

**Town Council
Work Session & Regular Meeting
Minutes – June 25, 2019**

The Work Session and Regular Meeting of the Town Council was held on **June 25, 2019** at 5:00 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 5:00 p.m.

Attendee Name	Title	Status	Arrived
Donald Moser	Mayor	Present	
Alex Vukasin	Council Member, Place 1	Present	
Ronald Schmidt	Council Member, Place 2	Absent	
Jon Donahue	Council Member, Place 3	Present	
Cynthia Hermann	Council Member, Place 4	Present	
Marla Hawkesworth	Council Member, Place 5	Present	
Kristi Gilbert	Town Manager		
Robert Hager	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. Discussion regarding the FY19 Re-Estimated Budget and FY20 Proposed Budget.

Ms. Gilbert informed council the FY 19 re-estimated budget indicated an excess fund balance of \$250,000. Staff will address the excess funds during the regular session agenda to allocate the funds for recommended purchases.

Ms. Gilbert advised Staff is recommending that Council maintain the current tax rate for Fiscal Year 20 which is \$0.3975 per \$100 of assessed value. The total projected expenditures is estimated to be increased by 6.8% with projected revenues exceeding the current budget by 10.77%. All projections are estimates as Staff is waiting for the final certified values from Denton County Appraisal District. The Town will continue moving forward with ongoing road improvement projects and coordinating efforts with Denton County and City of Denton for Crawford Road construction. A focus for the upcoming fiscal year will be on Public Works activities including the sewer reallocation due to US Highway 377 expansion. Staff has proposed adding a full time

employee to Public Works who will handle Facility Maintenance. Council was given an overview of various other expenditure requests from Staff for the upcoming fiscal year. All requests will be reviewed once Staff has final budget numbers put together in July.

2. Discussion regarding the Argyle Welcome Committee and proposed budgetary needs.

Councilmember Vukasin informed Council that during a recent Morning with the Mayor Event citizens had mentioned they would like to see a Welcome Committee established for new residents. The purpose of the committee will be to raise awareness with new residents on what businesses and amenities are available in the Town of Argyle. Marcella Barden addressed Council regarding the committee to give a brief overview on what they are proposing to put together as a welcome bag and website with a proposed estimated budget of \$1,000. The bags may include coupons, flyers, sample products and basic information on the Town, schools, churches and businesses. The committee is asking that the Town provide funds as a startup for the Welcome Committee.

3. Discussion regarding any regular session items. No discussion on this item.

REGULAR SESSION AGENDA – 6:00 PM

(or immediately following the 5:00 pm Work Session)

C. CALL REGULAR SESSION TO ORDER

Mayor Moser called the Regular Session to order at 6:25 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. Letter from Councilmember Place 2

Mayor Moser read a letter written by Councilmember Schmidt, Place 2 aloud.

On a bathroom break at the Town Council meeting on April 23, 2019, I pointed my finger at a fellow Councilmember and finished a sentence using the Lord’s name in vain. Those actions did not meet my expectations of how I want interactions between Councilmembers to occur and I apologize for those actions. While the event was regretful, my resolve and commitment to serve the citizens of Argyle is steadfast.

- b. Development Project Updates

Mr. Hawkins gave a brief update on ongoing development projects and their current status.

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.

Jennifer Holt, 804 Harpole Road East, addressed Council regarding decorum.

Gwende Wilmot, 175 Pecan Acres Lane, addressed Council regarding ethics.

Bridgett Brandon, 1817 Knight Street, addressed Council regarding possible voting districts.

Glenice Norton, 1105 Thornridge Court, addressed Council regarding the Tree Preservation Ordinance.

Gillette Shavey, Business Owner, addressed Council regarding the apology letter written by Councilmember Schmidt.

