



**CITY OF DENISON
CITY COUNCIL MEETING
MINUTES**

Tuesday, January 16, 2024

Announce the presence of a quorum.

Mayor Janet Gott called the meeting to order at 6:00 p.m. Council Members present were Mayor Pro Tem Robert Crawley, Brian Hander, Michael Courtright, James Thorne, Joshua Massey and Aaron Thomas. Staff present were City Manager, Bobby Atteberry, City Attorney, Julie Fort, Assistant City Manager, Renee Waggoner, City Clerk, Christine Wallentine and Deputy City Clerk, Karen Avery. Department Directors and members of the media were also present.

1. INVOCATION, PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE

Rodney Ward, Pastor of Harless Memorial United Church gave the invocation which was followed by the Pledge of Allegiance and Texas Pledge led by 6th grade band members from B. McDaniel Middle School.

2. PROCLAMATIONS AND PRESENTATION

A. ISO 1 Rating Plaque Presentation from Texas State Fire Marshal's Office.

Mayor Gott called to the podium Hugh Gibson and Jeff Edwards, both with Visrek to present the ISO 1 rating plaque to Chief Jacks and Denison Fire Rescue. Mr. Gibson came forward and introduced himself and stated he was in attendance to present the Class 1 rating. This month, Denison is the newest class in Texas to become Class 1. To become a Class 1, you have to be doing everything excellent as far as fire protection, it's based on when someone dials 911, who responds, what kind of water there is and what kind of community risk reduction is done in the City. It's the culmination of all these efforts. Across the country, there is about 45,000 fire protection areas and what the rating shows is that where you have better fire protection it leads to less loss and, in turn, less premiums to property owners within a city. The fire suppression rating schedule is utilized to measure the ratings and to make the evaluation. The schedule itself is based on or has 105.5 points available. However, the ratings themselves are based on a 100-point scale and where you score in a 10-point margin is what classification you earn. In this case, Denison Fire Rescue scored between 90 and 100. Out of 45,000 fire protection areas, there is about 500 Class 1's across the country, making them elite country wide. This is about 1% of all communities nationwide. Throughout Texas there are about 100 Class 1's. Texas has a little bit higher percentage because Texas is very progressive as far as fire protection. Texas has the most Class 1's in the country. So, not only is Denison Fire Rescue among the elite countrywide, but it is in the elites with the elites, because Texas is really proven

to be a leader countrywide with public protection classifications. Mr. Gibson then went over each of the scoring categories, showing where Denison scores in each, and a final overall score of 92.78.

Joel Duke, Deputy State Fire Marshal and the Public Protection Oversight Officer with the Texas State Fire Marshal's office, came forward and congratulated Chief Jacks, the Denison Fire Department, the City Council, City Manager, public service employees and all others involved in becoming a Class 1. Mr. Duke said he understands the commitment it takes to achieve this goal and the State Fire Marshal's office recognizes the hard work and dedication. At the Texas State Fire Marshal's office, their mission statement is to reduce the loss of life and property through prevention, education and protection. Mr. Duke thanked everyone in helping them achieve these goals by providing superior fire protection to the citizens of Denison. Mr. Duke stated, on behalf of the Texas State Fire Marshal, Chief Deborah Knight, who is sitting here tonight and Assistant State Fire Marshal, Chuck Allen, and the Commissioner of the Texas Department of Insurance, Ms. Cassie Brown (who was not in attendance). Mr. Duke congratulates Denison on this achievement and presented Chief Jacks and the Denison Fire Department with their Class 1 plaque

3. PUBLIC COMMENTS

Mayor Gott called for any public comments at this time and reminded those wanting to comment of the guidelines established by the City Council. Christine Wallentine, City Clerk, confirmed there were no Request to Speak Cards received by this point in the meeting. Therefore, no public comments were received.

