

MAY 18, 2020

REGULAR 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 (ITA)	ERIKA MCCOMIS
ADVISOR TO ITA	JEFF HOWELL
TOWN ATTORNEY	PATRICIA ADAMS

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 6:05 p.m.

B. INVOCATION

C. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

1. Town Council and Staff Presentations / Reports
 - a. Budget Coordinator Update
 - i. Financial Report
 - b. Community Development/EDC Update
 - i. EDC Response to COVID-19
 - ii. Eagle Plaza
 - c. Interim Town Administrator Update
 - i. Frenchtown Road
 - ii. 2019 Street Improvement Project
 - iii. COVID-19 Response

D. 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.

No speakers.

E. 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 4, 2020 regular Town Council meeting minutes as recorded.
2. Consider approval of the May 11, 2020 special Town Council meeting minutes as recorded.

ACTION: Item E.1. and E.2.

APPROVED

Councilmember Schmidt moved to approve consent agenda items as presented. Mayor Pro Tem Hermann seconded the motion. The motion passed 5-0.

F. ACTION ITEMS:

1. Consider and take appropriate action on a Site Plan Extension (SP-20-005) for Dry Clean Super Center of Argyle located at 820 US 377, being legally described as Lot 1, Block 1, Kwik Dry Clean Addition, Town of Argyle, Denton County, Texas.

ACTION: Item F.1.

APPROVED

Councilmember Hawkesworth moved to approve a Site Plan Extension (SP-20-005), for 365 days from the original expiration date of May 19, 2020, for Dry Clean Super Center of Argyle located at 820 US 377, being legally described as Lot 1, Block 1, Kwik Dry Clean Addition, Town of Argyle, Denton County, Texas. Councilmember Myers seconded the motion. The motion passed 5-0.

2. Consider approval of an ordinance amending Ordinance 2019-24, thereby amending the Town of Argyle Fiscal Year 2019 – 2020 annual budget for the purpose of covering expenses to install a fence at Unity Park.

Council advised Staff to receive quotes to install a 10 foot fence around the volleyball and basketball courts at Unity Park not to exceed \$20,000. Staff will gather quotes over the next few weeks and move forward with the project.

ACTION: Item F.2.

APPROVED

Councilmember Livingston moved to approve an ordinance (***Ordinance No. 2020-13***) amending Ordinance 2019-24, thereby amending the Town of Argyle Fiscal Year 2019 – 2020 annual budget for the purpose of covering expenses not to exceed \$20,000 to install a fence at Unity Park. Councilmember Hawkesworth seconded the motion. The motion passed 5-0.

3. Ratify approval of a purchase of a 2019 Chevrolet Tahoe SUV for use as a patrol vehicle.

Chief Jackson informed Council the purchase was intended to take place during this budget year however, a vehicle scheduled to be purchased during last fiscal year was

accepted and therefore paid for through this fiscal year's budget. The Crime Control Prevention District Committee met and approved the purchase during their meeting on May 15, 2020.

ACTION: Item F.3.

APPROVED

Councilmember Schmidt moved to approve a purchase of a 2020 Chevrolet Tahoe SUV for use as a patrol vehicle. Mayor Pro Tem Hermann seconded the motion. The motion passed 5-0.

4. Discuss and take appropriate action on Land Use Charts within the Town of Argyle Town Development Standards (TDS).

The Planning and Zoning Commission discussed the process of reviewing the land use charts in the Town Development Standards and recommended to the Council a subcommittee be established for the review.

ACTION: Item F.4.

APPROVED

Councilmember Livingston moved to appoint Planning and Zoning Commissioner Chairman Rick Bradford as the Committee Chair for a review of zoning districts and the land use chart and bring the final recommendations to Council for approval. Councilmember Schmidt seconded the motion. The motion passed 5-0.

5. Discussion and consider the appointment of a member(s) to a Financial Advisory Committee.

Councilmember Schmidt informed Council he asked for this item to be on the agenda and has been a request from Staff for a few years as he feels it would be beneficial to the Town and Council. The purpose of the committee would be to provide financial review and advise on future projects and fiscal year budgets. He recommends the advisory committee be made up of between two to four members that serve a term of two year staggered terms. Councilmember Schmidt and Councilmember Livingston will continue to work on the parameters for the committee and bring it back to Council at a future date.

ACTION: Item F.5.

NO ACTION TAKEN

G. EXECUTIVE SESSION

At 7:35 p.m. the Town Council adjourned into executive session pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D to discuss the following:

PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

1. Pending or contemplated litigation or to seek the advice of the Town Attorney pursuant to Section 551.071:

- a. Waterbrook Drainage
- b. Former Town Attorney's Settlement in Ronald Schmidt v. Town of Argyle, et.al., Case Number 4:19-cv-00-688
- c. State of Texas vs. Town of Argyle , Et al, PR-2020-00386, Denton County, Texas (Condemnation Petition)

H. 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.

At 8:51 p.m. the Town Council reconvened into open session.

ACTION: Item G.1.a.

APPROVED

Councilmember Livingston moved to authorize Staff to work with the Haire's to provide landscaping along with sight and sound barrier on the lift station property in the Waterbrook Development adjacent to the Haire property. Councilmember Myers seconded the motion. The motion passed 5-0.

ACTION: Item G.1.a.

APPROVED

Councilmember Livingston moved to authorize Staff to work with Teague Nall, and Perkins to collaborate with developer of the Waterbrook Development to move forward with the construction of the drainage structure that has yet to be constructed on the property. Councilmember Myers seconded the motion. The motion passed 5-0.

ACTION: Item G.1.b.

APPROVED

Councilmember Livingston moved to authorize the Town Attorney to coordinate with Mr. Hagar for the Town to pay his legal fees in the amount of \$877.50. Mayor Pro Tem Hermann seconded the motion. The motion passed 5-0.

M. 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 Livingston asked that Staff reach out to Oncor to determine why Argyle Town Village area has an excessive amount of power outages.

Councilmember Myers asked that Staff check on the inconsistent billing of services provided by Republic Services as she has been questioned by a few residents.

Councilmember Schmidt asked that Staff research and determine if the Town has been paid for all costs as it pertains to the S-1 sewer line.

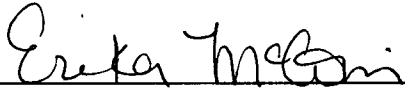
Councilmember Schmidt asked Staff to reach out to Republic Services for a donation to the park. He advised the Town received donations in the past and would like to see if this program is ongoing.

I. **ADJOURN**

There being no further business, Mayor Moser adjourned the regular session at 9:00 p.m.



Cynthia Hermann, Mayor Pro Tem



Erika McComis
Interim Town Administrator/Town Secretary