



**Town Council
Work Session & Regular Meeting
Minutes – February 26, 2019**

The Work Session and Regular Meeting of the Town Council was held on **February 26, 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 5:36 p.m.

Attendee Name	Title	Status	Arrived
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	

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 on the First Amendment to the Second Amended and Restated Development Agreement between the Town of Argyle and Belmont 407, LLC and Realty Capital Argyle 114, LTD (Harvest).

Town Manager Kristi Gilbert informed Council the amendment was initiated based on Harvest's desire to add 54.847 acres to their fresh water supply district. The proposed agreement covers the specifics on how the Town will be reimbursed the \$238,729 owed to the Town from Trinity River Authority member payments owed to the Town since 2010 with either two annual payments beginning in September 2019 or three annual payments starting on the same date with 6% interest. Councilmembers stated they would prefer the payment to be made in one payment this fiscal year and do not want the three installment option. Mayor Moser requested the agreement to be amended to state the payments will be made in two installments with the first payment due on September 30, 2019. The Harvest representative present, Clay Crawford, agreed to the two year payments, which is listed as option A in the



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agreement with half of the amount owed paid in 2019 and the remaining balance in September 2020.

2. Discussion regarding a street and/or facility naming policy for the Town of Argyle.

Ms. Gilbert informed Council this item is at the request of the Mayor to determine a policy for future changes of naming facilities/streets to honor citizens. Mayor Pro Tem Hawkesworth thought commemorative plaques may be best when wanting to honor someone without burdening residents and businesses with the responsibility of updating their address to the new street name. Councilmember Vukasin expressed he would like to see a policy in place prior to approving a name change and include a public hearing held within the policy.

3. Discussion regarding any regular session items.

Ms. Gilbert gave council the option to ask questions on items on the current agenda. No discussion was held on this item.

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 6:50 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. Fiscal Year 2018 Audit, presented by M. Vail and Associates, PC

Mike Vail with M. Vail and Associates, PC presented the audit to Council. Mr. Vail advised Council the Town is in a good position financially and there were no issues



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found during the audit. The General Fund has a strong financial position with 8.6 months in reserves as of September 30, 2018. Mr. Vail further stated the Town has asked that they look over the development agreements the Town has participated in from 2007 to present to ensure all funds owed have been paid to the Town and all tasks required of the Town as a part of those agreements has been performed.

- b. **Business Spotlight – Zilis, LLC**
Scott Adams with Zilis, LLC gave a brief summary of the company he is representing. The owners of the business are local residents Steven and Angie Thompson.
- c. **Police Department Annual Report and Racial Profiling**
Chief Cottle gave the presentation of the annual police report and racial profiling statistics.
- d. **Development Project Updates**
Ms. Gilbert reviewed the upcoming Planning and Zoning Commission meeting items.

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.

Peter Malick addressed Council in regards to traffic issues in the Country Lakes Addition.

Clifford Holland, 920 Skyline Drive, addressed Council regarding surface water drainage issues in the Skyline Development.

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 January 22, 2019 Regular Meeting Minutes.
2. Consider approval of the January 30, 2019 Special Meeting Minutes.



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3. Consider approval of the February 6, 2019 Town Council and Economic Development Corporation Joint Workshop Meeting Minutes.
4. Consider approval of the February 13, 2019 Town Council and Planning and Zoning Commission Joint Workshop Meeting Minutes.
5. Consider approval and acceptance of the annual financial report for Fiscal Year 2018.
6. Consider approval of the 2018 Argyle Police Department annual analysis of racial profiling statistics for police personnel.
7. Consider approval of a resolution acknowledging the proposed expansion of the boundaries of the Belmont Fresh Water Supply District No. 2 of Denton County to include a single tract of land containing 54.847 acres, more or less, and evidencing its consent to such annexation.
8. Consider approval of the First Amendment to the Second Amended and Restated Development Agreement between the Town of Argyle and Belmont 407, LLC and Realty Capital Argyle 114, LTD (Harvest).
9. Consider approval of an ordinance amending Argyle 11.04 of the Code of Ordinances to include residential short-term rentals in the definition of hotel for the purposes of imposing hotel occupancy taxes.

Item H.7. and H.8. removed from consent to be further discussed by Council.

For item H.8. Council stated they would like to request the payment due to the Town be paid in two installments. The attorney representing Belmont, Clay Crawford, stated they were willing to make the payment in one installment to be paid on September 30, 2019. Section 1.02 will be amended to indicate a single payment to be made on September 30, 2019.

ACTION: Item H.1. to H.6. and H.9.

APPROVED

Councilmember Vukasin moved to approve consent agenda items, with the exception of Items H.7. and H.8. which were pulled from Consent Agenda. Councilmember Schmidt seconded the motion. For: Unanimous. The motion passed 5-0.



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

Mayor Pro Tem Hawkesworth moved to approve a resolution acknowledging the proposed expansion of the boundaries of the Belmont Fresh Water Supply District No. 2 of Denton County to include a single tract of land containing 54.847 acres, more or less, and evidencing its consent to such annexation. Councilmember Vukasin seconded the motion. For: Unanimous. The motion passed 5-0.