4. CONSENT AGENDA

- A. Receive a report, hold a discussion and take action on approving the Minutes from the Regular City Council Meeting held on December 18, 2023.
- B. Receive a report, hold a discussion and take action on the appointment of Kelly Cannell to serve as the Preston Harbor representative on the TIRZ No. 2 Board of Directors.
- C. Receive a report, hold a discussion and take action on the reappointment of Thomas Speakman as a member of the Community Development Steering Committee.
- D. Receive a report, hold a discussion, and take action on the approval of the purchase of two new Mack Granite dump trucks, with a combined total purchase amount of \$398,173.82, from Bruckner Truck Sales and authorize the Interim City Manager to execute any associated documents.
- E. Receive a report, hold a discussion, and take action on the purchase of a new sanitation brush collection truck in the amount of \$224,567.11 from Bruckner Truck Sales and authorize the Interim City Manager to execute any associated documents.
- F. Receive a report, hold a discussion, and take action on the approval of the purchase of two new CASE compact track loaders, with a combined total purchase amount of \$280,357.00, from ASCO Equipment and authorize the Interim City Manager to execute any associated documents.

- G. Receive a report, hold a discussion, and take action on approving the purchase of a landscape dump truck for use at various Parks locations in the amount of \$88,000.00 from Sewell Ford and authorize the Interim City Manager to execute all related documents.
- H. Receive a report, hold a discussion, and take action on an Ordinance amending the Environmental Services and Stormwater Fees in the FY2024 Fee Schedule.
- I. Receive a report, hold a discussion and take action on the appointment of David Spindle to the Business and Industrial Corporation of Denison, Inc., d/b/a Denison Development Alliance, Board of Directors to fill an unexpired two-year term, effective upon appointment and expiring on September 30, 2024.
- J. Receive a report, hold a discussion, and take action on approval of an asphalt overlay services purchase proposal for Duck Creek lift station and Loy Drive for a total amount of \$214,399.00 from Area Wide Paving, LLC and authorize the Interim City Manager to execute any associated documents.
- K. Receive a report, hold a discussion and take action on the reappointment of Linda Anderson, as a regular member, to the Planning and Zoning Commission, to serve a two-year term effective January 1, 2024.
- L. Receive a report, hold a discussion and take action on denying the extraterritorial jurisdiction release petition received from Ray C. Davis and Linda B. Davis for property located at Highway 69, Denison, Texas more particularly described as G-0996 Rubio Ramon A-G0996, Acres 4.21 and G-1311 Wright William A-G1311, Acres 1,67, consisting of Property ID Nos. 113192 and 113351.
- M. Receive a report, hold a discussion and take action on denying the extraterritorial jurisdiction release petition received from Ray C. Davis and Linda B. Davis for property located at Highway 69, Denison, Texas more particularly described as being a part of the Ramon Rubio Survey, Abstract No. 996, 0.59 acres of land, consisting of Property ID No. 113202.
- N. Receive a report, hold a discussion and take action on a resolution for self-certification of legal authority, or other necessary action, for management agencies for Clean Water State Revolving Fund grant application.
- O. Receive a report, hold a discussion and take action on the reappointment of Stanley Thomas, Place 2, as a member of the Greater Texoma Utility Authority Board of Directors to serve a two-year term commencing January 1, 2024 and ending on December 31, 2025.

Council Action

On motion by Mayor Pro Tem Crawley, seconded by Council Member Hander, the City Council unanimously approved, Ordinance No. 5332, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING THE CITY'S FY2024 COMPREHENSIVE FEE SCHEDULE BY ADDING A FEE FOR THE LIQUID WASTE TRANSPORT PERMIT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS

ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC IN ACCORDANCE WITH STATE LAW”; and the rest of the Consent Agenda as presented.

5. PUBLIC HEARINGS

- A. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance to rezone an 11.446-acre portion of the tract identified as GCAD Property ID No. 151234 from the MF-1, Multi-Family Residential (MF-1) and Commercial (C) District partially within the Austin Avenue Overlay (AO) to a Planned Development District (PD) partially within the Austin Avenue Overlay (AO) with a base zoning of MF-1, Multi-Family Residential (MF-1) to allow for multi-family residential use. (Case No. 2023-119PD)

