

# TOWN COUNCIL TOWN COUNCIL REGULAR MEETING

January 03, 2022 at 6:00 PM

Argyle Town Hall, 308 Denton Street, Argyle, Texas

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## MINUTES

### CALL TO ORDER

Mayor Livingston Called the regular meeting to order at 6:01 p.m.

### COUNCIL PRESENT

MAYOR

MAYOR PRO TEM, PLACE 2

COUNCIL MEMBER PLACE 1

COUNCIL MEMBER PLACE 3

COUNCIL MEMBER PLACE 4

COUNCIL MEMBER PLACE 5

BRYAN LIVINGSTON

RONALD SCHMIDT

JOAN DELASHAW

SHERRI MYERS

CYNTHIA HERMANN

RICK BRADFORD

### STAFF PRESENT

TOWN ADMINISTRATOR

TOWN ATTORNEY

TOWN SECRETARY/TOWN TREASURER

ASSISTANT TOWN SECRETARY

DEVELOPMENT DIRECTOR

DEVELOPMENT COORDINATOR

RICHARD OLSON

BRENDA MCDONALD

DIANNA BUCHANAN

BAILEY LOVE

EMILIO SANCHEZ

HARRISON WICKS

### INVOCATION

Mayor Livingston provided the invocation.

### PLEDGE OF ALLEGIANCE

Mayor Livingston led the pledges to the American Flag and Texas Flag.

### OPEN FORUM

There was no one to speak at this time.

### ITEMS OF COMMUNITY INTEREST

Mayor Livingston announced the following items:

Planning and Zoning Commission, Wednesday, January 5th, 6 pm, Town Hall

Mornings with the Mayor, Saturday, January 8th, 9 am, Town Hall

Municipal Development District Board, Tuesday, January 11th, 6 pm, Town Hall

Town Offices closed Monday, January 17th in observance of Martin Luther King Holiday

Town Council, Tuesday, January 18th, 6 pm, Town Hall

**STAFF REPORTS**

*(Staff Reports are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items of a future agenda for action.)*

1. Review of the building permit fees and comparison of surrounding communities as well as possible "Do it Yourself" Permit Process

Development Director Emilio Sanchez gave a presentation on the item. The council had discussion on the cost comparison, and Mayor Pro Tem Schmidt requested a cost analysis be completed to ensure that the permit costs the town is charging is an accurate charge for the citizen/contractor paying for the permit. Town Administrator Olson stated that staff could hire a company to run the cost analysis.

2. Receive memo and markup of changes from Freese and Nichols regarding various amendments to zoning districts, land use charts, definitions, and other land use related provisions in the Town Development Standards

Planner II Harrison Wicks provided information about the changes. The council discussed the changes and were advised by the Town Attorney Brenda McDonald, the ordinance should be looked at for non-depository banks so that banks and payday lenders can be looked at separately. She also advised that the council should consider adding rehab facilities and skilled nursing facilities. Council Member Myers inquired about separating medical facilities from commercial facilities and Council Member Bradford requested Town Administrator Olson to put that topic on the council retreat agenda.

3. Active Development Review Committee Project List

Council received the list of projects which is placed on each Council agenda.

4. List of Council Requests for Agenda Items and Status.

Council received the list.

***Mayor Livingston directed to consider item number ten at this time.***

10. Consider for approval Site Plan (SP-21-005) for Argyle Pediatrics, being 0.804 acres situated in the J. Gazaway Survey, Abstract No. 481 in the Town of Argyle, Denton County, Texas; being located in the Town of Argyle at the southeast corner of Village Way and US HWY 377.

Planner II Harrison Wicks summarized the request. The council discussed the site plan and had concerns about the fence on the southeast corner of the property. After discussion amongst the council regarding the fence for this application and a previous council meeting regarding this fence location, the applicant, Dr. Carrie Jones advised that her team had discussed the fence with abutting residents and that they were okay with a stockade fence

if it is kept in good condition. Town Attorney McDonald advised the council that the council can move forward with the site plan as submitted as the applicant was following the requirements set forth at the time of application.

**ACTION ITEM 10**

**APPROVED**

**MOTION BY MAYOR PRO TEM SCHMIDT AND MOTION SECONDED BY TO APPROVE SITE PLAN (SP-21-005) FOR ARGYLE PEDIATRICS. MOTION APPROVED 5-0.**

Mayor Livingston recessed the meeting at 7:57 p.m. Mayor Livingston reconvened the meeting at 8:18 p.m. He directed the meeting back to item 5. of the agenda.

**DISCUSSION ITEMS**

*(Items are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items on a future agenda for action.)*

5. Program for Argyle Community Engagement (PACE) meeting process

Planner II Harrison Wicks presented a summary of the PACE meeting process. Mayor Pro Tem Schmidt and Council Member Bradford requested that staff be the primary facilitators for PACE meetings. Council Member Hermann believes that more information is needed to decide about when a PACE meeting should be required and requested additional information about requirements from staff.