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 minutes:
 - a. May 28, 2019 Regular Town Council Meeting
 - b. June 10, 2019 Special Meeting
 - c. June 17, 2019 Special Meeting
 - d. June 17, 2019 Work Session
 - e. June 19, 2019 Special Meeting
2. Consider adopting an ordinance amending Ordinance 1995-14 and establishing Article 7.03 Municipal Court Security Fund of the Town of Argyle Code of Ordinances. (*Ordinance No. 2019-14*)
3. Consider acceptance of the Semiannual Impact Fee Report as submitted by the Capital Improvements Advisory Committee (CIAC).
4. Consider authorizing the Town Manager to execute a contract with P3 Works, LLC for Tax Increment Reinvestment Zone (TIRZ) Administration Services.
5. Consider an ordinance amending Appendix "A" Fee Schedule of the Town of Argyle Code of Ordinances by amending Appendix "A" Fee Schedule of the Town of Argyle Code of Ordinances by amending Exhibit "D" of Fee Schedule; providing for severability, providing for savings; providing for engrossment and enrollment; providing for publication in the official newspaper of the Town of Argyle and providing an effective date. (*Ordinance No. 2019-15*)
6. Consider an ordinance to update the Highlands of Argyle Public Improvement District Service and Assessment Plan and Assessment Roll for 2019. (*Ordinance No. 2019-16*)

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

APPROVED

Councilmember Donahue moved to approve consent agenda items as presented. Councilmember Hawkesworth seconded the motion. For: Unanimous. The motion passed 4-0.

I. NEW BUSINESS & PUBLIC HEARINGS:

1. **PUBLIC HEARING:** Consider adopting an ordinance approving a Specific Use Permit (SUP-19-005) for Eagle Plaza to operate a Retail Store (Misc.) at a proposed restaurant/retail building zoned Office Retail (OR), being approximately 1.92 acres of land, located on the east side of U.S. Hwy. 377 approximately 185 feet south of Old Town Blvd., being legally described as Lot 4, Block A, White Rock Farm Addition, Town of Argyle, Denton County, Texas.

Angie Manglaris, Development Coordinator, informed Council the Office Retail Zoning District for this property requires a Specific Use Permit (SUP) to operate a retail store. The property owner is proposing a restaurant/retail building with a drive-thru facility which, at this time, is proposed to be Domino's Pizza. The Planning and Zoning Commission considered the request during their June 4, 2019, regular meeting and a motion to recommend approval of the SUP was made and approved by a vote of 7-0.

Council requested Staff address agenda item I.2. during this discussion due to it pertaining to the same premise. Ms. Manglaris informed Council that Staff has reviewed the site plan and determined that the applicant has complied with all minimum requirements of the Office Retail Zoning District. The applicant is requesting two variances to the zoning regulations pertaining to the parking requirements and tree mitigation. The applicant is proposing to provide 49 parking spaces instead of the required 62 parking spaces in order to preserve more green space on the property. In regards to the tree mitigation plan the applicant is further proposing to plant 68 mitigation inches and make a payment of \$78,737.99 in to the Tree Restoration Fund.

The Planning and Zoning Commission considered the variance requests during their June 4, 2019, regular meeting and a motion to recommend approval of the Eagle Plaza Site Plan was made with the following conditions: 1) The variance for a reduction in the required amount of parking from 62 spaces to 49 spaces shall be allowed. 2) The applicant shall pay \$123,750 in to the Tree Restoration Fund and plant twenty-four (24) 4" trees towards mitigation either on-site or at a location of the Town's choosing. 3) The applicant shall provide an alternative elevation design for Town Council's consideration featuring a balanced mansard roof. The motion carried by vote of six in favor to one opposed.

Todd Weaver, representative for the applicant, addressed Council regarding the alternative elevation design to advise they will accommodate Planning and Zoning's

recommendation. He did state they do not prefer the newly proposed elevation as compared to the original elevation submitted to Planning and Zoning.

The public hearing was open at 7:16 p.m. and closed at 7:16 p.m. with no speakers.

ACTION: Item I.1.