Council Action

Dianne York, Planner, introduced this agenda item. This item is a request to rezone tracts of land in the southeast quadrant of South Eisenhower Parkway and South Fannin Avenue to a Planned Development Overlay District to allow for multifamily uses. The subject tract is currently zoned Multifamily-1 and Commercial. However, the applicant has requested a few deviations from the base zoning district which means we need a PD for this. The applicant wishes to construct thirteen (3) twelve-plexes on 13 individually platted lots. The minimum acreage that is required for multifamily development is 10 acres. These 13 lots will not meet the 10-acre requirement and, therefore, the applicant has requested a PD. Ms. York provided a concept plan of the layout of the twelve-plexes. Each unit will have access to a two-car garage and visitor parking will be provided via dedicated spaces throughout the development. The development will also provide residents with open space, which is somewhat depicted on the concept plan, as well as a pool, a playground and dedicated sidewalks allowing for connectivity from the units to the open spaces. All of these amenities will be maintained by a property owners association. Access to this development is provided off of South Eisenhower Parkway. At the southern portion of the property, there is a second point of access that will go out to South Fannin Avenue through a single-family development that the applicant is currently working on. A traffic impact study will be required at the time of preliminary plat given the proximity to a TxDOT right of way. While this request complies with the comprehensive plan, and Staff recommends approval of the request, the Planning and Zoning Commission recommended approval with a development standard they requested be changed and their recommendation at the time was in regard to side yard setbacks. At the Planning and Zoning Commission meeting, the applicant requested that a side yard setback for structures be four feet and any structures that were adjacent to the public right of way, be five feet. Staff recommended at least expanding the side yard setback for public right of ways to 15 feet and the Planning and Zoning Commission felt that it was necessary to expand but to make it 10 feet. So, while the Planning and Zoning Commission recommended approval, they also recommended side yard setback for structures be five feet with 10 feet required for those structures that were adjacent to public right of way just to help with visibility for any drivers or pedestrians. All of the structures will have an exterior constructed of 75% masonry products and all landscaping and perimeter screening, if necessary, will comply with the City of Denison zoning ordinance.

Mayor Gott then asked if there was anyone present who wished to speak on this agenda item, to which there were none. With that, Mayor Gott closed the public hearing

There was no discussion or questions from Council.

On motion by Mayor Pro Tem Crawley, seconded by Council Member Thomas, the City Council unanimously approved Ordinance No. 5333, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF DENISON, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY CHANGING THE ZONING CLASSIFICATION FROM MULTI-FAMILY-1 RESIDENTIAL (MF-1) DISTRICT AND COMMERCIAL (C) DISTRICT PARTIALLY WITHIN THE AUSTIN AVENUE OVERLAY (AO) TO PLANNED DEVELOPMENT (PD) DISTRICT PARTIALLY WITHIN THE AUSTIN AVENUE (AO) OVERLAY WITH BASE ZONING OF MULTI-FAMILY RESIDENTIAL DISTRICT (MF-1) ON AN APPROXIMATELY 11.446-ACRE PORTION OF THE TRACT IDENTIFIED AS GCAD NO. 151234, SAID PROPERTY BEING LEGALLY DESCRIBED AS BEING SITUATED IN THE WILLIAM OLDHAM SURVEY, ABSTRACT NO. 919, CITY OF DENISON, GRAYSON COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 25.366 ACRE TRACT OF LAND DESCRIBED BY DEED TO GRANITE INDUSTRIES, LLC, GRAYSON COUNTY, TEXAS, RECORDED AS INSTRUMENT NO. 2021-42105, DEED RECORDS OF GRAYSON COUNTY, TEXAS; BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A-1" AND DEPICTED IN EXHIBIT "A-2"; PROVIDING DEVELOPMENT STANDARDS, ATTACHED HERETO AS EXHIBIT "B"; PROVIDING A CONCEPT PLAN, ATTACHED HERETO AS EXHIBIT "C"; PROVIDING FOR SEVERABILITY, REPEALING, AND SAVINGS CLAUSES; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW."

- B. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance to amend Planned Development Ordinance No. 5166 to add an additional 1.644 acres to the existing PD and to include the base zonings of Single-Family Residential District (SF-5), Single-Family Residential District-Attached (SF-TH), Multi-Family Residential District (MF-1), Multi-Family Residential District (MF-2), and Commercial District (C) on the approximately 28.36-acre tract, commonly known as 3400 W. Crawford Street. (Case No. 2023-118PD)

