



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

The Regular Meeting of the Town Council was held on **August 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 6:00 p.m.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Peggy Krueger	Mayor	Present	
Joey Hasty	Mayor Pro Tem	Present	
Kay Teer	Council Member, Place 2	Present	6:02 p.m.
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. Discussion regarding the FY16 Re-Estimated Budget and FY 17 Proposed Budget and tax rate.

Town Manager Paul Frederiksen stated that the Council would be conducting a public hearing on the tax rate during the regular agenda.

2. Discussion regarding Section 14.3.76 of the Town of Argyle Town Development Standards regarding lighting and glare standards.

Director of Community Development Matt Jones presented information on the Town's lighting standards to the Council. Mr. Jones stated the Town's standards were comparable with Highland Village and Roanoke and only 0.05 foot candles higher than Trophy Club and Southlake. Mr. Jones explained the process used to measure the foot candles and insure compliance with the ordinance requirements.

Mayor Krueger allowed Terry Haefele an opportunity to speak. Ms. Haefele expressed concerns regarding lighting in the area of the tennis courts for Argyle High School. Mr. Jones stated that the property in question had been inspected by a third party inspector that stated that the school property is in compliance.

3. Discussion regarding a boundary adjustment along Crawford Road.

Mr. Frederiksen stated that the Town had been contacted by staff from the City of Denton regarding the boundaries between Denton and Argyle as it relates to Crawford Road. Mr. Frederiksen stated staff was seeking policy direction prior to discussions with the City of Denton.

4. Discussion regarding any regular session items.

The work session was adjourned at 7:05 pm.

**C. CALL REGULAR SESSION TO ORDER**

Mayor Krueger called the regular session to order at 7:12 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

Mr. Frederiksen updated the Council on one of the TML Committee's for the upcoming legislative session.

**G. 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.

Alex Chrestopoulos, 413 Santa Fe Trail – Mr. Chrestopoulos spoke on behalf of his homeowner's association regarding issues related to the status of curbs and sidewalks in his neighborhood. Mr. Chrestopoulos also expressed concerns relating to property at the end of Cherokee Trail.

Wayne Fitch, 613 Charyl Lynn – Mr. Fitch stated that he was having difficulties with drainage on his property. Mr. Fitch reviewed pictures related to the history of drainage problems on his property.

**H. CONSENT AGENDA:**

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

1. Consider approval of a resolution approving an agreement for Animal Control Services with All American Dogs (AAD), for FY 2016-2017 and authorizing the Town Manager to

execute all documents related on behalf of the Town of Argyle. (*Resolution 2016-21, CLA 20160802*)

2. Consider approval of an Interlocal Agreement Public Safety Application Support and Maintenance with the Denton County Information and Technology Department and authorize the Town Manager to execute said agreement. (Renewal of existing contract). (*CLA 20160803*)

**ACTION: Item H.1. and H.2.**

**APPROVED**

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

**I. NEW BUSINESS & PUBLIC HEARINGS:**

1. Public Hearing: Hold a public hearing on a proposed property tax rate of \$0.39750 per \$100 assessed valuation for the tax year 2016 (Fiscal Year 2016 – 2017) for the Town of Argyle, which would increase total tax revenues from properties on the tax roll in the preceding year by 0.80% and set September 13, 2016 at 6:00 as the date and time for the second public hearing thereon. (Total tax rate for tax year 2016 remains unchanged from 2015 at \$0.3975 per \$100 of assessed value).

Finance Director Kim Collins reviewed the proposed property tax rate. Ms. Collins stated the proposed tax rate is the same as last years of \$0.3975, which raises total ad valorem revenue of \$2,124,541. Ms. Collins stated that the proposed tax rate raises \$81,097 more in ad valorem revenue than last year, of which, \$59,930 is from new value added to the tax roll. Ms. Collins stated a second public hearing on the proposed tax rate increase at the September 13, 2016 meeting.

Mayor Krueger opened the hearing to public comment. No individuals were signed in to speak. Mayor Krueger closed the hearing to public comment.

