



## Town Council Work Session & Regular Meeting Minutes – October 23, 2018

The Work Session and Regular Meeting of the Town Council was held on **October 23, 2018** 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 5:35 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	6:04 pm
Alex Vukasin	Council Member, Place 1	Present	5:36 pm
Ronald Schmidt	Council Member, Place 2	Present	
Jon Donahue	Council Member, Place 3	Present	
Todd Mankin	Council Member, Place 4	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 of Possible Amendments to the Town of Argyle's Tree Preservation Ordinance.

Town Manager Kristi Gilbert and Community Development Director David Hawkins introduced the item to Council. The Planning & Zoning Commission discussed the item at their October meeting and requested the information be brought forward to Council for further discussion and possible direction. Rick Bradford, Vice Chair of the Planning & Zoning Commission, presented information that he collected regarding tree ordinances from other cities with concentration on preservation, financial penalties for infractions, and policies that would not be open for interpretation.

Council discussed directing Vice Chair Bradford to create an ad-hoc committee of citizens to study the existing ordinance and those from area cities to create a list of changes needed to ensure the preservation of trees in the Town of Argyle.

Ms. Gilbert also informed Council that the timing is appropriate as legislation

would more than likely be proposed in the next session to allow less preservation. Staff and Council agreed it would be pertinent to work together with state representatives to curb the possibility of legislation to allow less preservation of trees.

2. Discussion regarding any regular session items.

Town Manager Kristi Gilbert informed Council that Item I.1. would need to be tabled as the applicant had not completed a survey and information regarding ownership of the parcel of land where the waterwell pump station is located was in question.

**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 6:07 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. Council Recognition of Students and Citizens
2. Town Council and Staff Presentations / Reports
  1. Presentation of Fourth Quarter Financials

Finance Director Kim Collins presented the item to Council. Ms. Collins gave an overview of the fourth quarter fund balances for the Town of Argyle.

2. Development Project Updates

Community Development Director David Hawkins gave Council an update on the certificate of occupancy given to the TTN Fleet Solution Call Center given on October 22. He also stated that a final inspection for the Argyle High School addition would be conducted later in the week. Mr. Hawkins informed Council of a zoning request that would come before Council in the near future.

#### **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.

John Beavers, 120 Old Justin Road, stated he came to speak in regards to construction issues across the road from his home at the Lakes of Argyle development. Mr. Beavers voiced concern over dust from the development, silt running off the site and causing erosion in the ditch in front of his home and runoff in the creek from the dirt and silt.

Town Manager Kristi Gilbert responded that staff met with the developer, the superintendent of the project and a representative from Terradyne to express concerns. Staff directed the representatives to repair and enhance the silt fencing and eliminate the dust from spreading from the area when cleaning. Staff is working to make sure that higher standards are kept in the other developments within the town.

Billy Fuller, FM 407E, stated he came as a representative for the Prairie Mound Cemetery Association. Mr. Fuller stated the Harvest Development had closed the north entry to the cemetery without the Association being notified. Mr. Fuller stated closing this entry creates an issue if there is a burial at the cemetery for emergency access to the road where the other two entrances are located. Mr. Fuller stated he would hope that Council and staff would be able help in opening the north entry again when the item comes forward to the Planning and Zoning Commission in the next month.

#### **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 September 25, 2018 Regular Meeting Minutes and October 8, 2018 & October 9, 2018 Special Executive Session Minutes.
2. Consider Approval of a Resolution Establishing The Regular Council Meetings for the 2019 Calendar Year. (*Resolution No. 2018-27*)
3. Consider Approval of a Resolution Designating the Official Newspaper of the Town of Argyle. (*Resolution No. 2018-28*)

4. Ratify Approval of a Purchase of a 2019 Police Tahoe SUV for Police Patrol in an amount of \$47,227.
5. Consider Approval of a Resolution Authorizing the Town Manager to Enter Into a Municipal Maintenance Agreement with the Texas Department of Transportation (TXDOT) for Maintenance, Control, Supervision and Regulation of State Highways Within the Corporate Limits of the Town of Argyle. *(Resolution No. 2018-29, CLA 2018-1001)*

**ACTION: Item H.1. to H.5.**

**APPROVED**

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

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

1. Discuss and Consider Approval of an Ordinance Approving a Specific Use Permit (SUP-18-003) 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-Foot (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.

Community Development Director David Hawkins stated the applicant was not present for the meeting. Mr. Hawkins stated the ownership of the parcel of land where the waterwell pump station was located was in question and records establishing ownership had been requested but not yet received. Attempts were made to contact the homeowner where the well is located and no contact had been established as of the meeting.

Councilmember Donahue stated he spoke to the representatives from the Fire Department about staff receiving more in-depth responses in regards to future zoning cases. Councilmember Donahue stated if the Town could obtain the land where the well sits he believed the area would allow for a turnaround for emergency vehicles.

