



Town Council Work Session & Regular Meeting Minutes – February 23, 2016

The Regular Meeting of the Town Council was held on **February 23, 2016** at 6:00 p.m. at the Argyle Town Hall. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

A. CALL WORK SESSION TO ORDER

Mayor Krueger called the work session to order at 6:03 p.m.

Attendee Name	Title	Status	Arrived
Peggy Krueger	Mayor	Present	
Joey Hasty	Mayor Pro Tem	Present	6:05 p.m.
Kay Teer	Council Member, Place 2	Present	
Eric Lamon	Council Member, Place 3	Present	
Jay Haynes	Council Member, Place 4	Present	
Marla Hawkesworth	Council Member, Place 5	Present	

B. WORK SESSION

The pre-meeting work session is designed as an opportunity for the Town Council to discuss pending items. No action will be taken during the work session portion of the meeting.

1. Presentation and discussion regarding the Town's GIS program.
Will Duggar with Jacob and Martin presented the Council with the Town's new web-based GIS program.
2. Presentation and discussion regarding the draft design of the Town's website.
Town Secretary Kristi Gilbert shared with the Council the draft redesign of the website.
3. Presentation regarding the annual Argyle Police Department Contact Report.
Police Chief Tackett reviewed the annual Argyle Police Department report. Chief Tackett stated that the officers had driven over 100,000 miles throughout town in the past year. Chief Tackett also reviewed the racial profiling report with the Council for their acceptance under the consent agenda.
4. Discussion regarding any regular session items.

The work session was adjourned at 6:56 p.m.

C. CALL REGULAR SESSION TO ORDER

The Mayor called the regular session to order at 7:09 p.m.

D. INVOCATION

E. PLEDGE OF ALLEGIANCE

F. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

1. Council Recognition of Students and Citizens
2. Town Council and Staff Presentations / Reports
Town Manager Paul Frederiksen updated the Council on the status of the Texas Parks and Wildlife Park grant application.
 - a. Development Project Updates
 - b. STARS Report

G. CONSENT AGENDA

1. Consider approval of the January 26, 2016 Town Council minutes.
2. Consider acceptance of the annual Argyle Police Department Contact Report in reference to racial profiling.
3. Consider approval of a resolution approving the Depository Services Contract with Point Bank and authorizing the Town Manager to execute all documents related thereto. *(Resolution No. 2016-03)*

ACTION: Item G.1. thru G.3.

APPROVED

Mayor Pro Tem Hasty moved to approve the consent agenda as presented. Councilmember Lamon seconded the motion. For: Unanimous. The motion passed 5 to 0.

H. NEW BUSINESS

1. Public hearing and take appropriate action for a zoning change (Z-15-006) from VC (Village Center) to C-DMU (Corridor Destination Mixed-Use) for Gateway Sonic, being approximately 1.49 acres, Lot 1-R2, Block A, PM & R Addition, Town of Argyle, Denton County, Texas; and being located at the southeast corner of US HWY 377 and E. Harpole Rd.

Community Development Director Matt Jones advised the Council that his presentation would include all items related to the development application that will be considered this evening. Mr. Jones stated this was the first development review under the newly approved Form Based Code. Mr. Jones stated the application would be considered a Master Development Plan. Mr. Jones reviewed the differences between the VC-Village Center and C-DMU Corridor Destination Mixed Use zoning regulations.

Mr. Jones stated the applicant was intending on developing a convenience store with gas pumps and a drive-thru Sonic. The proposed total building square footage is 6,600 square feet total, with 4,600 square feet of convenience store and 2,000 square feet as a dine-in Sonic. The applicant has provided 47 parking spaces, buffers along Harpole Road and US HWY 377, adequate infrastructure to service the site. Landscaping, meandering sidewalk and split rail fence. Mr. Jones reviewed the request for the alcohol sales and the request for a drive-thru facility.

The Council asked questions regarding traffic and access to the site.

Kenneth Baca and Mickey Thomas with Victron Energy presented the Council with information related to the project. Mr. Baca stated the Sonic would employ 45-60 individuals. Mr. Baca stated that Sonic would commit to \$10,000 per year local scholarship and sponsorship commitment to Argyle schools.

Mayor Krueger opened the public hearing for all four consideration items.

