



Town Council Work Session & Regular Meeting Minutes –June 28, 2016

The Regular Meeting and Work Session of the Town Council was held on **June 28, 2016** at 4:00 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 SPECIAL WORK SESSION TO ORDER

Mayor Krueger called the work session to order at 4:08 p.m.

Attendee Name	Title	Status	Arrived
Peggy Krueger	Mayor	Present	
Joey Hasty	Mayor Pro Tem	Present	
Kay Teer	Council Member, Place 2	Present	
Eric Lamon	Council Member, Place 3	Present	
Jay Haynes	Council Member, Place 4	Present	4:39 p.m.
Marla Hawkesworth	Council Member, Place 5	Present	

B. PRESENTATION

1. Presentation from staff concerning the formation of a tax increment reinvestment zone (TIRZ).

Economic Development Consultant Trent Petty presented information relating to the creation of a tax increment reinvestment zone (TIRZ). Mr. Petty stated a TIRZ is a tool to pay for public improvements over time and is completely controlled by the local taxing entities. Mr. Petty stated the benefits to creating a TIRZ include funding public improvements. Mr. Petty reviewed the process for creating a TIRZ.

C. CONVENE INTO EXECUTIVE SESSION:

The Town Council convened into executive session at 4:51 p.m. PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

1. 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).

2. Adjourn into Open Meeting.

The Council reconvened into open session at 6:01 p.m.

3. Discussion regarding any regular session items.

The Council discussed Item L.6., the development agreement for Waterbrook, and expressed the importance of including retail in the development. The Council discussed concerns related to not having a commitment from an anchor. Council discussed pulling the item from the consent agenda.

Brett Pedigo with Terra Manna, addressed the Council regarding concerns related to the Council specifying dates for tenants and encouraged the ability to allow the free market work through the process.

Mayor Krueger closed the special work session at 6:32 p.m.

The Mayor moved the order of the agenda to hold the budget work session at the end of the regular meeting.

REGULAR WORK SESSION AGENDA – 6:00 PM
(or immediately following the 5:00 pm work session)

E. CALL REGULAR WORK SESSION TO ORDER

The regular work session began at 6:33 p.m.

F. 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 by Frontier Communications regarding the transition of internet, television and phone services.

Pedro Correa, Senior Vice President and General Manager with Frontier Communications, spoke to the Council regarding the transition of services.

2. Presentation by Residents of The Oaks Subdivision regarding traffic control.

Town Manager Paul Frederiksen brought Council up to date on the status of the review of the traffic for The Oaks Subdivision. Brad Graham, resident of The Oaks Subdivision spoke to Council regarding traffic in the subdivision. Mr. Graham requested that signs be installed for the fall semester with the understanding that there would not be any enforcement.

Chief Tackett stated he was opposed to installing signs that were not enforceable. Council directed staff to move forward in drafting an ordinance prohibiting left hand turns for consideration at the August meeting.

3. Discussion regarding any regular session items.

Mayor Krueger adjourned the regular work session at 7:10 p.m.

REGULAR SESSION AGENDA – 7:00 PM
(or immediately following the 6:00 pm work session)

G. CALL REGULAR SESSION TO ORDER

Mayor Krueger called the regular session to order at 7:22 p.m.

H. INVOCATION

I. PLEDGE OF ALLEGIANCE

American Flag

Texas Flag: *“Honor the Texas Flag; I pledge allegiance to thee Texas, one state under God, one and indivisible”*

J. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS

1. Council Recognition of Students and Citizens
2. Town Council and Staff Presentations / Reports
 - a. Development Project Updates

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.

Terry Haefele, 117 Shadow Wood, stated she would like the Council to hold future discussions on the Town’s light standards as she has been having problems with the lights from the tennis courts at Argyle High School.

Jim Lightfoot, 550 E Hickory Hill Road, requested that the Town install additional signs regarding the new handsfree ordinance. Mr. Frederiksen stated that signs had been posted at all entries to town.

