

APRIL 20, 2020

SPECIAL TOWN COUNCIL MEETING OF THE TOWN OF ARGYLE, TEXAS, HELD ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

MAYOR	DONALD MOSER
MAYOR PRO TEM, PLACE 4	CYNTHIA HERMANN
COUNCIL MEMBER PLACE 1	BRYAN LIVINGSTON
COUNCIL MEMBER PLACE 2	RONALD SCHMIDT
COUNCIL MEMBER PLACE 3	SHERRI MYERS
COUNCIL MEMBER PLACE 5	MARLA HAWKESWORTH
INTERIM TOWN ADMINISTRATOR	JEFFREY HOWELL
TOWN SECRETARY	ERIKA MCCOMIS
TOWN ATTORNEY	PATRICIA ADAMS
COMMUNITY DEVELOPMENT DIRECTOR	DAVID HAWKINS
DIRECTOR OF PUBLIC WORKS	TROY NORTON
DIRECTOR OF FINANCE	KIM COLLINS
CHIEF OF POLICE	EMMITT JACKSON
DEVELOPMENT COORDINATOR	ANGIE MANGLARIS

Council and Staff participated in this meeting remotely in compliance with the Texas Open Meetings Act or under the provisions provided by the Governor of Texas in conjunction with the Declaration of Disaster enacted March 13, 2020.

A. CALL MEETING TO ORDER

Mayor Donald Moser called the special meeting to order at 6:02 p.m.

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

American Flag

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

D. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

1. Town Council and Staff Presentations / Reports

1. Development Project Updates – Development Director David Hawkins briefed the Council on the following projects.

- a. Rapid Med Site Plan
- b. Avalon at Argyle Phase I
2. Town Manager Updates – Interim Town Administrator, Jeffrey Howell, updated Council on the progress of the Crawford Road project. Mr. Howell informed Council that Staff has put together a list of projects and purchases that can be put on hold until the financial impact of COVID-19 is determined.
 - a. Crawford Road
 - b. FY 2019-2020 Budget
3. Financial Report(s) – Director of Finance, Kim Collins, gave Council a brief overview of the Town’s quarterly financials.
 - a. Quarterly Financial Report

E. OPEN FORUM:

This is an opportunity for the public to address the Town Council on any matter, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Each speaker is limited to five (5) minutes, unless the speaker requires the assistance of a translator, in which case the speaker is limited to ten (10) minutes, in accordance with applicable law. To address the Council, speakers must sign in prior to the start of the meeting. Each speaker shall approach the podium and state his/her name and address before speaking. Speakers shall address the governing body with civility that is conducive to appropriate public discussion. Speakers can address only the governing body as a whole and not individual city officials or employees. The public cannot speak from the gallery but only from the podium. Per the Texas Open Meetings Act, the Town Council is prohibited from deliberating or taking action on any matter not listed on the agenda. The Council may only: (1) make a statement of fact regarding the item; (2) make a recitation of existing policy regarding the item; or (3) propose the item be placed on a future agenda, in accordance with Council adopted procedures.

No speakers.

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 March 24, 2020, regular Town Council meeting minutes as recorded.
2. Consider approval of the April 13, 2020, special Town Council meeting minutes as recorded.
3. Consider approval of a resolution amending the Leave Policy of the Town of Argyle Employee Handbook.
4. Consider approval of a resolution denying the rate change application and consolidation proposed by Oncor Electric Delivery Company LLC.

5. Consider approval of a change to the Planning and Zoning Commission meeting dates to the first Wednesday of each month beginning in June 2020.
6. Consider approval of an administrative policy regarding Employee Emergency Event Leave Procedures.

ACTION: Item F.1. through F.5.

APPROVED

Councilmember Hawkesworth moved to approve consent agenda items F1 through F5 as presented. Councilmember Myers seconded the motion. The motion passed 5-0.

Item F.6. – At the recommendation of the Town Attorney, this item was removed from the consent agenda and will be brought back at a future meeting.

G. PUBLIC HEARINGS:

1. Consider Ordinance 2020-10 approving the 2020 Wastewater and Roadway Impact Fee Study, Land Use Assumptions, Wastewater and Roadway Capital Improvements Plans, and the Wastewater and Roadway Impact Fee Rates (**Continued from March 24, 2020, Regular Council Meeting**).

ACTION: Item G.1.

APPROVED

Councilmember Livingston moved to approve Ordinance 2020-10 as presented to Council on April 20, 2020, approving the Ten-Year Land Use Assumptions and Capital Improvements Plans of Argyle and amending the Impact Fees with the amendment that the updated Impact Fees shall not take effect for new development being issued a building permit until January 1, 2021. Councilmember Myers seconded the motion. The motion passed 5-0.

