item he or she wishes to be considered by the City Council. Each speaker is allowed a maximum of four (4) minutes to present their report. At the conclusion of each report, the City Council may pose questions to the speaker or may engage in discussion. If the City Council believes that a speaker's report requires a more detailed review, the City Council will give the City Manager or City Staff direction to place the item on a future work session or regular meeting agenda and advise staff as to the background materials to be desired at such meeting.

a. ID 24-2549 Mr. Charles Lee regarding government corruption.
NOT PRESENTED

2) Open Microphone. This section of the agenda permits any person who has not registered in advance for a citizen report to make comments about public business items not listed on the

agenda. Such person(s) shall have registered using the "Virtual White Card" or "By Phone" process outlined by the City on its website or meeting notice.

(2) Additional Citizen Reports (Open Microphone)

Citizen comments received are noted on Exhibit A.

3. CONSENT AGENDA

The Consent Agenda consisted of Items 4. A-M. During the Work Session held earlier in the day, Item 4.B was pulled for Individual Consideration by Mayor Hudspeth.

Council Member Beck moved to adopt the Consent Agenda, now consisting of Items 4.A, C-M. Motion seconded by Council Member McGee.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Beck, Byrd, Holland, Jester, and McGee

NAYS (0): None

- A. ID 24-2515 Consider approval of the minutes of the December 17, 2024 Regular Meeting.
APPROVED
- C. ID 24-2534 Consider approval of a resolution of the City of Denton providing the December 11, 2024, meeting absence by Airport Advisory Board Member Robert Tickner be excused; and providing an effective date.
ASSIGNED RESOLUTION NO. 24-2534
- D. ID 24-2526 Consider adoption of an ordinance approving an insurance claim payment from FM Affiliated insurance company for damage to property located at 1100 South Mayhill Road, and authorizing the city manager, or her Designee, to execute the same, and declaring an effective date.
ASSIGNED ORDINANCE NO. 24-2526
- E. ID 24-2347 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute "DSHS MOU NO. HHS001454300028" ("MOU") between the City of Denton and the Texas Department of State Health Services ("DSHS") stating the terms and conditions of the City's participation in the DSHS Wastewater monitoring program; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-2347
- F. ID 24-2370 Consider adoption of an ordinance of the City of Denton authorizing the submission of an application to the North Central Texas Council of Governments 2025

Transportation Alternatives (TA) Program Grant in an amount not to exceed \$10,000,000 and City's matching funds of \$2,500,000 for pedestrian and bicycle infrastructure; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-2370

- G. ID 24-2529 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute contracts regarding local telephone companies and the use of a 311 short dialing code; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-2529

- H. ID 24-1975 Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Manager or designee to execute a development agreement with HL FUND II DENTON, L.P., a Texas limited partnership, for the design and construction of paving public improvements; providing for the expenditure of funds in the not-to-exceed amount of \$643,107.00 therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-1975

- I. ID 24-2562 Consider adoption of an ordinance of the City of Denton, Texas ("City") authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Churchill LLC ("Owner") and Ponder Farms Municipal Utility District of Denton County ("District") concerning retail wastewater service by the City to future customers within approximately 274.991 acres of land known as Churchill East and generally located north of FM 2449 and east and south of T N Skiles Road ("Property"), ownership of wastewater flows, and other related matters; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-2562

- J. ID 24-2563 Consider adoption of an ordinance of the City of Denton, Texas ("City") authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Churchill LLC ("Owner") and Ponder Farms Municipal Utility District of Denton County ("District") concerning retail wastewater service by the City to future customers within approximately 264.042 acres of land known as Churchill West and generally located north of FM 2449 and south of T N Skiles Road, and east of FM 156 ("Property"), ownership of wastewater flows, and other related matters; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-2563

- K. ID 24-2564 Consider adoption of an ordinance of the City of Denton, Texas ("City") authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Ponder Farms 2021 LLC ("Owner") and Ponder Farms Municipal Utility District of Denton County ("District") concerning retail wastewater service by the City to future customers within approximately 154.425 acres of land known as Ponder Farms and generally located south of FM 2449, east of Robinson Road, north of Seaborn Road, and west of Florance Road ("Property"), ownership of wastewater flows, and other related matters; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-2564

- L. ID 24-2566 Consider adoption of an ordinance of the City of Denton, Texas ("City") authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Webster Farms LLC ("Owner") and Ponder Farms Municipal Utility District of Denton County ("District") concerning retail wastewater service by the City to future customers within approximately 102.177 acres of land known as Webster Meadows and generally located south of Seaborn Road, west of Florance Road, and north of Blair Road ("Property"), ownership of wastewater flows, and other related matters; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-2566
- M. ID 24-2565 Consider adoption of an ordinance of the City of Denton, Texas ("City") authorizing the execution of a Retail Wastewater Treatment Services Agreement with TCCI Ponder WPP LLC ("Owner") and Ponder Farms Municipal Utility District of Denton County ("District") concerning retail wastewater service by the City to future customers within approximately 31.434 acres of land known as Texmix and generally located south of Blair Road, north of Eakin Cemetery Road, and east of FM 156 ("Property"), ownership of wastewater flows, and other related matters; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-2565

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- B. ID 24-2516 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, and Community Services Advisory Committee.
APPROVED

APPOINTMENTS LISTED ON EXHIBIT B

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

The item was presented, and discussion followed.

