

**Town Council and Planning and Zoning
Commission Joint Work Session
& Regular Meeting
Minutes –April 26, 2016**

The Joint Work Session of the Town Council and the Planning and Zoning Commission and the Regular Meeting of the Town Council was held on **April 26, 2016** at 5:30 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 JOINT WORK SESSION TO ORDER

Mayor Krueger and Chairperson Walker called the work session to order at 5:36 p.m.

Attendee Name	Title	Status	Arrived
Peggy Krueger	Mayor	Present	
Joey Hasty	Mayor Pro Tem	Absent	
Kay Teer	Council Member, Place 2	Present	
Eric Lamon	Council Member, Place 3	Present	
Jay Haynes	Council Member, Place 4	Absent	
Marla Hawkesworth	Council Member, Place 5	Present	
Paul Walker	Chairperson	Present	
Sherry Griffin	Vice Chairperson	Present	
Keith Appleton	Commissioner	Present	
Paula Mabry	Commissioner	Present	
Jackie Thomas	Commissioner	Present	
Richard Kravitz	Commissioner	Present	
Jason Lillard	Commissioner	Absent	

B. JOINT COUNCIL/PLANNING & ZONING WORK SESSION

1. Discussion and overview on the elements of the comprehensive plan and zoning regulations.

Town Attorney Matthew Boyle reviewed regulations related to zoning and the public hearing process.

2. Discussion related to the development application and ordinance amendment process and review.

Staff asked the Council and Commission if they would like to see any ordinance amendments brought forth for consideration. No changes were requested.

The joint work session was adjourned at 6:40 p.m.

C. COUNCIL 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. Discussion regarding the process for appointment to the Argyle Fire District.
Town Manager Paul Frederiksen advised the Council that Bob Swanbeck, the current Argyle Fire District Board representative, had recently moved out of town and planned to resign his position on the board. The Council directed staff to post and advertise for the vacant position on the Town's website.

2. Discussion and direction to Town Staff regarding amendments to Section 14.2.90- Streets - D.13 – Design Requirements - Driveways and Median Openings; of the Town of Argyle Town Development Standards.
Community Development Director Matt Jones, reviewed the current design requirements of the development standards. Mr. Jones stated the driveway spacing requirements were dictated by the roadway type. The Council directed staff to review the driveway spacing requirements in conjunction with, or immediately after, the amendments to the Transportation Thoroughfare Plan.

3. Discussion and direction to Staff regarding the creation of the Program for Argyle Community Engagement (PACE) for development related Town Hall forum meetings.
Mr. Jones reviewed the proposed PACE program and stated it was an opportunity for developers to meet with the community without staff or Council involvement in order to explain and gather input on proposed applications prior to consideration at the Planning and Zoning Commission or Town Council.

4. Discussion regarding establishing a Municipal Court of Record.
Town Secretary Kristi Gilbert reviewed the requirements of a court of record and advised Council that the change would not involve any additional expenditures. Ms. Gilbert stated the item would be brought forth for Council consideration in May.

5. Discussion regarding any regular session items.

The work session was adjourned at 6:58 p.m.

D. CALL REGULAR SESSION TO ORDER

The Mayor called the regular session to order at 7:06 p.m.

E. INVOCATION

F. PLEDGE OF ALLEGIANCE

G. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

1. Council Recognition of Students/Citizens/Staff

2. Children's Advocacy Center
Cheryl Aldridge with the Children's Advocacy Center (CAC) provided the Council with an update on the activities of the group as they related to Denton County and the Town of Argyle.
3. Disaster Exercise Plan (Operation Crossfire)
Chief Tackett and Lt. Muscle advised the Council on the full scale disaster drill being conducted in Argyle on June 29th. Chief Tackett stated that over 40 agencies were participating in the drill. Lt. Muscle stated planning for the drill had been going on for over a year and a half.
4. Residents of The Oaks Subdivision regarding traffic control
Chief Tackett introduced Brad Graham with The Oaks Subdivision. Mr. Graham described the traffic concerns expressed by residents of the subdivision and offered options. Mr. Graham stated the residents recommended the approval of a "No Left Turn" option on Cook Street and a "No Right Turn" on Myrtle for the 2016-2017 school year.
5. Town Council and Staff Presentations / Reports
 - a. Development Project Updates
Mr. Jones updated the Council on current development applications.
 - b. Quarterly Financial Update
Financial Director Kim Collins presented the FY 16 second quarter financials.