**CONSENT AGENDA**

*Any Council member may request an item on the Consent Agenda to be taken up for individual consideration.*

6. Approve the December 6, 2021 Regular Town Council Meeting Minutes

**ACTION ITEM 6**

**APPROVED**

**MOTION BY COUNCIL MEMBER HERMANN AND MOTION SECONDED BY COUNCIL MEMBER BRADFORD TO APPROVE THE CONSENT AGENDA. MOTION APPROVED 5-0.**

**PUBLIC HEARING ITEMS**

7. Hold Public Hearing and consider for approval an ordinance amendment (TDS-21-009) to Article III, Zoning of the Town of Argyle Town Development Standards regarding various amendments to setbacks and bufferyards for commercially zoned districts adjacent to residentially zoned districts in the Town Development Standards.
- a) Staff Presentation –Planner II Harrison Wicks presented the ordinance amendment.
  - b) Hold Public Hearing--Mayor Livingston opened the public hearing at 9:13 pm. There was no one to speak. Mayor Livingston closed the public hearing at 9:13 pm.

was held today, council would not be required to hold a second public hearing on this matter, however, they will need to set a specific date to table the item to.

d) Action

**ACTION ITEM 7**

**TABLED**

**MOTION BY COUNCIL MEMBER HERMANN TO TABLE THIS ITEM UNTIL THE FEBURARY 7<sup>TH</sup>, 2022 COUNCIL MEETING. COUNCIL MEMBER MYERS SECONDED. MOTION APPROVED. 5-0.**

**ACTION ITEMS**

8. Approve February 12, 2022 as the Town Council Retreat Date and hire the Mejorando Group to facilitate the retreat.

Town Administrator Olson summarized the item. The venue is to be determined.

**ACTION ITEM 8**

**APPROVED**

**MOTION BY COUNCIL MEMBER HERMANN AND SECOND BY COUNCIL MEMBER BRADFORD TO APPROVE THE COUNCIL RETREAT DATE OF FEBURARY 12<sup>TH</sup>, 2022 AND CONTRACT WITH THE MEJORANDO GROUP AS FACILITATORS. MOTION APPROVED. 5-0.**

9. Discuss and consider approval of Resolution 2022-01 authorizing a contract with Atkins Brothers Equipment Company for construction of Phase II of the U.S. 377 Sewer Line Relocation Project and authorize the Mayor to execute the necessary documents on behalf of the Town.

Council Member Myers requested that staff contact Atkins Brothers Equipment Company about their quote for the Hydroseed Surface Restoration. Town Administrator Olson will do so to confirm if the amount will be reduced.

**ACTION ITEM 9**

**APPROVED**

**MOTION BY COUNCIL MEMBER BRADFORD AND SECOND BY MAYOR PRO TEM SCHMIDT TO APPROVE RESOLUTION 2022-01 AUTHORIZING A CONTRACT WITH ATKINS BROTHERS EQUIPMENT COMPANY FOR CONSTRUCTION OF PHASE II OF THE US 377 SEWER LINE RELOCATION PROJECT AND THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS. MOTION APPROVED 5-0.**

10. Consider for approval Site Plan (SP-21-005) for Argyle Pediatrics, being 0.804 acres situated in the J. Gazaway Survey, Abstract No. 481 in the Town of Argyle, Denton County, Texas; being located in the Town of Argyle at the southeast corner of Village Way and US HWY 377.  
**Item heard prior to Item 5 of the agenda and approved.**
11. TABLED-Consider approval of Ordinance 2021-28 Approving the Town of Argyle Logo and Amending Chapter 1 "General Provisions" of the Code of Ordinances to add a new Article 1.11 "Town Logo" (12/6/2021).

Town Secretary/Town Treasurer Buchanan presented the Ordinance 2021-28 regarding the town logo. Mayor Livingston requested an update on the "style guide". Staff will handle the style guide administratively.

**ACTION ITEM 11**

**APPROVED**

**MOTION BY COUNCIL MEMBER MYERS AND SECOND BY MAYOR PRO TEM SCHMIDT TO APPROVE. ORDINANCE 2021-28 APPROVING THE TOWN OF ARGYLE LOGO AND AMENDING CHAPTER 1 "GENERAL PROVISIONS" OF THE CODE OF ORDINANCES TO ADD A NEW ARTICLE 1.11 "TOWN LOGO" MOTION APPROVED 5-0.**

- 12. TABLED-Consider approval of Resolution 2021-71 amending the length of terms for places on the Financial Oversight Committee and staggering terms (12/6/2021)

Town Secretary/Town Treasurer Buchanan summarized the item.

**ACTION ITEM 12**

**APPROVED**

**MOTION BY COUNCIL MEMBER SCHMIDT AND SECOND BY COUNCIL MEMBER HERMANN TO APPROVE RESOLUTION 2021-71 AMENDING THE LENGTH OF TERMS FOR PLACES ON THE FINANCIAL OVERSIGHT COMMITTEE AND STAGGERING TERMS. MOTION APPROVED. 5-0.**

**RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA**

Mayor Pro Tem Schmidt requested information about the standard for privacy fences and how it will be applied to current residents and requested a discussion about the town brand be planned. Council Member Hermann requested that this be discussed at the Council Retreat.

**ADJOURN**

Mayor Livingston adjourned the meeting at 10:04 pm.



ATTEST:

*Dianna Buchanan*

Dianna Buchanan,  
TRMC Town Secretary/Town Treasurer

Bryan Livingston, Mayor