

**MINUTES OF
REGULAR CITY COUNCIL MEETING
CITY OF DENISON
MONDAY, FEBRUARY 17, 2014**

CALL TO ORDER

Announce the presence of a quorum.

Mayor Jared Johnson called the meeting to order at 6:00p.m. City Council members present were Mayor Pro Tem David Spindle, Council members Bill Malvern, Janet Gott and Ken Brawley. Absent was Council member Michael Baecht. Staff present were City Manager Robert Hanna, City Attorney Courtney Goodman-Morris, Planning & Zoning Director Faye Brockett, Finance Director Renee Waggoner, Public Works Director David Howerton and City Secretary Carrie Hart. Members of the media were also present.

INVOCATION & PLEDGE OF ALLEGIANCE

Todd Cateau, Park Avenue Church of Christ, gave the Invocation followed by the Pledge of Allegiance.

2. CONSENT AGENDA

- A. Receive a report, hold a discussion, and take action on approving the minutes from the Regular Meeting on February 3, 2014.
- B. Receive a report, hold a discussion and take action on accepting the high bid of \$9,000 from Karen Russell for the surplus property at 1608 West Crawford.
- C. Receive a report, hold a discussion and take action declaring the lot at 100 North Hickory as surplus property and authorize staff to public a notice in the newspaper and receive bids on the lot.
- D. Receive a report, hold a discussion and take action to authorize the placement of liens on property mowed by the City of Denison.

Council Action

On motion by Council member Gott, seconded by Council member Malvern, the Council unanimously approved the consent agenda as presented and Ordinance No. 4734 **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, FINDING THE REASONABLENESS OF EXPENSES TO REMOVE ACCUMULATIONS OF GRASS AND UNSIGHTLY CONDITIONS. LEVYING AND ASSESSING A LIEN AGAINST THE PROPERTY HEREIN IDENTIFIED AND DESCRIBED AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.”**

3. PUBLIC HEARINGS

- A. Receive a report, hold a public hearing and consider an ordinance to amend the City of Denison Code of Ordinance, Chapter 28 Zoning, Article III Zoning Districts, Section 28.30, MF-1 Multi Family Residential District; Section 28.31, MF-2 Multi Family Residential District; and Article V Development Standard, Section 28.5.2 A.1.b Residential.

Council Action

The Planning and Zoning Director spoke to the proposed changes to the Code of Ordinances regarding the minimum exterior standards for multifamily housing. This change will require 100% masonry. The Mayor opened the public hearing. There being no one to speak, the public hearing was closed. On motion by Council member Spindle, seconded by Council member Brawley, the Council unanimously approved Ordinance No. 4733 “**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS AMENDING THE DENISON MUNICIPAL CODE, CHAPTER 28, ARTICLE III, SECTION 28.30 MF-1 AND 28.31 MF-2 ZONING DISTRICTS (F) AND ARTICLE V, SECTION 28.54.2 A.1.b TO PROVIDE QUALITY EXTERIOR STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE AND FINDING AND DETERMING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.**”

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Receive a report, hold a discussion and provide staff direction on the affordable housing program.

Council Action

The Community Development Director spoke to the affordable housing program. In November, there was a meeting held with local builders to gauge their interest in the program. There was only one contractor that submitted bids for the lots; however, the bid was not complete, therefore not accepted. The Director spoke about the bid process being a point in time and not a continuously moving project. He stated that rather than doing the bid process, to allow contractors to choose the lots available and they can pick and choose which lots they would like. Once that happens, the City can enter into a contract with them. This would ensure an ongoing process and the contract could be tighter than what has been done in the past. If the Council chooses to move forward with this idea, Staff would bring a structure program back to the Council for approval. Also, Staff would like to eliminate certain fees that deter contractors. Possible fees to eliminate are three to four dumpsters, sewer and water taps (if needed). Councilmember Brawley asked about the actual cost of the dumpsters. The Public Works Director state it is usually between \$300 and \$400. There are currently 51 lots available and some could be subdivided into smaller lots. Council member Spindle asked about the ability of

creating rental properties on these lots. The City Manager stated Staff would need to do research on that possibility because rental property may not fall within the guidelines of the program. Council directed Staff to bring a structured program to them to present at a later date.

- B. Receive a report, hold a discussion and take action to appoint a Council Member to the Joint Airport Zoning Board.

