



**Town Council  
Work Session & Regular Meeting  
Minutes – April 23, 2019**

The Work Session and Regular Meeting of the Town Council was held on **April 23, 2019** 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 MEETING TO ORDER**

Mayor Donald Moser called the meeting to order at 5:30 p.m.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Donald Moser	Mayor	Present	
Marla Hawkesworth	Mayor Pro Tem, Place 5	Present	
Alex Vukasin	Council Member, Place 1	Present	
Ronald Schmidt	Council Member, Place 2	Present	
Jon Donahue	Council Member, Place 3	Present	
Cynthia Hermann	Council Member, Place 4	Present	
Kristi Gilbert	Town Manager		
Victoria Thomas	Town Attorney		

**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. Discuss activities involved in the administration of the Town of Argyle's Public Improvement Districts and Tax Increment Reinvestment Zones.

Ms. Gilbert introduced Mary Petty with P3Works who went over the services provided by P3Works as administrators of the Town's Public Improvement Districts.

2. Discussion regarding Town Council budget priorities for FY 2020.

Ms. Gilbert informed Council that Staff is looking for direction from Council as to what their priorities are for the upcoming budget year as well as any projects or programs they would like to continue or see implemented in the next fiscal year. Councilmember Schmidt questioned the ability to allow for a higher exemption for over 65 homestead exemptions. Ms. Gilbert stated various options can be brought to Council during the budget process as to how exemptions would impact the budget. Mayor Pro Tem Hawkesworth stated she would like Staff to be mindful of a few big projects in the future such as an upgrade and funds to better the Economic Development (ED) project as the

Town is currently funding a strategic plan for ED, the road improvement project that is ongoing, the Silent Railroad Crossing project, and what funds will be needed and how to fund a new facility when it is needed for Town Hall; to see a plan in place for a new Town Hall and Police Department facility.

3. Discussion regarding any regular session items.  
No discussion held regarding regular session items.

**REGULAR SESSION AGENDA – 6:00 PM**

**(or immediately following the 5:30 pm Work Session)**

**C. CALL REGULAR SESSION TO ORDER**

Mayor Moser called the Regular Session to order at 6:09 p.m.

**D. INVOCATION**

**E. PLEDGE OF ALLEGIANCE**

American Flag

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

**F. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS**

1. Town Council and Staff Presentations / Reports
  - a. Denton County Children’s Advocacy Center  
Matt Haltom, Board of Director Member for the Denton County Children’s Advocacy Center thanked Council for their ongoing support. The Center met with 1,096 children in Denton County regarding their own abuse with seven of the children being from Argyle. The purpose of the Center is to coordinate the investigation and prosecution of severe child abuse cases and provide the mental health services to the victim and their families.
  - b. National Police Officer Memorial Week  
Mayor Moser read the proclamation aloud and thanked the officers for their service and dedication to the Town.
  - c. National Public Works Week  
Mayor Moser read the proclamation aloud and thanked the public works employees for their hard work.
  - d. 2<sup>nd</sup> Quarter Financials  
Kim Collins, Finance Director, went over the second quarter financial report with Council. The revenue at this point is showing an eighty percent completion and departmental budgets are at or below the fifty percent mark for expenditures.

**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.

Jenny Young, 945 Harpole, addressed Council regarding agenda item I.1.

Lamar Griggs, 322 Trail Lake Drive, addressed Council regarding a video that was posted on social media by Mayor Moser.

Peter Feldman, 905 Skyline Drive, addressed Council in regards to the concerns he has regarding flooding issues in the Skyline Subdivision.

Joan Delashaw, 242 Harriett Lane, addressed Council to share her appreciation for the Tree Board and the work they did with the First Baptist Church in regards to a tree removal issue.

Bridgett Brandon, 1817 Knight Street, addressed Council regarding the Tree Board and the ordinance the Town has in place and the unintended consequences that can come from the current ordinance.

**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 the March 26, 2019 Regular Town Council Meeting Minutes as recorded.
2. 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 Kristi Gilbert as Alternate Representative to the Advisory Committee.
3. Consider approval of the 2019 Consumer Price Index adjusted increase in Municipal Telecommunications Right-of-Way access line rates.
4. Consider approval of a resolution adopting a Street and Facility Naming Policy for the Town of Argyle. (*Resolution No. 2019-06*)
5. Consider approval of an ordinance amending Chapter 12, Article 12.05.001 of the Town of Argyle Code of Ordinances Relating to Locations of Traffic Control Devices within the Waterbrook Subdivision. (*Ordinance No. 2019-06*)
6. Consider approval of an ordinance amending the Code of Ordinances, Chapter 12 Traffic & Vehicles, Article 12.02 Speed Limits by establishing the speed limit for streets within the Waterbrook Subdivision. (*Ordinance No. 2019-07*)
7. Consider approval of a Resolution authorizing the Town Manager to enter into an Interlocal Agreement with Denton County for Shared Governance Communication and Dispatch Services for the Town of Argyle. (*Resolution No. 2019-07*)

**ACTION: Item H.1. to H.7.****APPROVED**

Councilmember Schmidt moved to approve consent agenda items as presented. Councilmember Vukasin seconded the motion. For: Unanimous. The motion passed 5-0.