Those in favor of the proposed development:

Alex Payne, 301 Creekside Trail
Emerson Payne, 301 Creekside Trail
Deborah Cottle, 105 Timber Creek Court
Amy Bubeck, 216 Hickory Ridge Court

Those in opposition of the proposed development:

Randy Wooley, 200 Morning Dove Court
Greg Martinkewiz, 725 Harpole Road
Victor Adoue, 109 Shadow Wood Drive
Carol Delbecq, 124 Morning Dove Court
Steve Siggins, 100 Shadow Wood Drive
John Marusa, 601 Primrose Court
Jeanne Young, 935 Harpole Road
James Wagner, 750 Harpole Road E (letter)
Gail Ward, 730 Harpole Road
Terry Haefele, 117 Shadow Wood Drive
Linda Truco, 109 Shadow Wood Drive
Jennifer Holt, 804 Harpole Road
Wayne Holt, 804 Harpole Road East
Valerie Donahue, 116 Morning Dove Court
Richard Spies, 116 Shadow Wood Drive
Paula Martinkewiz, 725 Harpole Road

Mayor Krueger closed the hearing to public comment.

ACTION: Item H.1.

DENIED

Mayor Pro Tem Hasty moved to deny the zoning change request. Councilmember Hawkesworth seconded the motion.

Councilmember Lamon stated that he would like to consider the zoning change without taking into consideration Item H2 and Item H3. Councilmember Lamon stated he disagreed with denying the motion.

Those in favor of a motion to deny: Hasty, Haynes Teer and Hawkesworth. Against: Lamon. The motion to deny carries 4 to 1.

2. Public hearing and take appropriate action for a Specific Use Permit (SUP-15-003) to allow for alcohol sales; located at Lot 1-R2, Block A, PM & R Addition, Town of Argyle, Denton County, Texas; and being located at the southeast corner of US HWY 377 and E. Harpole Rd.

ACTION: Item H.2.

DENIED

Councilmember Lamon moved to deny the SUP request. Mayor Pro Tem Hasty seconded the motion. For: Unanimous. The motion passed 5 to 0.

3. Public hearing and take appropriate action for a Specific Use Permit (SUP-15-004) to allow for a drive-thru facility; located at Lot 1-R2, Block A, PM & R Addition, Town of Argyle, Denton County, Texas; and being located at the southeast corner of US HWY 377 and E. Harpole Rd.

ACTION: Item H.3.

DENIED

Councilmember Lamon moved to deny the SUP request. Mayor Pro Tem Hasty seconded the motion. For: Hasty, Lamon, Haynes and Hawkesworth. Against: Teer. The motion passed 4 to 1.

4. Consider and take appropriate action for a Site Plan (SP-15-001) for Gateway Sonic; being an approximately 2,000 SQ FT restaurant and 4,666 SQ FT Convenient Store with gasoline sales; located at Lot 1-R2, Block A, PM & R Addition, Town of Argyle, Denton County, Texas; and being located at the southeast corner of US HWY 377 and E. Harpole Rd.

ACTION: Item H.4.

DENIED

Councilmember Hawkesworth moved to deny the site plan. Councilmember Lamon seconded the motion. For: Unanimous. The motion passed 5 to 0.

I. OLD BUSINESS

None.

J. OPEN FORUM

The opportunity for citizens to address the Town Council on any non-agenda item (limit 5 minutes per person); however, the Texas Open Meetings Act prohibits the Town Council from discussing issues which the public has not been given seventy-two (72) hour notice. Issues raised may be referred to Town Staff for research and possible future action.

Wayne Holt, 804 Harpole Road, asked for the Planning & Zoning minutes to be updated on the Town's website.

John Marusa, 601 Primrose Court, applauded the Council for sticking to the land use plan.

K. EXECUTIVE SESSION

The Council adjourned into Executive Session at 8:54 p.m. PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D, SECTION §551.071.

1. Section 551.071- Consultation with the Town Attorney regarding pending litigation, to wit: Cause No. 15-10761-211: Texas Voices for Reason and Justice, Inc vs. the Town of Argyle, Texas; the Town of Hickory Creek, Texas; the City of Oak Point, Texas and the City of Ponder, Texas.

2. Adjourn into Open Meeting
The Town Council reconvened into open session at 9:02 p.m.

3. Take action on Executive Session item(s).
No action was taken.

L. RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF for items to be placed on next meeting agenda

Councilmember Hawkesworth requested the Argyle Youth Sports Association be allowed to make a presentation in March. Councilmember Hawkesworth also asked for a joint workshop with Planning & Zoning Commission and for discussion on ordinances related to property standards from a code enforcement perspective.

Councilmember Lamon requested a joint meeting with the Economic Development Corporation and asked for further education on gasoline sales.

M. ADJOURN

The meeting was adjourned at 9:06 p.m.

Approved this 22nd day of March, 2016.


Peggy Krueger, Mayor

Kristi Gilbert, Town Secretary