L. CONSENT AGENDA:

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

1. Consider approval of the May 24, 2016 Town Council minutes.
2. Consider approval of authorizing the Town Manager to negotiate a contract for branding and wayfinding services.
3. Consider approval of a resolution adopting Fiscal and Budgetary Policies for the Town of Argyle. *(Resolution No. 2016-10)*

4. Consider approval of a resolution authorizing the Town Manager to execute and accept the Texas Parks and Wildlife Department (TPWD) Local Park Grant Project Agreement and associated documents outlining the terms and conditions for acceptance of the Non-Urban Outdoor Recreation Grant award for the Argyle Community Park. *(Resolution No. 2016-11, CLA 20160604)*
5. Consider approval of a resolution authorizing the Town Manager to execute an agreement with Dunkin, Sims, Stoffels, Inc. (DSS) to prepare Construction Documents and Specifications for the Argyle Community Park. *(Resolution No. 2016-12, CLA 20160602)*
6. Consider approval of a resolution authorizing the Town Manager to execute a Development Agreement by and between the Town and Terra Manna, LLC for the Waterbrook development.
7. Consider approval of a resolution accepting for filing a petition for the establishment of the Waterbrook of Argyle Public Improvement District No. 2 and calling a public hearing to consider the advisability and feasibility of establishing the district. *(Resolution 2016-14)*

ACTION: Items L.1. through L.5 and L.7.

APPROVED

Mayor Pro Tem Hasty moved to approve consent agenda Items L.1. through L.5. and L.7. Councilmember Hawkesworth seconded the motion. For: Unanimous. The motion passed 5 to 0.

The Mayor stated that Item L.6. would be consider at the end of the meeting.

M. NEW BUSINESS & PUBLIC HEARINGS:

Mayor Krueger recused herself from Items M.1. and M.2. as she was neighbors with both property owners.

Mayor Pro Tem Hasty took the chair and moved to Item M.2.

2. Public Hearing: Consider and take appropriate action on a zoning change request (Z-16-004) from OR (Office Retail) to SF-2.5 (Single Family Residential Estate-2.5 District) on approximately 2.83 acres of land, legally described as Lot 1, Block A, Ward Addition and being located at 211 E. Harpole Rd, Town of Argyle, Denton County, Texas.

Mr. Jones reviewed the zoning change application and stated that the applicant is proposing a zoning change from OR (Office Retail) to SF-2.5 (Single Family Residential Estate-2.5 District). Mr. Jones stated the property has been developed as a single family residence for several years. Mr. Jones stated the application was in

compliance with the comprehensive plan and the Planning and Zoning Commission unanimously recommended approval.

Robert Ward, applicant, stated he was requesting the zoning change so he could sell his home.

Mayor Pro Tem Hasty opened the hearing to public comment.

Nobody was signed in to speak in favor of or in opposition to the proposed zoning change.

ACTION: Item M.2.

APPROVED

Councilmember Hawkesworth moved to accept the zoning change request from OR to SF 2.5. Mayor Pro Tem Hasty seconded the motion. For: Unanimous. The motion passed 5 to 0. (*Ordinance 2016-14*)

1. Public Hearing: Consider and take appropriate action on a zoning change request (Z-16-002) from A (Agricultural District), SF-1 (Single Family Residential 1-Acre Estate District), and OR (Office Retail) to PD-002 (Planned Development District) for Trailhead Ranch, being approximately 69.2 acres of land, portions of which are legally described as White Rock Farm Addition, Block A, Lot 1, Lot 2R (north portion), Lot 2R (south portion), Gazaway Survey, Tracts 22 and 22a, Tracts 15 and 15a, and Tract 14; and being located on the north side of Harpole Rd., approximately 1,050 f.t. east of HWY 377, located in the Town of Argyle, Denton County, Texas.

