



Town Council Work Session & Regular Meeting Minutes – October 25, 2016

The Regular Meeting of the Town Council was held on **October 25, 2016** at 7:00 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 REGULAR SESSION TO ORDER

Mayor Krueger called the regular session to order at 7:06 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	
Marla Hawkesworth	Council Member, Place 5	Present	

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

1. Council Recognition of Students and Citizens
Town Manager Paul Frederiksen presented Angie Manglaris with an Argyle Commitment Coin for displaying the core value of *Continuous Improvement*, both at work and in conjunction with her completion of her recent Ironman race.
2. Town Council and Staff Presentations / Reports
 - a. Development Project Updates
 - b. 4th Quarter FY 16 Financial Report

E. 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.

No one was signed in to speak.

F. 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 September 13, 2016 Regular Meeting minutes.
2. Consider approval of the September 27, 2016 Regular Meeting minutes.
3. Consider approval of a resolution establishing the regular Council meetings for the 2017 calendar year. *(Resolution No. 2016-28)*
4. Consider approval of a resolution designating the official newspaper of the Town of Argyle. *(Resolution No. 2016-29)*
5. Consider approval of an ordinance amending Chapter 12 of the Code of Ordinances to amend regulations for parking, standing or stopping. *(Ordinance No. 2016-19)*
6. Consider approval of a resolution memorializing the annual review and adoption of the Town's Investment Policy in compliance with the Public Funds Investment Act. *(Resolution No. 2016-30)*
7. Consider approval of the Semiannual Impact Fee Report from the Capital Improvements Advisory Committee (CIAC).

Councilmember Haynes requested Item F.5. be removed from the consent agenda.

ACTION: Item F.1. – F.4., F.6 and F.7

APPROVED

Mayor Pro Tem Hasty moved to approve the consent agenda items F.1 through F.4., F.6., and F.7. Councilmember Teer seconded the motion. For: Unanimous. The motion passed 5 to 0.

In regards to Item F.5., Councilmember Haynes inquired as to the requirements for parking trucks. Chief Tackett stated that the definition of a truck was a vehicle of 10,001 pounds or more. Councilmember Haynes asked the definition be modified to clarify commercial vehicles.

ACTION: Item F.5.

APPROVED

Councilmember Haynes moved to approve the ordinance amending regulations for parking, with further defining trucks to include commercial vehicles requiring a Class A driver's license. Councilmember Hawkesworth seconded the motion. For: Unanimous. The motion passed 5 to 0.

G. NEW BUSINESS & PUBLIC HEARINGS:

1. PUBLIC HEARING: Consider and take appropriate action on an ordinance amendment (ORD-16-005) regarding Section 14.7.29 of the Town of Argyle Town Development Standards regarding general drilling and production standards for oil and gas drilling.

Councilmember Teer recused herself due to a conflict of interest.

Mayor Krueger opened the hearing to public comment.

Community Development Director Matt Jones stated the proposed ordinance would provide a requirement that no new residential structure can be constructed within 300 feet of an existing well. Mr. Jones stated the current ordinance only states that a well cannot be constructed within 800 feet of a structure and does not provide for a reverse setback.

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

ACTION: Item G.1.

APPROVED

Councilmember Hawkesworth moved to approve the ordinance as presented. Mayor Pro Tem Hasty seconded the motion. For: Hasty, Lamon, Haynes and Hawkesworth. Against: None. Abstained: Teer. The motion passed 4-0-1. (*Ordinance 2016-20*)

2. Consider and take appropriate action on a preliminary plat (PP-16-003) for Liberty Pointe, a proposed subdivision on an approximately 29.834 acre tract of land in the G. Cardinas Survey, Abstract No. 216, located in the Town of Argyle's Extra Territorial Jurisdiction (ETJ), Denton County, Texas; and being located on the East side of US 377, South of Frenchtown Road, and South of Argyle's Town limits.

Councilmember Lamon asked the Town Attorney to convene into executive session to seek legal counsel.

The Council convened into executive session pursuant to Chapter 551.071 of the Texas Government Code to consult with the Town Attorney and receive legal advice in regard to Item G.2. at 7:22 p.m.

The Council reconvened into open session at 7:41 p.m. No action was taken in executive session.