ACTION: Item H.8**APPROVED**

Councilmember Donahue moved to approve First Amendment to the Second Amended and Restated Development Agreement between the Town of Argyle and Belmont 407, LLC and Realty Capital Argyle 114, LTD (Harvest) with the stipulation that Section 1.02 of the agreement be amended to state the funds owed to the Town will be paid in full by September 30, 2019. Councilmember Schmidt 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.

Angie Manglaris, Development Coordinator addressed council advising this item is a continuation on a public hearing from the January 26, 2019 meeting. Development Services is working on changes required by Council and Planning and Zoning Commission during their joint meeting held on February 13th and requested the public hearing be continued to the March meeting to allow time to make the recommended changes.

Mayor Moser advised the public hearing will be continued to the March 26 meeting.

ACTION: Item I.1.**CONTINUED****J. NEW BUSINESS & PUBLIC HEARINGS:**

1. Consider and take appropriate action on a Site Plan for three (3) proposed single-family residential homes, located at the northwest corner of the Rusk Street and



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Cypress Street intersection, and being legally described at Lots 13, 14, 15, Block 7, Original Town of Argyle, Town of Argyle, Denton County, Texas.

Ms. Manglaris informed Council the proposed site plan includes three variances the applicant has requested: a decreased side yard setback be five feet instead of ten feet (Lot 15 only), decreased garage setbacks of all lots of seven feet instead of ten feet, and an increase in the maximum allowed building size for all lots to be set at 2,600 square feet instead of 2,200 square feet.

Applicant addressed council to advise he was in agreement with the Planning and Zoning Commission recommendations for the 30 foot setback as it was a compromise between himself and the Commission

ACTION: Item J.1.

APPROVED

Councilmember Schmidt moved to approve a Site Plan for three (3) proposed single-family residential homes, located at the northwest corner of the Rusk Street and Cypress Street intersection, and being legally described at Lots 13, 14, 15, Block 7, Original Town of Argyle, Town of Argyle, Denton County, Texas with the proposed variance suggestions from Planning and Zoning Commission specifically; approval of the site plan application with the three alternative design standards and a minimum front setback for Lot 15, Block 7, Original Town of Argyle to be increased from 25' to 30'. Mayor Pro Tem Hawkesworth seconded the motion. For: Unanimous. The motion passed 5-0.

2. Consider authorizing the Town Manager to execute an agreement with Intermountain Slurry Seal for improvements associated with the 2019 Capital Improvements Plan for road improvements.

Kevin Harris, Marketing and Technical Representative for Intermountain Slurry Seal, Inc went through a brief presentation with council explaining the process they go through from pre-work to completion of the chip seal process for the Town roads.

ACTION: Item J.2.

APPROVED

Councilmember Donahue moved to approve an agreement with Intermountain Slurry Seal for improvements associated with the 2019 Capital Improvements Plan for road improvements, including the proposed alternate roads, and authorize the Town



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Manager to execute same on behalf of the Town. Councilmember Schmidt seconded the motion. For: Unanimous. The motion passed 5-0.

3. Consider authorizing the Town Manager to execute a proposal for consulting services for strategic planning services.

Ms. Gilbert informed Council the Strategic Plan was put before the Economic Development Corporation (EDC) during their recent meeting to fund half of the strategic plan as was discussed during the joint meeting with Council on February 6th. During their meeting the EDC tabled the item until their March meeting. Council was informed they could choose to table the item until after EDC addresses the item at their next meeting or they could choose to pay for the plan out of general fund reserves. Jason Gray informed Council they may work with EDC to help them achieve goals in their action plan as an alternate to paying for the strategic plan. Council would like to plan another half-day meeting with EDC and Mr. Gray to discuss the issues and what each board will be responsible for as it related to the strategic plan and action plan. Ms. Gilbert will reach out to both boards and get a date together in march for a joint meeting and invite Planning and Zoning to attend as well.

ACTION: Item J.3.

CONTINUED

Councilmember Schmidt moved to continue the item at the March 26, 2019 Town Council Meeting. Councilmember Schmidt seconded the motion. For: Unanimous. The motion passed 5-0.

K. EXECUTIVE SESSION

At 9:26 p.m. the Town Council adjourned into executive session PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

1. Personnel matters pursuant to Section 551.074 (to deliberate the appointment of a public officer)
 - a. Planning and Zoning Commission Member Interviews
 - b. Town Manager Evaluation
2. Adjourn into Open Meeting at 10:40 p.m.
3. Consider action on executive session items.



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ACTION: Item K.1.a

APPROVED

Councilmember Schmidt moved to appoint Jeff Castellanos to fill a vacated two-year term on the Planning and Zoning Commission effective through October 31, 2020. Councilmember Hermann seconded the motion. For: Unanimous. The motion passed 5-0.

ACTION: Item K.1.b

No action taken.

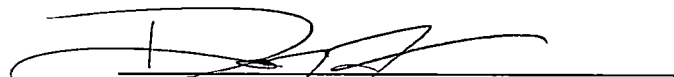
L. RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA (*discussion under this item must be limited to whether or not the Council wishes to include a potential agenda item on a future agenda*)

Mayor Pro Tem Hawkesworth asked for an item on an agenda to allow the residents of Skyline to make a presentation.

Mayor Moser would like an item on an upcoming agenda to address the speed bumps in The Oaks subdivision.

M. ADJOURN

There being no further business, Mayor Moser adjourned the regular session at 10:50 p.m.



 Donald Moser, Mayor



Erika McComis, Town Secretary