Following discussion, Council Member Beck moved to appoint the nominees as noted on Exhibit B except for Mayor Pro Tem Meltzer's nomination to the Airport Advisory Board. Motion seconded by Council Member McGee.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Beck, Byrd, Holland, Jester, and McGee

NAYS (0): None

- B. ID 24-2516 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Airport Advisory Board, and Community Services Advisory Committee.
APPROVED

APPOINTMENTS LISTED ON EXHIBIT B

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

The item was presented, and discussion followed.

Citizen comments received are noted on Exhibit A.

Following discussion, Mayor Pro Tem Meltzer moved to appoint his nominee to the Airport Advisory Board as noted on Exhibit B. Motion seconded by Council Member Byrd.

Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Holland, Jester, and McGee

NAYS (1): Council Member Beck

4. PUBLIC HEARINGS

- A. Z24-0010a 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 Rural Residential (RR) district to Light Industrial (LI) district on approximately 16 acres of land generally located 446 feet east of Masch Branch Road, 1,156 feet west of Lovers Lane, and to the south of Farm to Market 1173 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 [5-0] to recommend approval of the request. Motion for approval was made by Commissioner Padron and seconded by Commissioner Thaggard. (Z24-0010a, Metal Towns Rezoning, Bryce Van Arsdale).

ASSIGNED ORDINANCE NO. Z24-0010a

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

The item was presented and discussion followed.

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

Following discussion, Mayor Hudspeth moved to adopt the item as presented. Motion seconded by Council Member Holland.

Motion carried.

AYES (5): Mayor Hudspeth and Council Members Byrd, Holland, Jester, and McGee

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

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 24-2480 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the city manager or their designee to protest Texas Pollutant Discharge Elimination System ("TPDES") permit applications filed with the Texas Commission on Environmental Quality ("TCEQ"), or its successor agency, that seek to discharge treated wastewater into Denton watersheds; providing an effective date.

ASSIGNED ORDINANCE NO. 24-2480

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

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

The item was presented, and discussion followed.

Citizen comments received are noted on Exhibit A.

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

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Beck, Byrd, Holland, Jester, and McGee

NAYS (0): None

- B. ID 24-2355 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an amended and restated Development Agreement with VS Development, LLC and Denton County Municipal Utility District No. 16 to remove terms for the fire service; consent to annexation of property into the district; add terms for additional services; and amend the Strategic Partnership Agreement with Denton County Municipal Utility District No. 16; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-2355

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

The item was presented, and discussion followed.

Following discussion, Mayor Hudspeth moved to adopt the item as presented. Motion seconded by Council Member McGee.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Beck, Byrd, Holland, Jester, and McGee

NAYS (0): None

- C. ID 24-2356 Consider approval of a resolution of the City Council of the City of Denton, Texas consenting to the annexation of certain land into Denton County Municipal Utility District No. 16; and providing an effective date.

ASSIGNED RESOLUTION NO. 24-2356

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

The item was presented, and discussion followed.

Following discussion, Mayor Pro Tem Meltzer moved to adopt the item as presented. Motion seconded by Council Member McGee.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Beck, Byrd, Holland, Jester, and McGee

NAYS (0): None

- D. ID 24-2634 Consider approval of a resolution of the City Council of the City of Denton, Texas consenting to the annexation of certain land into Denton County Municipal Utility District No. 16; and providing an effective date.

ASSIGNED RESOLUTION NO. 24-2634

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

The item was presented, and discussion followed.

Following discussion, Mayor Pro Tem Meltzer moved to adopt the item as presented. Motion seconded by Council Member McGee.

Motion carried.

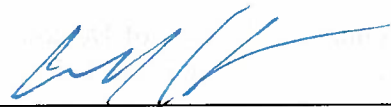
AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Beck, Byrd, Holland, Jester, and McGee

NAYS (0): None

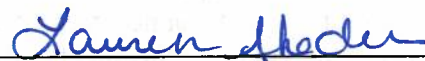
6. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 7:51 p.m.



GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS



LAUREN THODEN
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: February 4, 2025