Council Action

The City Manager spoke to the resignation of Matt Hanley from the Joint Airport Zoning Board. Council will need to appoint someone else to take that position. On motion by Councilmember Spindle, seconded by Councilmember Gott, the Council unanimously approved Councilmember Brawley to be appointed to the Joint Airport Zoning Board.

- C. Receive a report, hold a discussion and provide staff direction on capital improvement projects including project financing, utility rate design, minor rehabilitation and remodeling, and authorization to begin certain water utility projects.

Council Action

The City Manager spoke to the items that were addressed at the Council Retreat in January. The funding for Forest Park originally would come from the Park Maintenance Fund and the Rainy Day Fund. The portion that would have been used for the Police Department remodel this fiscal year will be used for Forest Park as well. The remaining money would be set aside for contingency for the Police Department remodel for any costs that come up that were not anticipated. On motion by Councilmember Spindle, seconded by Councilmember Gott, the Council unanimously approved moving the \$115,000 from the General Fund to the Park Maintenance Fund. The City Manager then spoke to the leveraging of the CDBG allocation through a debt allocation process. Staff would like to take the \$309,000 and take approximately \$129,000 to be used for debt service. That could be used to leverage about a million dollars over a ten year period. Those one million dollars would be used to complete the \$3.3 million of street projects. Of that \$3.3 million about \$1.6 million is CDBG fund eligible. We won't leverage all of it because emergency rehabilitation cannot go away completely. There is about \$180,000 left over and of that, about \$80,000 will go to administrative costs and \$100,000 will go to the emergency rehabilitations. This will go through the public hearing process before anything changes. The City Manager then spoke to the water rate design. Staff is of the opinion that we ought to do this. As it rains more, people use less water; however, the plant capacity is finite. We may have a lot of water rights but our treatment capacity is limited. It is much cheaper in the long run to explore conservation measure than it is to build a new plant. Council does not want to move forward with a rate design study and would rather have it done in-house. Staff will analyze the numbers and create a calendar and bring it back to Council for approval. The City Manager then spoke to the remodel of City Hall and City Hall Annex. Currently built into the budget, there is money for redoing the carpet, paint and some of the furniture in the areas where the public uses the most. In City Hall Annex, the ramp system and the building permit area are not customer friendly. Staff would like to solicit bids for carpet, paint and furniture. The last item the City Manager spoke to is the Parkdale Water Tower and the Achesson Water Tower. The Parkdale Tower is not as bad as originally thought so Staff would like to use the funds from the Parkdale Tower to rehab the Achesson Tower.

6. EXECUTIVE SESSION

The Council then adjourned into Executive Session at 6:38 p.m. pursuant the Chapter 551, Texas Government Code, in accordance with the Authority:

- A. Pending or contemplated litigation or to seek advice of the City Attorney pursuant to Section 551.071.
 - 1. Receive a report, hold a discussion and provide Staff direction regarding 715 W. Sears.
 - 2. Receive a report, hold a discussion and provide Staff direction regarding the Bartley Case.
- B. Discussion regarding possible purchases, exchange, lease, or value of real property pursuant to Section 551.072.
 - 1. Receive a report, hold a discussion and provide Staff direction on the Foster property.
- C. Deliberation regarding gifts or donations to the City pursuant to Section 551.073.
- D. Personnel matters pursuant to section 551.074 (To deliberate the appointment, employment, evaluation, reassignment of duties, discipline, or dismissal of a public officer or employee).
- E. Deliberation regarding security pursuant to Section 551.075.
- F. Deliberation regarding economic development negotiations pursuant to Section 551.086.

RECONVENE INTO REGULAR SESSION

The Council then reconvened into Regular Session and took the following action:

- A. Pending or contemplated litigation or to seek advice of the City Attorney pursuant to Section 551.071.
 - 1. Receive a report, hold a discussion and provide Staff direction regarding 715 W. Sears.

Council Action

No action taken.

- 2. Receive a report, hold a discussion and provide Staff direction regarding the Bartley Case.

Council Action

No action taken.

B. Discussion regarding possible purchases, exchange, lease, or value of real property pursuant to Section 551.072.

1. Receive a report, hold a discussion and provide Staff direction on the Foster property.

Council Action

No action taken.

There being no further business to come before the Council, the meeting adjourned at 7:16 p.m.

JARED JOHNSON, MAYOR

Attest:

Carrie Hart, City Secretary