Mr. Jones reviewed the zoning change application and stated the applicant is proposing a planned development district for a single-family subdivision on approximately 69 acres to include 153 single-family homes with an overall density of 2.2 units per acre with 20.7 acres of open space, portions of which will be maintained privately and some being dedicated to the Town. Mr. Jones stated the Future Land Use map called for T-3 low density transition and C-3 Centers Corridor and the proposed plan was in general compliance with the Future Land Use Plan. Mr. Jones stated the Planning and Zoning Commission unanimously recommended denial of the application at their June meeting.

Melissa Lindelow, attorney for the applicant, reviewed a proposed change to the plan to include a right-of-way easement tying the subdivision to Highway 377 to alleviate traffic on Harpole Road.

Thomas Fletcher, with Kimley Horn, reviewed the presentation with the Council. Mr. Fletcher provided information on tree protection, drainage studies, traffic studies, proposed access to Highway 377, house size, home values and open spaces.

Mayor Pro Tem Hasty opened the hearing to public comment.

The following individuals spoke during the public hearing:

James Lightfoot, 550 E Harpole Road – Opposed
Vicki Watts, 898 E Harpole Road – Opposed
Richard Spies, 116 Shadow Wood Drive – Opposed
Steve Siggins, 100 Shadow Wood Drive – Opposed
Cyndi Hermann, 217 Sam Davis Road – Opposed
Terry Haefele, 117 Shadow Wood Drive - Opposed
Tom Irwin, 301 Mosswood Drive – Opposed
Lars Peterson, 301 Shadow Wood Drive – Opposed
Ritchie Deffenbaugh, 200 Shadow Wood Drive – Opposed
Jon Donahue, 116 Morning Dove Court – Opposed
Jerry Hill, 208 Shadow Wood Drive – Opposed
Jeannie Young, 935 Harpole Road – Opposed
Jan Wooley, 200 Morning Dove Court – Opposed
Tom Donovan, 300 Shadow Wood Drive – Opposed
Maria Nielsen, 309 Shadow Wood Drive – Opposed
Ralph Smith, 108 Morning Dove Court – Opposed
Sabrina Holiday, 116 Shadow Wood Drive – Opposed

Mayor Pro Tem Hasty closed the hearing to public comment.

Councilmember Hawkesworth stated that she did not feel that it was worth the developer's time to take the proposed changes back to Planning and Zoning Commission. Councilmember Hawkesworth stated the density was not acceptable.

Mayor Pro Tem Hasty stated he felt there had been enough high density developments approved and did not recommend that the proposed changes be submitted to the Planning and Zoning Commission.

Councilmember Haynes stated that he opposed the development, but was not opposed to a lower density plan.

ACTION: Item M.1.

DENIED

Councilmember Lamon moved to deny the zoning change application. Councilmember Hawkesworth seconded the motion. For: Unanimous. The motion passed 5 to 0.

Mayor Krueger returned to the dias.

3. Consider and take appropriate action on a Site Plan Amendment (SP-16-002) for Liberty Christian School; regarding a special exception for a scoreboard located at the football stadium. Located at 1301 S. HWY 377, Town of Argyle, Denton County, Texas.

Mr. Jones stated Liberty Christian School was requesting an amendment to their site plan for consideration of a special exception to allow for a scoreboard to be located at their football stadium. Mr. Jones stated the applicant was proposing an approximately 551 square foot video/scoreboard being approximately 34' tall and 18' wide. Mr. Jones stated the Planning and Zoning Commission unanimously recommended approval of the amended site plan.

Ty Welborn with Liberty Christian addressed Council regarding the proposed request. Mr. Welborn stated that the video department run by the students will provide the ability to show replays and stream video.

ACTION: Item M.3.

APPROVED

Councilmember Lamon moved to approve the site plan amendment. Councilmember Haynes seconded the motion. For: Unanimous. The motion passed 5 to 0.

4. Consider approval of a resolution appointing a member to the Crime Control and Prevention District to fill an unexpired term.

Town Secretary Kristi Gilbert stated the Crime Control and Prevention District (CCPD) had a vacancy created as the result of the resignation of Marcus Doyle. Ms. Gilbert stated the CCPD unanimously recommended the appointment of Patti Smith to the unexpired term of Marcus Doyle at their last meeting.