Mr. Jones stated the project was located within the Town's ETJ and is designated as C2 on the Town's Future Land Use Plan which is generally residential property. Mr. Jones stated that the applicant was seeking approval of a plat for 23 lots with a one acre lot minimum. Mr. Jones stated the applicant was also seeking two variances, the first was

for a four foot variance from the paving width requirement of 30 feet and the second was for the minimum lot size of on-site sanitary sewer service.

Applicant Lee Hughes stated that he was removing the request for the variance from the street paving requirements. Mr. Hughes stated the only request was for a variance on the lot size for the on-site aerobic systems even though he felt a variance was not required. Mr. Hughes stated there appeared to be a conflict in the Town's regulations.

Jim Harris, speaking on behalf of Mr. Hughes, stated he was of the opinion that, according to the Town's regulations, a septic system could be installed on a half (1/2) acre lot within the Town limits, however, in the Town's ETJ the requirement is two and a half (2.5) acres with no documentation indicating a need due to health, safety or welfare concerns.

Von Beougher, with G&A Consultants, stated that the variance request for the street width had been withdrawn. Mr. Beougher stated that the applicant was working with Atmos to enhance the proposed 60 to 80 foot gas line easement with landscaping and other forms of beautification acceptable to Atmos.

Council asked questions with regard to access to surround properties, backyard designs, entryway features and a limited purpose annexation.

ACTION: Item G.2.

APPROVED

Mayor Pro Tem Hasty moved to approve the preliminary plat with the variance for the 2.5 acre requirement for sewage/septic system. Councilmember Teer seconded the motion. For: Hasty, Teer and Hawkesworth. Against: Lamon and Haynes. Town Attorney Matthew Boyle stated that the motion carried as the supermajority requirement is not applicable to subdivision issues, in spite of the Planning and Zoning Commission denial. The motion passed 3 to 2.

3. Consider and take appropriate action on a final plat (FP-16-009) for Sunset View Addition, being approximately 1.99 acres of land in the Patrick Rock Survey, Abstract No. 1063; and being located at 452 C Taylor Road, Town of Argyle, Denton County, Texas.

Mr. Jones stated that the lot had a single family residence on it and the owner is constructing a new single family residence on the property. Mr. Jones stated that a variance to the lot size was being requested. Staff identified that the property had not been platted, despite a permit being issued in December of 2014. Mr. Jones stated that the property owner did not have any additional adjacent land to add to the 1.99 acres.

ACTION: Item G.3.

APPROVED

Councilmember Lamon moved to accept the final plat. Councilmember Haynes seconded the motion. For: Unanimous. The motion passed 5 to 0.

4. Discuss and consider approval of resolutions appointing members to the Argyle Economic Development Corporation and the Planning and Zoning Commission.

Town Secretary Kristi Gilbert reviewed the submitted applications with the Town Council.

ACTION: Item G.4.

APPOINTMENTS MADE

Councilmember Hawkesworth moved to reappoint Brad Lowry and Brandon Moore and to appoint Justin Jenson to the Economic Development Corporation and to appoint Erinn Davis and continue with the appointment of Dave Salisbury as Advisory Committee members to the Economic Development Corporation. Councilmember Lamson seconded the motion. For: Unanimous. The motion passed 5 to 0. *(Resolution No. 2016-31)*

Councilmember Hawkesworth moved to reappoint Paul Walker and to appoint Eric Fields, Richard Spies and Wayne Holt to the Planning and Zoning Commission. Councilmember Lamson seconded the motion. For: Unanimous. The motion passed 5 to 0. *(Resolution No. 2016-32)*

H. OLD BUSINESS:

None

I. CONVENE INTO EXECUTIVE SESSION:

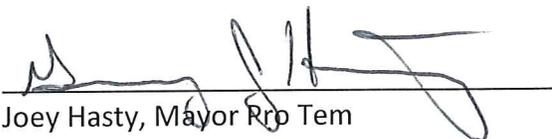
The Council did not convene into executive session.

J. 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)*

None.

K. ADJOURN

Mayor Krueger adjourned the meeting at 8:49 p.m.


Joey Hasty, Mayor Pro Tem


Kristi Gilbert, Town Secretary