**ACTION: Item I.1.**

**NO ACTION**

No action was taken on Item I.1.

2. Public Hearing: Consider and take appropriate action on a specific use permit request (SUP-16-002) to allow for a Contractor's Office/Sales (No Outside Storage including Vehicles), being approximately 2.00 acres; being described as S. Chambers Survey, Tract 20, Town of Argyle, Denton County, Texas; and being located at 409 US 377.

Mr. Frederiksen advised the Council that staff discovered the applicant had vacated the property, therefore there was no need for the specific use permit.

Mayor Krueger opened the hearing to public comment. No one was signed in to speak. Mayor Krueger closed the hearing to public comment.

**ACTION: Item I.2.**

**DENIED**

Mayor Pro Tem Hasty moved to deny the specific use permit request. Councilmember Haynes seconded the motion. For: Unanimous. The motion passed 5 to 0.

3. Public Hearing: Consider and take appropriate action on a zoning change request (Z-16-005) from SF-2.5 (Single Family Residential Estate 2.5 District) to PD (Planned Development) for Belmont Ridge, being approximately 61.58 acres; being described as Oak Tree Trails Addition, Lots 1-2, Town of Argyle, Denton County, Texas; and being located on the North side of E. Hickory Hill Road. **(Note: The applicant has withdrawn their request for a zoning change. No public hearing will be conducted, however, the Council may take action regarding the acceptance of the withdrawal).**

**ACTION: Item I.3.**

**ACCEPT WITHDRAWAL**

Mayor Pro Tem Hasty moved to accept the applicant's withdrawal of the zoning change request. Councilmember Hawkesworth seconded the motion. For: Unanimous. The motion passed 5 to 0.

4. Public Hearing: Conduct a public hearing and consider action authorizing the creation of Waterbrook of Argyle Public Improvement District No. 2 to undertake public improvements that confer a special benefit on property generally described as 101.350 contiguous acres within the corporate limits of the Town and generally located: (1) east of U.S. Highway 377; (2) south of FM 407; and (3) north of Frenchtown Road.

Economic Development Consultant Trent Petty reviewed the application and steps in creating a public improvement district with the Council.

Mayor Krueger opened the hearing to public comment. No individuals were signed in to speak. Mayor Krueger closed the hearing to public comment.

**ACTION: Item I.4.**

**APPROVED**

Councilmember Haynes moved to approve a resolution authorizing the creation of the Waterbrook of Argyle Public Improvement District No. 2. Councilmember Hawkesworth seconded the motion. For: Unanimous. The motion passed 5 to 0.

5. Consider and take appropriate action on a site plan for a proposed single family residential residence, located on at 609 Walnut Street; being zoned OT-2 (Old Town 2 District); and being located in the Town of Argyle, Denton County, Texas.

Mr. Jones stated the site plan application is to allow for increased square-footage for a total of 3,300 square feet of living area and a three car garage flush with the front of the house.

Councilmember Hawkesworth inquired as to the size of the garage. The applicant stated that the proposed house design was actually a two car garage, the three car request was inadvertently left in from a previous submittal.

**ACTION: Item I.5.**

**APPROVED**

Councilmember Lamon moved to approve the site plan for a proposed single family residence at 609 Walnut Street. Mayor Pro Tem Hasty seconded the motion. For: Unanimous. The motion passed 5 to 0.

6. Consider and take appropriate action on a Site Plan (SP-16-004) for CVS Pharmacy; being an approximately 14,600 SQ FT Pharmacy; described as Schroetke Addition, Block A, Lot 1, Town of Argyle, Denton County, Texas; and being located at 111 FM 407.

Mr. Jones stated the applicant for CVS had resubmitted an application for site plan approval within the Office Retail zoning designation. Mr. Jones stated the property is along FM 407 and the applicant negotiated access to the north to provide for cross access, along with stub-outs to the east for future development. Mr. Jones stated the application met the setback, parking, drive-thru, height, lot coverage and landscaping requirements. Mr. Jones stated the application did not provide for additional tree plantings due to overhead electrical easement issues, however, the applicant would be paying into the tree mitigation fund. Mr. Jones stated the Planning and Zoning Commission unanimously approved the site plan request.