ACTION: Item M.4.

APPROVED

Councilmember Hasty moved to approve a resolution appointing Patti Smith to the Crime Control and Prevention District. Councilmember Teer seconded the motion. For: Unanimous. The motion passed 5 to 0. (*Resolution 2016-15*)

5. Consider approval of a resolution appointing a representative to the Argyle Fire District.

Town Secretary Kristi Gilbert stated that the Town had advertised seeking individuals interested in being appointed as the Town's representative to the Argyle Fire District Board. Ms. Gilbert stated that two applications had been received, one from Aubrey Winfrey and the second from Chris Dominguez. Ms. Gilbert stated that the vacancy was created as a result of Bob Swanbeck's resignation when he relocated out of the town limits. Ms. Gilbert stated that Mr. Dominguez was currently serving on the Economic Development Corporation and Mr. Swanbeck recommended Ms. Winfrey to serve as his replacement.

ACTION: Item M.5.

APPROVED

Councilmember Hawkesworth moved to appoint Chris Dominguez representative to the Argyle Fire District Board. Councilmember Lamon seconded the motion. For: Unanimous. The motion passed 5 to 0. (*Resolution 2016-13*)

6. Consider an ordinance approving a certificate of abandonment for a portion of the Denton Street right-of-way.

Councilmember Teer filed a Conflict of Interest statement and left the dias prior to discussion of Item M.6.

Mr. Jones reviewed the request to abandon an approximate 12' by 130' section of Denton Street right-of-way totaling approximately 0.036 acre located at the southeast corner of Denton Street and Highway 377. Mr. Jones stated the Meadows Building projects into the Denton Street right-of-way. Mr. Jones stated Oncor would require the relocation of the overhead power lines to the south of the building that would interfere with the limited parking. Mr. Jones stated the Development Review Committee met to consider the request and recommended denial.

Applicant Phil Shirley stated he was requesting the abandonment to allow for the building to conform. Mr. Shirley stated that he had requested an overhead easement from Oncor, which had been denied.

ACTION: Item M.6.

DENIED

Mayor Pro Tem Hasty moved to deny the request to abandon right-of-way and direct staff to work with the applicant on an encroachment agreement. Councilmember Lamon seconded the motion. For: Hasty, Lamon, Haynes and Hawkesworth. Against: None. Abstained: Teer. The motion passed 4-0-1.

N. OLD BUSINESS:

None

ITEM L.6.

Consider approval of a resolution authorizing the Town Manager to execute a Development Agreement by and between the Town and Terra Manna, LLC for the Waterbrook development.

ACTION: Item L.6.

TABLED

Councilmember Lamon moved to table consideration of the development agreement and direct the Town Manager to work with the developer to draft additional language related to the retail and commercial component of the project and bring it back to the Council as soon as possible. Mayor Pro Tem Hasty seconded the motion. For: Unanimous. The motion passed 5 to 0.

O. RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA *(discussion under this item must be limited to whether or not the Council wishes to include a potential agenda item on a future agenda)*

Councilmember Hawkesworth asked for a review of the Town's light standards.

The Mayor adjourned the regular meeting and adjourned into the budget work session at 9:15 p.m.

BUDGET WORK SESSION AGENDA

D. CALL BUDGET WORK SESSION TO ORDER

Mayor Krueger called the budget work session to order.

1. Discussion regarding the FY16 Re-Estimated Budget and FY 17 Proposed Budget.
Mr. Frederiksen reviewed accomplishments for FY16. Finance Director Kim Collins reviewed the FY16 re-estimates and the proposed budget. Town Secretary Kristi Gilbert reviewed salary information with the Council.
2. Discuss Fiscal and Budgetary Policies for the Town of Argyle.
No discussion was held on this item.

P. ADJOURN

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

Approved this 9th day of August, 2016.


Reggy Krueger, Mayor


Kristi Gilbert, Town Secretary