January 7, 2025 City Council Special Meeting - EXHIBIT A							
Name	Last	Address	City	Agenda Item	Position	Method	Comments
Kevin	Bridget			24-2566	Support	e-comment	Please adopt this ordinance authorizing the city manager or their designee to protest TPDES permit applications from TCEQ. I am specifically opposed to the application from Sanger Laguna Azure and Jim Horn (WQ0016624001) for a WWTP to be built adjacent to the northeast boundary of Rainbow Valley's property. The WWTP effluent would be discharged directly into Enoch Creek through Rainbow Valley and into Clear Creek.
Marv	Falls			24-2566	Support	e-comment	Please adopt ID24-2480 concerning TPDES permit applications filed with TCEQ in Denton County to protect water. Specially WQ0016624001 would have a negative impact as it would release chemicals, bacteria and other contaminants for more than a mile before Clear Creek and on into Lake Lewisville. As a community we must require a high standard for treated waste water to protect the future generations. There is much that can be accomplished. This would be a step in the right direction.
John	Anderson			24-2566	Support	e-comment	Please pass this ordinance authorizing the city manager or their designee to protest TPDES permit applications from TCEQ. I am specifically opposed to the application from Sanger Laguna Azure and Jim Horn (WQ0016624001) This would discharge 950,000 gallons per day into Enoch Creek directly through Rainbow Valley which is a major watershed and wildlife corridor that flows directly into Clear Creek eventually into Lewisville Lake which is one of Denton's drinking water supply sources.
Sarah	Jay			24-2566	Support	e-comment	Please pass this ordinance authorizing the city manager or their designee to protest TPDES permit applications from TCEQ. I am specifically opposed to the application from Sanger Laguna Azure and Jim Horn (WQ0016624001) for a sewer plant at intersection of 2164 and 2153 0.77 miles. This feeds into Clear Creek.
Kelli	Alexander			24-2566	Support	e-comment	Thank you Council Members for your vote for this needed ordinance to protect our drinking water, our recreational waterways, & our wildlife & livestock. Developers for the Sanger Azure LLC & Jim Horn (WQ0016624001) proposed sewage treatment plant have established that by failing under the 1 mil gallons per day they are not liable for sewage issues WE would be exposed to! The proposed site falls within feet of protected Texas Land Conservancy acreage & the Rainbow Valley Agricultural Co-op.
Joseph	Langlev			24-2566	Opposed	e-comment	Please protest WQ0016624001. Once in place there would be little to stop them from polluting Cottonwood Falls, Enoch and Clear creeks in Rainbow Valley other than an easily affordable slap on the wrist for failing to meet already low standards. And there is no mention of phosphorus and other hazardous chemicals that are ruinous to watersheds. This continuous degradation would most likely cause all nearby clean water wells to run dry while dumping toxic filth into Denton's watersheds.
Susan	Mousheerian			24-2566	Support	e-comment	I support this ordinance as it is vital in the plan for the entire area to work together in keeping our rural / agricultural lifestyles and in conservation efforts to sustain our natural resources, water, and all Texas wildlife along with the ecosystems that must support all living things.
Tammie	Hudson			24-2566	Support	e-comment	Please adopt this ordinance authorizing the city manager or their designee to protest TPDES permit applications from TCEQ. I am specifically opposed to the application from Sanger Laguna Azure and Jim Horn (WQ0016624001) for a WWTP to be built adjacent to the northeast boundary of Rainbow Valley's property. The WWTP effluent would be discharged directly into Enoch Creek through Rainbow Valley and into Clear Creek.
Scott	McNeely			24-2566	Support	e-comment	Thank you, Tammie Hudson, Member of Rainbow Valley. Sanger, Texas Please adopt this ordinance authorizing the city manager or their designee to protest TPDES permit applications from TCEQ. I am specifically opposed to the application from Sanger Laguna Azure and Jim Horn (WQ0016624001) for a WWTP to be built adjacent to the northeast boundary of Rainbow Valley's property. The WWTP effluent would be discharged directly into Enoch Creek through Rainbow Valley and into Clear Creek.
Catherine	Gurganus			24-2566	Support	e-comment	Thank you, Scott McNeely Hutchins, Member of Rainbow Valley. Sanger, Texas Please pass this ordinance authorizing the city manager or their designee to protest TPDES permit applications from TCEQ. I am specifically opposed to the application from Sanger Laguna Azure and Jim Horn (WQ0016624001) for a sewer plant at intersection of 2164 and 2153 0.77 miles. This feeds into Clear Creek.
Tracy	Guidry			24-2566	Support	e-comment	Thank you, Catherine Gurganus, Aubrey, Texas Please pass this ordinance authorizing the city manager or their designee to protest TPDES permit applications from TCEQ. I am specifically opposed to the application from Sanger Laguna Azure and Jim Horn (WQ0016624001) for a sewer plant at intersection of 2164 and 2153 0.77 miles. This feeds into Clear Creek.
Kathryn	Dodd			24-2566	Support	e-comment	Thank you, Tracy Guidry Please pass this ordinance authorizing the city manager or their designee to protest TPDES permit applications from TCEQ. I am specifically opposed to the application from Sanger Laguna Azure and Jim Horn for a sewer plant at intersection of 2164 and 2153 0.77. This feeds into Clear Creek. Thank you. Kathryn Dodd, Sanger Texas
Donna	Smith	3924 Yellowstone Pl.	Denton, TX			Open Mic	

BOARDS & COMMISSIONS - NOMINATIONS LIST
January 7, 2025

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	NOMINEE	PRESENT TERM	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Airport Advisory Board	3	Meltzer	Erica Garland	NEW	Sept 1, 2024 – Aug 31, 2026	
Airport Advisory Board	7	Hudspeth	Byron Woods	NEW	Sept 1, 2024 – Aug 31, 2026	
Community Services Advisory Committee	ALL - 1	Byrd	Brandy Van Cleave	NEW	Sept 1, 2024 – Aug 31, 2026	