H. CONSENT AGENDA

1. Consider approval of the March 22, 2016 Town Council minutes.
2. Consider approval of the 2015 preferred access line rate based on the 2016 Consumer Price Index increase.
3. Consider approval of an Ordinance granting to Atmos Energy Corporation, A Texas and Virginia Corporation, its successors and assigns, a franchise to furnish, transport and supply gas in the Town of Argyle, Denton County, Texas for the transportation, delivery, sale, and distribution of gas in, out of, and through said Town for all purposes; providing for the payment of a fee or charge for the use of the streets, alleys and public ways; and providing that such fee shall be in lieu of other fees and charges, excepting ad valorem taxes; and repealing all previous Atmos Energy gas franchises. (*Ordinance 2016-07*)
4. Consider approval of a resolution initiating a rate case against Oncor as part of the Steering Committee of Cities Served by Oncor. (*Resolution 2016-05*)
5. Consider approval of a resolution nominating a candidate for appointment to the Denco Area 9-1-1 District Board of Managers. (*Resolution 2016-06*)

6. Consider approval of the appointment of Director of Public Works Troy Norton as the Authorized Contracting Party Representative for the Denton Creek Regional Wastewater System Advisory Committee of the Trinity River Authority and the appointment of Town Manager Paul Frederiksen as Alternate Representative to the Advisory Committee.

ACTION: Item H.1. through H.6.

APPROVED

Councilmember Hawkesworth moved to approve the consent agenda as presented. Councilmember Lamon seconded the motion. For: Unanimous. The motion passed 3 to 0.

I. NEW BUSINESS & PUBLIC HEARINGS:

1. Public Hearing: Conduct a public hearing and consider action regarding a request to create The Highlands of Argyle Public Improvement District No. 1 to undertake public improvements that confer a special benefit on property generally described as 111.41 contiguous acres within the corporate limits of the Town and generally located: (1) southwest of the Old Town area; (2) south of Old Justin Road; (3) West of U.S. Highway 377 along and adjacent to the Texas & Pacific Railroad Company; and (4) north of Harpole Road.

Economic Development Consultant Trent Petty reviewed the process of the public improvement district (PID) creation process.

Applicant Kosse Maykus presented the Council with a video of the concept plan for the development. Mr. Maykus noted that they had reverted back to the original submittal name of The Lakes of Argyle rather than Highlands of Argyle due to the fact that the name "Highlands" was being used in a nearby location. Mr. Maykus reviewed the benefits of creating the PID including park features, hike and bike trails and enhanced intersections.

Mayor Krueger opened the hearing to public comment.

Nobody chose to speak in favor of or in opposition to the proposed PID.

Mayor Krueger closed the public hearing.

ACTION: Item I.1.

APPROVED

Councilmember Lamon authorized the creation of The Highlands of Argyle Public Improvement District No. 1. Councilmember Teer seconded the motion. For: Unanimous. The motion passed 3 to 0. (*Resolution No. 2016-07*)

2. Public Hearing: Consider and take appropriate action on a zoning change request (MDP-16-001) from A (Agricultural District), SF-10 (Single Family Residential-10 District), OR (Office Retail), LR (Local Retail), and CF (Community Facilities) to VC-N, VC-T, and VC-MU Districts (Village Center Neighborhood, Transition, and Mixed Use Districts) for

Waterbrook, being approximately 105.35 acres of land, legally described as portions of S. Chambers Survey, Abstract No. 308, Tracts 47-50,55, 56, Chaney Addition, Block A, Lot 1 and 2, and Shady Oaks Estates 3, Block 1, Lot 1R; and being located at the southeast corner of HWY 377 and FM 407, located in the Town of Argyle, Denton County, Texas.

Mr. Jones reviewed the zoning change application as it relates to the Transportation Thoroughfare Plan, Form Based Code and Future Land Use Plan. Mr. Jones stated there were two existing churches on site. Mr. Jones stated the development called for 287 lots, of which, 77 are designated as patio homes. Mr. Jones stated the development was reviewed by the development consultants that drafted the Form Based Codes and the application is in compliance with both the Form Based Codes and the Comprehensive Plan.

Bret Pedigo with Terra Manna spoke on behalf of the applicant. Mr. Pedigo reviewed projects his firm has developed in the past. Mr. Pedigo stated the desire was to focus on the highest quality development with a focus on attention to detail. Mr. Pedigo stated they were working with Argyle Church of Christ to help relocate their facility to a new location. Mr. Pedigo stated that Oak Hills Community Church would be relocated to the southwest corner of the property. Mr. Pedigo stated the development would extend the S-1 sewer line to the property.