H. ACTION ITEMS:

1. Consider and take appropriate action on a Site Plan Amendment (SP-20-003) for Fifth Gear Automotive, regarding a special exception to the Town Development Standards, Section 14.4.14 - Wall Signs, being located at 8955 US HWY 377, Town of Argyle Extra-Territorial Jurisdiction, Denton County, Texas.

ACTION: Item H.1.

APPROVED

Councilmember Schmidt moved to approve a Site Plan Amendment (SP-20-003) for Fifth Gear Automotive, regarding a special exception to the Town Development Standards, Section 14.4.14 - Wall Signs, being located at 8955 US HWY 377, Town of Argyle Extra-Territorial Jurisdiction, Denton County, Texas with the Planning and Zoning recommendation that the applicant situates the proposed sign on the building so that it is level with existing signage. Councilmember Hawkesworth seconded the motion. The motion passed 5-0.

2. Consider and take appropriate action on a Site Plan (SP-20-002) for Valley Creek Church, an approximately 35,724 square foot church facility, to be located on the southwest corner of FM 407 and Gateway Blvd., being legally described as a 7.746-

acre tract of land located in the F.W Thornton Survey, Abstract No. 1244, Town of Argyle, Denton County, Texas.

ACTION: Item H.2.

APPROVED

Councilmember Hawkesworth moved to approve a Site Plan (SP-20-002) for Valley Creek Church, an approximately 35,724 square foot church facility, to be located on the southwest corner of FM 407 and Gateway Boulevard, being legally described as a 7.746-acre tract of land located in the F.W Thornton Survey, Abstract No. 1244, Town of Argyle, Denton County, Texas with a variance to have the Type E buffer yard situated further than 10' of the property line, and allowing for a five-year window for forty-four future trees to be planted on the property. Councilmember Schmidt seconded the motion.

Councilmember Myers amended the original motion to state the applicant shall place \$17,600 in escrow to be drawn on through the approved five-year window. Councilmember Schmidt seconded the motion. The original motion with the proposed amendment passed 5-0.

3. Consider approval of an agreement to allow The Oaks Subdivision to install a limited access gate within the Town of Argyle Public Rights-of-Way of Cook Street.

This item was discussed in executive session to seek advice from the town attorney.

I. EXECUTIVE SESSION

At 8:27 p.m. the Town Council adjourned into executive session pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D to discuss the following:

1. Pending or contemplated litigation or to seek the advice of the Town Attorney pursuant to Section 551.071:
 - a. 2019 Street Improvement Project
 - b. Waterbrook Drainage Issues
2. Personnel matters pursuant to Section 551.074 (to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee):
 - a. Town Administrator
 - b. Finance Director
 - c. Town Secretary

- J. RECONVENE INTO OPEN SESSION: In accordance with Texas Government Code, Section 551, the Town Council will reconvene into Open Session and consider action, if any, on matters discussed in Executive Session.**

ACTION: Item H.3.

APPROVED

Councilmember Schmidt moved to approve an agreement to allow The Oaks Subdivision to install a limited access gate within the Town of Argyle Public Rights-of-Way of Cook Street. Councilmember Myers seconded the motion. Against: Councilmember Hawkesworth. The motion passed 4-1.

ACTION: Item I.2.c.

APPROVED

Councilmember Schmidt moved to change the title of Erika McComis's position to Assistant Town Administrator/Town Secretary. Councilmember Livingston seconded the motion. Against: Councilmember Hawkesworth. The motion passed 4-1.

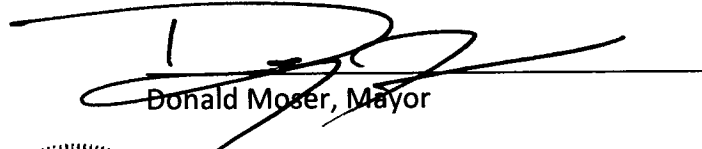
K. RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA (*discussion under this item must be limited to whether or not the Council wishes to include a potential agenda item on a future agenda*)

Councilmember Schmidt would like an item on the next agenda to discuss \$500,000 that was transferred from General Fund to the Capital Improvement Project Fund during the FY 2019 budget.

Councilmember Myers would like to discuss the Town-owned property on Front Street and condemnation petition from Texas Department of Transportation.

L. ADJOURN

There being no further business, Mayor Moser adjourned the regular session at 11:02 p.m.


Donald Moser, Mayor


Erika McComis, Town Secretary