The Council held discussion with regard to traffic safety internally within the subject parking lot and the parking lot to the north. Discussion was also held with regard to site lighting and fence design standards.

Lance VanZant, representing the applicant, addressed questions the Council had with regard to internal traffic flow. Mr. VanZant stated the applicant was requesting a lighting exception for the minimum average due to front entrance lighting and lighting at the loading dock.

**ACTION: Item I.6.**

**APPROVED**

Mayor Pro Tem Hasty moved to approve a site plan for CVS Pharmacy on property described as Schroetke Addition, Block A, Lot 1 to include cedar capped fencing with metal capped posts and a denial of the waiver for the lighting standards. Councilmember Hawkesworth seconded the motion. For: Unanimous. The motion passed 5 to 0.

7. Consider and take appropriate action on a site plan (SP-16-006) for The Lakes of Argyle, a proposed subdivision on an approximately 111.36 acre tract of land in the T. White Survey, Abstract No. 1384, Tracts 20 and 21; Vineyard Hills Subdivision, Block 1, Lots 3, 4, and 5; Vineyard Hills Subdivision No. 2, Block A, Lots 2R and 3; and Restless Acres, Block A, Lot 1; and being located on the west side of US Highway 377 and the Union

Pacific Railroad, south of Old Justin Road and north of Harpole Road West, located in the Town of Argyle, Denton County, Texas.

Mayor Pro Tem Hasty recused himself due to a conflict of interest.

Mr. Jones reviewed the site plan including landscaping, fencing and hardscape plans.

Kosse Maykus, applicant, reviewed the site plan and associated documents. Mr. Maykus identified areas where a pavilion, arbor and fishing piers are proposed.

Council held discussions with regard to stamped concrete, screening of railroad tracks, screening of gas well site and fishing pier materials.

**ACTION: Item I.7.**

**APPROVED**

Councilmember Lamon moved to approve a site plan for The Lakes of Argyle. Councilmember Haynes seconded the motion. For: Teer, Lamon, Haynes and Hawkesworth. Opposed: None. Abstained: Hasty. The motion passed 4-0-1.

Mayor Pro Tem Hasty returned to his seat on the dias.

**J. OLD BUSINESS:**

1. Consider and take appropriate action on an ordinance amending the Chapter 12, Article 12.05 of the Code of Ordinances relating to traffic control devices.

Chief Tackett stated the ordinance was drafted at the request of the Council. Argyle ISD Superintendent Telena Wright stated she was speaking on behalf of the district. Dr. Wright stated that there were busses that would be impacted by the change. Dr. Wright stated Argyle ISD Chief Cairney had conducted traffic counts on the property during the previous school year. Dr. Wright stated she did not support the request for the No Left Turn sign. Chief Cairney stated he did not believe the request would be effective and would also negatively impact the resident of The Oaks.

Brad Graham, XXX, stated previous counts had indicated over 900 traffic counts per day. Mr. Graham suggested that busses and residents be allowed to make a left turn on to Cook Street.

Mayor Pro Tem Hasty moved to deny the ordinance amendment. The motion died for a lack of a second.

**ACTION: Item J.1.**

**TABLED**

Councilmember Haynes moved to table consideration of the ordinance amending. Mayor Pro Tem Hasty seconded the motion. For: Unanimous. The motion passed 5 to 0.

**K. CONVENE INTO EXECUTIVE SESSION:**

The Council did not convene into executive session.

**L. 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 Teer requested the Council look at reverse setbacks from gas wells.

Mayor Krueger requested discussion on parking along residential streets.

Councilmember Hawkesworth requested staff provide information on ditches needing to be cleaned out and Town liability as it relates to sidewalks.

**M. ADJOURN**

Mayor Krueger adjourned the meeting at 9:20 p.m.

Approved this 13<sup>th</sup> day of September, 2016.

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Peggy Krueger, Mayor

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Kristi Gilbert, Town Secretary