



**CITY OF DENISON
CITY COUNCIL MEETING
MINUTES**

Monday, April 15, 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 Interim City Manager, Bobby Atteberry, City Attorney, Julie Fort, City Clerk, Christine Wallentine and Deputy City Clerk, Karen Avery. Assistant City Manager, Renee Waggoner, was absent. Department Directors were also present.

1. INVOCATION, PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE

Drew Svendsen, Pastor of First Christian Church Denison gave the invocation which was followed by the Pledge of Allegiance and Texas Pledge led by members of the B. McDaniel Bank Leadership Team, Elyssa Hill, Christopher Harrold, Aaydan Ellis and Akali Ribail.

2. 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.

3. CONSENT AGENDA

- A. Receive a report, hold a discussion and take action on approving the Minutes from the Regular City Council Meeting held on April 1, 2024.
- B. Receive a report, hold a discussion and take action on a Services Agreement with Fire Recovery USA, LLC for re-inspection and false alarm billing, and authorize the Interim City Manager to execute the same.
- C. Receive a report, hold a discussion, and take action on reappointing Vincent Rhodes, Joel Luper, Jimmy Cravens, Ryan Cassell, and Charlie Means to the Parks and Recreation Commission.
- D. Receive a report, hold a discussion, and take action on an Agreement for Traffic Control Inventory – Phase 3 Study with Kimley-Horn and Associates, Inc. and the City of Denison and authorize the Interim City Manager to execute the same.

Council Action

On motion by Mayor Pro Tem Crawley, seconded by Council Member Thorne, the City Council unanimously approved the Consent Agenda as presented.

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Receive a report, hold a discussion and take action on the Guaranteed Maximum Price contract with Piazza Construction in the amount of \$3,339,605.00 for the construction of 321 W Main and authorize the Interim City Manager to execute the same.

Council Action

Ronnie Bates, Public Works Director, reminded the Council they approved a Construction Manager at Risk Contract with Piazza Construction at their December 4, 2023 City Council meeting for the design and construction of a visitor's center and public restrooms at 321 W. Main Street. Mr. Bates stated before the Council tonight for consideration is the approval for the guaranteed maximum price known as the GMP in the amount of \$3,339,605 and to authorize Interim City Manager to execute all related documents.

Council Member Hander stated that at the mid-year budget review in February it was thought the project would be about \$1.5 million dollars and asked what was different now. Mr. Bates stated this is the actual bid, which includes a contingency. Council Member Hander asked if the GMP included the upper two levels being built out. Mr. Bates confirmed the second and third floors would be built out with offices and a conference room.

Council Member Massey asked if the contingency fund were not consumed if it would be returned. Mr. Bates affirmed any contingency amount not used would be returned.

There was no further discussion or questions from Council.

On motion by Mayor Pro Tem Crawley, seconded by Council Member Courtright, the City Council unanimously approved the Guaranteed Maximum Price contract with Piazza Construction in the amount of \$3,339,605.00 for the construction of 321 W Main and authorized the Interim City Manager to execute the same.

5. EXECUTIVE SESSION

The Council then adjourned into Executive Session at 6:06 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 Senate Bill 1145.

- 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 6:17 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 Senate Bill 1145.

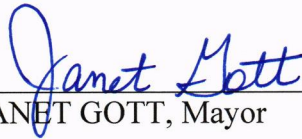
Council Action

On motion by Mayor Pro Tem Crawley, seconded by Council Member Courtright the City Council unanimously approved Ordinance No. 5343, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, ADOPTING A LOCAL PROPERTY TAX EXEMPTION FOR QUALIFYING CHILD-CARE FACILITIES, AS DEFINED BY TEXAS TAX CODE 11.36, AND AMENDING CHAPTER 24 "TAXATION" OF THE CODE OF ORDINANCES OF THE CITY OF DENISON, TEXAS, BY ADDING ARTICLE IV "CHILD-CARE FACILITY EXEMPTION"; PROVIDING REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE."

- 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 6:18 p.m.



JANET GOTT, Mayor

ATTEST:



Christine Wallentine, City Clerk