Council Action

Dianne York, Planner, stated the applicant is requesting. The applicant is requesting or seeking to amend the existing PD overlay district that is accompanying this are on this property to allow for a mixed-use development to include commercial spaces and several types of residential uses, as well as dedicated open space and amenities. The subject property will be divided into two tracts of land. Tract one, which is located on the east side of the property along Lillis Lane, will allow for the development of a mixture of residential uses to include single family townhomes and duplexes. The base zoning districts have been established for each use providing development standards for both owner occupied and

units that are going to be retained for rental purposes. A property owners association will also be established to maintain any perimeter fencing, open spaces or amenities for tract one. We do not have a concept plan that we typically have for these planned developments that show specific areas or acreage allotted for these residential uses. However, staff felt the development standards discussed and agreed upon between the applicant and staff were strong enough to move forward without that concept plan. However, at the time of preliminary plat, those residential uses will have to be established so that we can move forward with the appropriate construction plans. Tract two, located on the west side of the property along US 75 and Crawford, will allow for the development of commercial uses and Multifamily-2, the uses that are allowed are located within our use regulation chart, Section 20 849. However, the PD does establish some prohibited uses. Those uses include self-storage, mini warehouse self-storage, auto dealer, new or used auto repair, major or minor, carwash, pawnshop, trailer rental, RV sales, and single family attached or detached development. The goal with the multifamily tract is to construct an apartment complex. With this structure, one of the development standards is listed within the plan development document. The structure will have an exterior that will have a minimum of 80% masonry. All the commercial structures will have a minimum exterior constructed at 75% masonry. Landscaping requirements will meet the zoning code. However, the applicant has proposed a 20-foot landscape buffer for the properties that are adjacent to US 75. The ordinance requires a 30-foot landscape buffer and staff felt like this was a good deviation from that standard. There will also be a property owners association for this tract to maintain any open spaces, amenities or private infrastructure. The PD provides for a minimum of five acres of open space for both tracts as well as a series of trails connecting the open space to the surrounding residential uses. Additional amenities include playground areas and a trailhead parking lot. The multifamily complex proposed in tract two will include a pool and amenity center for those residences. This request does comply with the comprehensive plan. Staff recommends approval of the request and the Planning and Zoning Commission recommended approval as well.

Council Member Massey asked if all that was being considered today with the addition of 1.64 acres to the existing PD, as that is how it reads. Julie Fort, City Attorney, responded that the consideration is for inclusion of the 1.64 acres and the base zonings of 28.36.

Mayor Gott then asked if there was anyone present who wished to speak on this agenda item, to which there were none. With that, Mayor Gott closed the public hearing

There was no further discussion or questions from Council.

On motion by Mayor Pro Tem Crawley, seconded by Council Member Thorne, the City Council unanimously approved Ordinance No. 5334, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF DENISON, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY AMENDING PLANNED DEVELOPMENT ORDINANCE 5166 TO ADD AN ADDITIONAL 1.644 ACRES TO THE EXISTING PD, AND TO INCLUDE THE BASE ZONINGS OF SINGLE-FAMILY RESIDENTIAL DISTRICT (SF-5), SINGLE-FAMILY RESIDENTIAL DISTRICT— ATTACHED (SF-TH), MULTI-FAMILY RESIDENTIAL DISTRICT (MF-1), MULTI-FAMILY RESIDENTIAL DISTRICT (MF-2),, AND COMMERCIAL DISTRICT (C) ON THE APPROXIMATELY 28.36-ACRE TRACT LEGALLY DESCRIBED AS

SITUATED IN THE SPENCER RICE SURVEY, ABSTRACT NO. 1037, CITY OF DENISON, GRAYSON COUNTY, TEXAS, BEING ALL OF ALL OF THE CALLED 23.556 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED WITH VENDOR'S LIEN TO 23 LILLIS SPV, LLC RECORDED IN INSTRUMENT NO. 2020-1726 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, AND BEING ALL OF THE CALLED 3.709 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED WITH VENDOR'S LIEN TO 23 LILLIS SPV, LLC RECORDED IN INSTRUMENT NO. 2020-18243 OF SAID OFFICIAL PUBLIC RECORDS, AND BEING ALL OF THE CALLED 0.207 ACRE TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO 23 LILLIS SPV, LLC RECORDED IN INSTRUMENT NO. 2021-20792 OF SAID OFFICIAL PUBLIC RECORDS; SAID TRACT ALSO BEING ALL OF LOTS 1, 2, & 3, BLOCK 1 AND LOT 1, BLOCK 2, WESTLAKE LILLIS LANE ADDITION, AN ADDITION TO THE CITY OF DENISON ACCORDING TO THE PLAT RECORDED IN INSTRUMENT NO. 2022-34 OF SAID DEED RECORDS, GRAYSON COUNTY, TEXAS; AND, BEING COMMONLY KNOWN AS 3400 W. CRAWFORD STREET; BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A-1" AND DEPICTED IN EXHIBIT "A-2"; PROVIDING DEVELOPMENT STANDARDS, ATTACHED HERETO AS EXHIBIT "B"; PROVIDING A CONCEPT PLAN, ATTACHED HERETO AS EXHIBIT "C"; PROVIDING FOR SEVERABILITY, REPEALING, AND SAVINGS CLAUSES; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW."