**ACTION: Item I.1**

**TABLED**

Mayor Pro Tem Hawkesworth moved to table the item until the November 27, 2018 meeting. Councilmember Mankin seconded the motion. For: Unanimous. The motion passed 5-0.

**J. EXECUTIVE SESSION**

At 6:48 p.m. the Town Council adjourned into executive session PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

1. Section 551.074 – Personnel – Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee:
  - c. Planning & Zoning Commissioner Interviews
  - d. Economic Development Corporation Board Member Interviews
2. Adjourn into Open Meeting.

The Council reconvened into the open meeting at 7:15pm.  
No action was taken in executive session.

2. Discuss and Consider a Resolution Appointing Members To The Planning & Zoning Commission. (*Resolution No. 2018-30*)

**ACTION: Item 1.2.**

**APPROVED**

Councilmember Vukasin moved "I move to approve a resolution appointing Richard Spies, Casey Stewart, Cynthia Herman and Paul Kula each to a two-year term on the Planning and Zoning Commission effective November 1, 2018 to October 31, 2020." Mayor Pro Tem Hawkesworth seconded the motion. For: Unanimous. The motion passed 5-0.

3. Discuss and Consider a Resolution Appointing Members To The Economic Development Corporation. (*Resolution No. 2018-31*)

**ACTION: Item 1.3.**

**APPROVED**

Councilmember Schmidt moved "I move to approve a resolution appointing Sherri Myers, Brandon Moore and Chris Rosprim each to a two-year term on the Economic Development Corporation effective November 1, 2018 to October 31, 2020; appointing Jason Lillard to a one-year unexpired term on the Economic Development Corporation effective November 1, 2018 to October 31, 2019; and appointing Charles Lewis and Shelton Dunn each to a two-year term on the EDC Advisory Committee effective November 1, 2018 to October 31, 2020.". Councilmember Mankin seconded the motion. For: Unanimous. The motion passed 5-0.

4. Discuss and Consider a Resolution Appointing Members To The Crime Control and Prevention District Board. (*Resolution No. 2018-32*)

**ACTION: Item I.4.**

**APPROVED**

Mayor Pro Tem Hawkesworth moved to appoint Trey Thurston and Patti Smith to the Crime Control and Prevention District Board to fill two one year unexpired terms. Councilmember Donahue seconded the motion. For: Unanimous. The motion passed 5-0.

**K. EXECUTIVE SESSION**

At 7:19 p.m. the Town Council adjourned into executive session PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

1. Section 551.074 – Personnel – Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee:
  - a. Town Manager
  - b. Town Secretary
  
2. Section 551.087- Deliberation Regarding Economic Development Negotiations- To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations:
  - c. Southwest Corner of US 377 and Frenchtown Road
  
3. Adjourn into Open Meeting.

The Council reconvened into the open meeting at 8:08pm. No action was taken in executive session.

4. Consider action on executive session items.

**ACTION: Item J.1.b**

**APPROVED**

Councilmember Mankin moved to approve a Resolution appointing Erika McComis as Town Secretary effective November 5, 2018. Councilmember Schmidt seconded the motion. For: Unanimous. The motion passed 5-0.

**ACTION: Item J.1.a**

**APPROVED**

Councilmember Schmidt moved to appoint Kristi Gilbert as Town Manager effective October 1, 2018 and authorize the Mayor to execute an employment agreement as discussed in Executive Session. Councilmember Donahue seconded the motion. For: Unanimous. The motion passed 5-0.

**ACTION: Item J.2.a.**

No action taken.

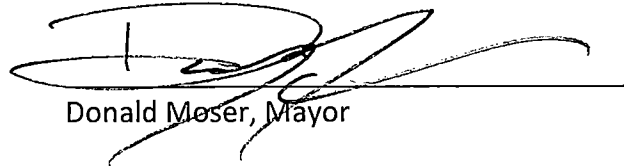
**L. RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA** (*discussion under this item must be limited to whether or not the Council wishes to include a potential agenda item on a future agenda*)

Town Manager Kristi Gilbert stated Council had a listing of items staff was working on for future agendas. Ms. Gilbert stated the sign standards discussion and the amendments for land use charts have tentatively been slated for the December meeting.

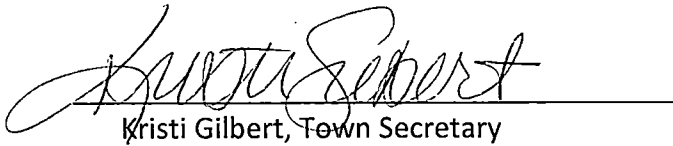
Council had no further discussion on the listing.

**M. ADJOURN**

There being no further business, Mayor Moser adjourned the regular session at 8:11 p.m.



Donald Moser, Mayor



Kristi Gilbert, Town Secretary