Mayor Krueger opened the hearing to public comment.

Those speaking in favor:

Eric Fields, 1001 Cochran Road
Reaves Moseley, 1817 Knight Street
Wayne Holt, 804 Harpole Road East

Those speaking in opposition:

Tamra Butler, 504 E Hickory Ridge Circle
George Marburger, 711 Robin Lane
Cheryl Niederer, 630 Sunset Court
Travis Lechowit, 841 Caublestone Hill
John Stafford, 402 FM 407
Jane Krzysiak, 332 Springfield Bend
Bryan Livingston, 558 Village Way
Sarah Davee, 9535 Spring Road
Erin Davis, 720 FM 407
Tom Irwin, 301 Mosswood Drive
Joan Delashaw, 242 Herriott Lane

Mayor Krueger closed the hearing to public comment.

The Council asked questions of the applicant related to fencing standards, lot locations, construction materials, potential retail tenants and traffic on Highway 377 and FM 407.

ACTION: Item I.2.

APPROVED

Councilmember Lamon moved approve the zoning change request subject to staff recommendations and subject to design of an articulated serpentine fencing that includes various elements inclusive of masonry, wrought iron and live screening along Frenchtown Road.

Councilmember Hawkesworth seconded the motion with the condition of eliminating wood fencing on the east side of property. Councilmember Lamon agreed to amend his motion to include the elimination of the wooden fencing on the eastern boundary.

The Council held discussion with regard to fencing standards on the eastern boundary of the project.

Councilmember Lamon amended his motion to exclude the prohibition of the wood fencing on the eastern boundary of the project. Councilmember Hawkesworth seconded the amendment.

Motion on the floor made by Councilmember Lamon and seconded by Councilmember Hawkesworth to approve the zoning change request subject to staff recommendations and subject to design of an articulated serpentine fencing that includes various elements inclusive of masonry, wrought iron and live screening along Frenchtown Road. For: Unanimous. The motion passed 3 to 0. (*Ordinance No. 2016-09*)

3. Public Hearing: Consider an ordinance amendment (ORD-16-001) regarding changes to Section 14.3.71-11 - Access and Frontage Standards for Residential Lots, Section C – Exceptions; of the Town of Argyle Town Development Standards.

Mr. Jones reviewed the proposed ordinance amendment.

Mayor Krueger opened the hearing to public comments.

Nobody spoke in favor of or in opposition to the proposed ordinance amendment.

Mayor Krueger closed the hearing to public comment

ACTION: Item H.4.

APPROVED

Councilmember moved approve the ordinance as presented. MH seconded the motion. For: Unanimous. The motion passed 3 to 0. (*Ordinance No. 2016-10*)

J. OLD BUSINESS

None.

K. 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.

Nobody chose to speak during the open forum.

L. EXECUTIVE SESSION

The Council adjourned into executive session at 10:28 p.m. PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

1. Section 551.071- Consultation with the Town Attorney regarding contemplated or 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. Section 551.087 – Deliberation regarding economic development negotiations; (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

3. Adjourn into Open Meeting
The Council reconvened into the open meeting at 10:54 p.m.

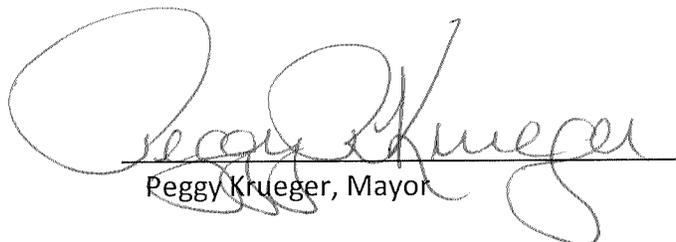
M. RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF for items to be placed on next meeting agenda

Councilmember Hawkesworth requested the Council review the Rules of Procedure to include removing the requirement that individuals speaking in favor of a project speak before those speaking in opposition.

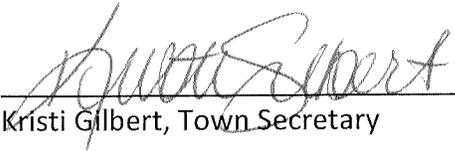
N. ADJOURN

The meeting was adjourned at 10:56 p.m.

Approved this 24th day of May, 2016.



Peggy Krueger, Mayor



Kristi Gilbert, Town Secretary