**I. OLD BUSINESS:**

1. CONTINUE PUBLIC HEARING: Consider approving an ordinance amendment (ORD-18-002) regarding amendments to Section 14.1.5, Definitions; Article III, Part 3, Zoning Districts, and Article III, Part 4, Use Regulations, Section 14.3.97, Use Charts, of the Town of Argyle Town Development Standards, adopting various amendments to use charts and zoning districts in the Town Development Standards.

Mr. Hawkins addressed Council providing information on the proposed ordinance that does not include any changes to the agricultural exemptions.

Mayor Moser opened the public hearing at 7:11 p.m.

Patricia Baker asked Council to provide a printed copy of the proposed ordinance. C

Council took a brief recess to allow Staff to print copies of the ordinance for the public.

Council reconvened at 7:36 p.m.

Bridget Brandon, 1817 Knight Street, spoke in opposition of the proposed ordinance.

Leslie Ann Webbe, 219 W FM 1830, spoke in opposition of the proposed ordinance if it includes any changes to agricultural exemptions.

Mark O’Gorman, Keller (owns property at Hwy 377 and Villager Parkway), asked Council to consider making changes to the ordinance as it pertains to indoor kennels.

Cynthia Morse, 1505 Harpole Road, spoke in opposition of the proposed ordinance if it includes any changes to agricultural exemptions.

Jeannie Young, 935 Harpole Road, asked Council to leave agricultural property alone.

Dawn Frye, 935 Harpole Road, addressed Council in regards to an email written by Councilmember Schmidt regarding the proposed ordinance.

Gwende Wilmont, 175 Pecan Lane, asked Council to leave agricultural property alone.

Mayor Moser closed the public hearing at 8:25 p.m.

**ACTION: Item I.1.****DENIED**

Councilmember Donahue moved to deny an ordinance amendment (ORD-18-002) regarding amendments to Section 14.1.5, Definitions; Article III, Part 3, Zoning Districts, and Article III, Part 4, Use Regulations, Section 14.3.97, Use Charts, of the Town of Argyle Town Development Standards, adopting various amendments to use charts and zoning districts in the Town Development Standards. Mayor Pro Tem Hawkesworth seconded the motion. For: Unanimous. The motion passed 5-0. (*Ordinance Number 2019-08*)

*Council took a recess at 8:33 p.m. and reconvened at 8:40 p.m.*

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

1. Consider and take appropriate action on a Site Plan Amendment (SP-19-003) for improvements to Argyle High School, located at 191 U.S. 377, and being legally described as Lot 1R, Block 1, Argyle High School Addition, Town of Argyle, Denton County, Texas.

Mr. Hawkins informed Council the proposed site plan amendment is for a proposed parking facility adjacent to the football field for the purpose of providing parking for the school district's buses. Robert Hammel, with Glenn Engineering addressed Council on behalf of the school district to answer questions.

**ACTION: Item J.1.**

**APPROVED**

Mayor Pro Tem Hawkesworth moved to approve a Site Plan Amendment (SP-19-003) for improvements to Argyle High School, located at 191 U.S. 377, and being legally described as Lot 1R, Block 1, Argyle High School Addition, Town of Argyle, Denton County, Texas. Councilmember Schmidt seconded the motion. For: Unanimous. The motion passed 5-0.

2. PUBLIC HEARING: Consider and make a recommendation of a Specific Use Permit (SUP-19-002) to allow for an alternative street section in lieu of the required fifty-foot (50') right-of-way consisting of concrete curb and gutter street thirty-feet (30') in width for a portion of Charyl Lynn Drive, located on the north side of the Joyce Drive and Charyl Lynn Drive intersection, Town of Argyle, Denton County Texas.

Mr. Hawkins informed Council the Specific Use Permit was originally presented to Council in November 2018 with the purpose being to allow the alley to remain in its current state and not be subject to current Town Development Standards which require a wider street right-of-way and pavement up to thirty feet in width. Staff did reach out to Argyle Water Supply to get clarification on the two inch water main that would need to be moved should a new road be installed and advised they would be willing to participate in covering a portion of the cost. Councilmember Donahue stated he has been working with Troy Norton and the Argyle Fire Department concerning the hammer-head section of the alley to come up with a resolution to assist the Town and the home owner.

Mayor Moser opened the public hearing at 8:55 p.m.

Nathaniel Whiner, 500 Charyl Lynn Drive, thanked Council for the time and efforts they have spent working on the issue and would like a commitment on the Town to improve the road along with this project. The main concern of residents in the area was due to drainage issues and if the Town will be working on the road then they no longer have an opposition.

Mayor Moser closed the public hearing at 8:58 p.m.