- C. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance for a Conditional Use Permit within the Commercial (C) zoning district, to allow for a distribution center for property located at 307 W. Coffin. (Case No. 2023-116CUP)

Council Action

Dianne York, Planner, stated the applicant is seeking approval of a conditional use permit to allow for the operation of a distribution center for test labs for property located at 307 West Coffin Street. You all may know this building as the old health trend center and is currently zoned Commercial. The operations of Testa Labs include production of over-the-counter medicines such as gripe water and herbal supplements. The applicant would like to utilize the existing structure for mixing ingredients packaging and storage of products and distributing these products to retailers. No production of the actual products will take place on site. The proposed hours for Testa Labs will be Monday through Friday 8am to 5pm and they will have distribution trucks bringing raw materials as well as distributing package materials on bi weekly basis. The future land use plan calls for this property to be developed in a mixed commercial manner, which we feel meets that requirement. The property is mostly surrounded by commercial or local retail type zoning districts. However, towards the north that is adjacent to believe that single family five and multifamily to zoning districts. However, the northern portion of this property is undeveloped, as are those residential areas. If those areas were to be developed, they would have to abide by the zoning code and screen whatever is developed there. In addition to the request, the applicant is proposing improvements to the site and that includes the parking lot, as well as providing additional landscaping along Coffin Street. Given the location or the

proximity to South Eisenhower Parkway, staff does not anticipate any kind of traffic issues with any of the residential areas that is further to the west. Given all of this staff recommends approval of the request, as did the Planning and Zoning Commission at their meeting on January 9, 2024.

Council Member Hander asked Ms. York is a box truck is a small delivery truck and not a semi type truck. Ms. York confirmed it was a small delivery truck and asked the applicant to come forward to speak more about this.

Mr. Mnajed came forward and provided the following information for the record:

Name: Yahya Mnajed

Address: 15195 Snowset Drive
Frisco, TX

Mr. Mnajed stated a box truck is a small truck to get the ingredients. It is not a semi-truck.

Mayor Gott then asked if there was anyone present who wished to speak on this agenda item, to which there were none. With that, Mayor Gott closed the public hearing

There was no discussion or questions from Council.

On motion by Mayor Pro Tem Crawley, seconded by Council Member Hander, the City Council unanimously approved Ordinance No. 5335, "AN ORDINANCE OF THE CITY OF DENISON, TEXAS, PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF DENISON, TEXAS; PROVIDING FOR A CONDITIONAL USE PERMIT FOR A DISTRIBUTION CENTER IN THE COMMERCIAL (C) DISTRICT ON THE PROPERTY DESCRIBED IN EXHIBIT A, BEING AN APPROXIMATELY 2.388 ACRE TRACT OF LAND LEGALLY DESCRIBED AS BEING LOCATED IN THE FAIRMOUNT ADDITION, BEING ALL OF LOTS 1, 2, 3, 14, 15, AND 16 AND THE ADJOINING 15 FOOT ALLEY, AND A PART OF LOTS 4 AND 5, ALL IN BLOCK 18; AND ALL OF LOTS 1 AND 16, AND PART OF LOTS 2, 3, AND 15 AND THE ADJOINING 15 FOOT ALLEY, ALL IN BLOCK 21; AND A PORTION OF THE RIGHTS-OF-WAY AT RUSK AVENUE, FLORENCE STREET, AND FORD STREET, OF FAIRMOUNT ADDITION TO THE CITY OF DENISON, GRAYSON COUNTY, TEXAS, ACCORDING TO THE DEED RECORDED IN VOLUME 84, PAGE 513, DEED RECORDS OF GRAYSON COUNTY, TEXAS; IDENTIFIED AS GCAD PROPERTY ID NO. 150067 AND BEING COMMONLY KNOWN AS 307 W. COFFIN STREET, CITY OF DENISON, GRAYSON COUNTY, TEXAS; PROVIDING A PENALTY CLAUSE; PROVIDING REPEALER, SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE."

6. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Receive a report, hold a discussion and take action on accepting the resignation of Robert Crawley, Council Member Place 4, Single Member District 4.

Council Action

Robert Crawley, Mayor Pro Tem, announced that after much deliberation and many prayers and consultation with his wife, he has made the decision to resign his seat to run for the Denison Mayor in the May election. It is a true honor to serve the voters of Place 4 and he enjoyed his service with each and every one of the Council Members. So, the only reason he would consider resigning is to run for the office of Mayor of this great community. Mayor Pro Tem Crawley believes now is the time for continued strong leadership for all of Denison.

There was no discussion or questions from Council.

On motion by Council Member Courtright, seconded by Council Member Thorne, the City Council unanimously accepted the resignation of Mayor Pro Tem Crawley from Place 4 in order to run for the Mayor seat in the May 2024 election.

Mayor Gott stated, so everyone has clarity, that both Mayor Pro Tem Crawley and Council Member Hander, who automatically resigned when he publicly announced his run for Mayor, will both hold over in their places until a Special Election in May and replacements for each of them are elected. Christine Wallentine, City Clerk, added that the Special Election would be called at the February 5, 2024 City Council Meeting and that the application period for Single Member District 4, Place 4, and At Large, Place 6 will run from February 6, 2024 through March 4, 2024. Starting on Wednesday, January 17, 2024, the application period for Single Member District 1, Place 1, and Single Member District 2, Place 2 and At-Large, Place 7 (Mayor) will open and run through February 16, 2024.

7. PROJECT UPDATES

- A. Receive a report and hold a discussion on the Austin Avenue Corridor Study.

Council Action

Mary Tate, Director of Development Services, reported that staff has engaged Chris Lambka with Lambka and Associates to conduct a corridor study for Austin Avenue. We are looking one block south of the intersection of Highway 69 and Austin, and then a couple of blocks north of this intersection. What we are really doing is carrying over the inventory that was done for businesses that exist. This is the next step in the process. We are looking at how we utilize public space. So, we term it and plan the language and complete streets and that is how all people can use the streets and the public right of ways in a safe manner. We are looking at connectivity. We want to be able to see the kids cross the street safely. We want to make sure that the sidewalks are wide enough so that there's a barrier between the vehicles. Right now, we are just in the information gathering phase, looking at traffic counts, and the speed of the cars going by. We have learned the traffic counts aren't quite as high as we thought they were. Mr. Lambka is gathering all of this information right now. Our goal is to add some vibrancy, as well as tying it into the improvements that will be made by TxDOT. A little further south on Spur 503, they are looking at a road diet. So, they're also looking at reducing that space and beautifying it a little bit. We anticipate this planning study to be done in June. Although we don't have an end timeframe right now. We will hold some public engagement meetings as well as TxDOT meetings with their staff to make sure that we're all working together. This is just an informational update.

Once we have that study, then we'll start looking for the dollars to make the implementation possible.

There was no discussion or questions from Council.

No action taken. Informational item only.

- B. Receive a report and hold a discussion on pursuing a zoning ordinance rewrite.

Council Action

Mary Tate, Director of Development Services, stated staff is working toward a zoning ordinance rewrite. Ms. Tate reminded the Council they graciously allocated funding for this during the last budget workshop, and staff is pursuing this at the moment. The Request for Production (RFP) is ready to go. However, staff has learned of a grant through the Texas General Land Office that will pay for both the zoning ordinance and the comp plan. We would do the comp plan updates first then the zoning ordinance as a deliverable of that project. So, Ms. Tate would like to pursue this first, before moving forward with putting the RFP out to see if we can save some money. That grant is up to \$300,000 and does not require a match. So, this is in the City's best interest. Ms. Tate learned of this grant after the agenda item was posted. So, she wanted Council to know staff is working towards the comp plan updates as well as the zoning ordinance rewrite to make everything modernized and consistent.

There was no discussion or questions from Council.

No action taken. Informational item only.

- C. Receive a report and hold a discussion regarding proposed sign ordinance amendments.