**ACTION: Item J.2.**

**APPROVED**

Councilmember Donahue moved to approve a recommendation of a Specific Use Permit (SUP-19-002) to allow for an alternative street section in lieu of the required fifty-foot (50') right-of-way consisting of sixteen-feet (16') in width, six inch concrete inverted crown street as designed by Teague Nall and Perkins Engineering for a portion of Charyl Lynn Drive, located on the north side of the Joyce Drive and Charyl Lynn Drive intersection, Town of Argyle, Denton County Texas with a cost not to exceed \$50,000 to be taken first from the 2019 Road Improvement Funds or if not available then the funds will come from the Street Maintenance Funds. The construction for the street improvements will not be done until the construction of the house is complete. Councilmember Schmidt seconded the motion. For: Unanimous. The motion passed 5-0. (*Ordinance Number 2019-09*)

3. PUBLIC HEARING: Consider and take appropriate action on a Specific Use Permit (SUP-19-003) for Eagle Plaza to operate a drive-thru facility at a proposed restaurant/retail building, being legally described as Lot 4, Block A, White Rock Farm Addition, Town of Argyle, Denton County, Texas.

Mr. Hawkins informed Council the proposed Specific Use Permit is to consider allowing a drive-thru at the subject location. The property owner is in the process of constructing a site plan for the location which will be brought back at a later date.

Mayor Moser opened the public hearing at 9:03 p.m.

The applicant clarified that the window is more of a pick-up window and not a drive-thru ordering type window.

Mayor Moser closed the public hearing at 9:04 p.m.

**ACTION: Item J.3.**

**APPROVED**

Councilmember Schmidt moved to approve a Specific Use Permit (SUP-19-003) for Eagle Plaza to operate a drive-thru facility at a proposed restaurant/retail building, being legally described as Lot 4, Block A, White Rock Farm Addition, Town of Argyle, Denton County, Texas. Councilmember Vukasin seconded the motion. For: Unanimous. The motion passed 5-0. (*Ordinance Number 2019-10*)

4. PUBLIC HEARING: Consider and take appropriate action on a Zoning Change (MDP-19-001) from A (Agricultural) to VC-MU (Village Center Mixed Use) for Cook Street Restaurant, being approximately 1.143 acres of land, being a portion of Stephen A. Chambers Survey, Abstract No. 0308A, and being located on the southeast corner of the Cook Street and U.S. Hwy. 377 intersection, located in the Town of Argyle, Denton County, Texas.

Mr. Hawkins informed Council the applicant is requesting a zoning change and approval of a Master Development Plan. The proposed plan includes one non-residential building with a total of 5,500 square feet designated for commercial use that includes retail, restaurant or personal services. The remaining property will be a parking lot and open space land. The applicant, Earl Harrington, addressed the Council to inform them they do not have a specific business in mind at this time as they are waiting to see what Council decides on their request for the zoning change.

Mayor Moser opened the public hearing at 9:15 p.m.

No one chose to speak in favor of or in opposition to the request.

Mayor Moser closed the public hearing at 9:18 p.m.

**ACTION: Item J.4.**

**APPROVED**

Mayor Pro Tem Hawkesworth moved to approve a Zoning Change (MDP-19-001) from A (Agricultural) to VC-MU (Village Center Mixed Use) for Cook Street Restaurant, being approximately 1.143 acres of land, being a portion of Stephen A. Chambers Survey, Abstract No. 0308A, and being located on the southeast corner of the Cook Street and U.S. Hwy. 377 intersection, located in the Town of Argyle, Denton County, Texas with the following conditions: the applicant shall add a note or illustrate that vehicular access connection to the south be provided when the adjacent property to the south is re-developed; the variance request to waive the required sidewalk along US HWY 377 shall be allowed; the variance request to change Alcohol Sales from a Specific Use Permit to a permitted use is denied. Councilmember Donahue seconded the motion. For: Unanimous. The motion passed 5-0.

5. Consider approval of a request by Keep Argyle Beautiful to fund board member's attendance at the Keep Texas Beautiful Annual Conference.

**ACTION: Item J.5.**

**APPROVED**

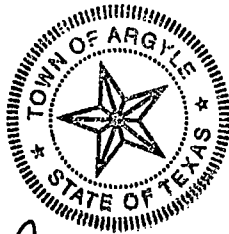
Councilmember Donahue moved to approve a request by Keep Argyle Beautiful to fund board member's attendance at the Keep Texas Beautiful Annual Conference. Councilmember Vukasin seconded the motion. For: Unanimous. The motion passed 5-0.

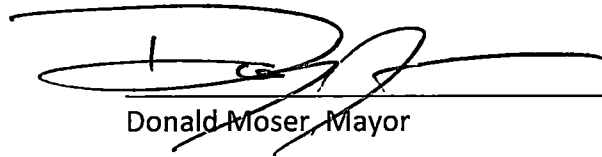
**K. RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA** *(discussion under this item must be limited to whether or not the Council wishes to include a potential agenda item on a future agenda)*

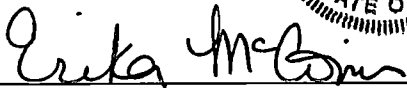
Mayor Pro Tem Hawkesworth would like to discuss the current tree ordinance at a future meeting.

**L. ADJOURN**

There being no further business, Mayor Moser adjourned the regular session at 9:25 p.m.



  
Donald Moser, Mayor

  
Erika McComis, Town Secretary