Council Action

Mary Tate, Director of Development Services, stated staff is making some sign ordinance amendments. The sign ordinance falls under Chapter 19, and this is under the purview of the building official. We have found through the enforcement process, as well as the permitting process, that our sign ordinance is a little outdated, and that there are some contradictions and things that just don't match up. When someone comes in for a certain kind of sign, and it's not within our ordinance or our permitting software, we're struggling a little bit. So, we want to make sure that we are updating the definitions, adding some graphics into the sign ordinance, and doing some reducing of things such as the height of pole signs on US Highway 75. Currently, this is at 70 feet, and we would like to reduce it to 40 feet. We definitely know that we might get some pushback on some of these items, but we do feel it's in the best interest of our community to develop in a way that maintains some of our characteristics as we've talked about before. So, the council will see this ordinance coming back when staff has the final draft ready to go. It does incorporate opinions from multiple departments, so we are in the second round of getting those thoughts before it comes back to Council for approval.

There was no discussion or questions from Council.

No action taken. Informational item only.

8. EXECUTIVE SESSION

The Council then adjourned into Executive Session at 6:47 p.m. pursuant the Chapter 551, Texas Government Code, in accordance with the Authority:

- A. **Consult with attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter and/or consult with attorney about pending or contemplated litigation or contemplated settlement of the same. Section 551.071.**
 - 1. Confer with City Attorney regarding Boards and Commissions.
 - 2. Confer with City Attorney regarding City of Denison vs. Sherman Pro Auto Glass, LLC dba Pro Auto Glass, et. al., 397th Judicial District, Grayson County, Texas, Cause No. CV-21-0166.
- B. Discuss the possible purchase, exchange, lease, or sale value of real property (public discussion of such would not be in the best interests of the City's bargaining position). Section 551.072.
- C. Discuss negotiated gifts or donations to the City (public discussion at this stage would have a detrimental effect on the City's bargaining position). Section 551.073.
- D. Discuss the appointment, employment, evaluation, reassignment of duties, discipline, or dismissal of or to hear a complaint against a public officer or employee. Section 551.074.
- E. Discuss the commercial or financial information received from an existing business or business prospect with which the City is negotiating for the location or retention of a facility, or for incentives the City is willing to extend, or financial information submitted by the same. Section 551.087.
- F. Discuss the deployment or specific occasions for implementation of security personnel or devices. Section 551.076.
- G. Deliberations regarding economic development negotiations pursuant to Section 551.087.

RECONVENE INTO REGULAR SESSION

The Council then reconvened into Regular Session at 7:09 p.m. and took the following action:

- A. **Consult with attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter and/or consult with attorney about pending or contemplated litigation or contemplated settlement of the same. Section 551.071.**
 - 1. Confer with City Attorney regarding Boards and Commissions.

Council Action

This item was pulled from the agenda. No action taken.

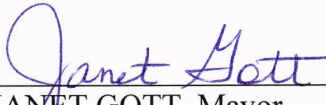
2. Confer with City Attorney regarding City of Denison vs. Sherman Pro Auto Glass, LLC dba Pro Auto Glass, et. al., 397th Judicial District, Grayson County, Texas, Cause No. CV-21-0166.

Council Action

No action taken.

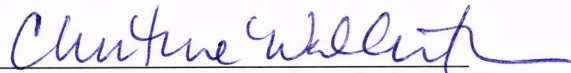
- B. Discuss the possible purchase, exchange, lease, or sale value of real property (public discussion of such would not be in the best interests of the City's bargaining position). Section 551.072.
- C. Discuss negotiated gifts or donations to the City (public discussion at this stage would have a detrimental effect on the City's bargaining position). Section 551.073.
- D. Discuss the appointment, employment, evaluation, reassignment of duties, discipline, or dismissal of or to hear a complaint against a public officer or employee. Section 551.074.
- E. Discuss the commercial or financial information received from an existing business or business prospect with which the City is negotiating for the location or retention of a facility, or for incentives the City is willing to extend, or financial information submitted by the same. Section 551.087.
- F. Discuss the deployment or specific occasions for implementation of security personnel or devices. Section 551.076.
- G. Deliberations regarding economic development negotiations pursuant to Section 551.087.

There being no further business to come before the Council, the meeting was adjourned at 7:09 p.m.



JANET GOTT, Mayor

ATTEST:



Christine Wallentine, City Clerk