APPROVED

Councilmember Hermann moved to approve an ordinance approving a Specific Use Permit (SUP-19-005) for Eagle Plaza to operate a Retail Store (Misc.) at a proposed restaurant/retail building zoned Office Retail (OR), being approximately 1.92 acres of land, located on the east side of U.S. Hwy. 377 approximately 185 feet south of Old Town Blvd., 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 4-0. (*Ordinance No. 2019-17*)

2. Consider and take appropriate action on a Site Plan (SP-19-005) for Eagle Plaza, a proposed restaurant/retail building zoned Office Retail (OR), being approximately 1.92 acres of land, located on the east side of U.S. Hwy. 377 approximately 185 feet south of Old Town Blvd., being legally described as Lot 4, Block A, White Rock Farm Addition, Town of Argyle, Denton County, Texas.

ACTION: Item I.2.

APPROVED

Councilmember Donahue moved to approve a Site Plan (SP-19-005) for Eagle Plaza, a proposed restaurant/retail building zoned Office Retail (OR), being approximately 1.92 acres of land, located on the east side of U.S. Hwy. 377 approximately 185 feet south of Old Town Blvd., being legally described as Lot 4, Block A, White Rock Farm Addition, Town of Argyle, Denton County, Texas with the following conditions: variance approval for a reduction in the required amount of parking from 62 spaces to 49 spaces and the applicant shall pay \$123,750 in to the Tree Restoration Fund and plant twenty-four (24) 4" trees towards mitigation either on-site or at a location of the Town's choosing. Councilmember Hawkesworth seconded the motion. For: Unanimous. The motion passed 4-0. [*Note: Council did not approve the recommended elevation with the Mansard roof.*]

3. Consider and take appropriate action on a Site Plan Amendment (SP-19-006) for the Meadows Building, regarding a special exception to the Town Development Standards, Section 14.4.14 - Wall Signs, located at 512 N US HWY 377, Town of Argyle, Denton County, Texas.

Ms. Manglaris informed Council the applicant, Gypsy Caravan, is requesting a Site Plan amendment for consideration of wall murals to be on all sides of the building. The Planning and Zoning Commission considered the request during their June 4, 2019 regular meeting and recommended denial of the Site Plan amendment.

Selva Briceno-Casas addressed Council in regards to the site plan amendment stating she had previously began painting the façade of the Meadows Building as a rebranding project and was informed to cease work until they sought approval from Council due to the color scheme. Ms. Briceno-Casas asked the Council to approve the post card drawing she presented for the South side of the building and allow her to bring forward other designs over the next two years without paying the Site Plan Amendment Fee for each side of the building. Councilmember Donahue asked the applicant to meet with Staff to develop a site plan that would conform to the Old Town District color pallet. Ms. Gilbert advised the item can be brought back to Council during the August 27, 2019 Regular Council Meeting.

ACTION: Item I.3.

TABLED

Councilmember Donahue moved to table the item until the applicant is able to meet with Staff regarding conforming to Old Town District Zoning requirements. Councilmember Hermann seconded the motion. For: Unanimous. The motion passed 4-0.

4. Consider a request from Mayor Moser to establish an Agricultural Advisory Board.

Mayor Moser informed Council he had not had the time to form the board or seek further input. He would like to table the item until the October 22, 2019 meeting. He stated the purpose of the board will be to have persons that are more familiar with agricultural property requirements and needs to be used as a resource when questions arise through Town meetings pertaining to agricultural properties. He further advised he would like the board to move towards being an FFA program to help the students in the school district with agricultural type projects. Councilmember Hawkesworth would like the item to be brought back as a public hearing to get citizen input on the development of the board.

ACTION: Item I.4.

TABLED

Councilmember Vukasin moved to table the item until the October 22, 2019 Council Meeting. Councilmember Hermann seconded the motion. For: Unanimous. The motion passed 4-0.

5. Consider action on formally naming the park facility located north of Argyle Intermediate School.

Ms. Gilbert advised Council the park has generally been called Argyle Community Park with others indicating they would like the name to be Unity Park. She further advised the Town has received a commitment from the owner of BPS Jet to fund up to \$20,000 for the purchase of a sign in the park. Ms. Gilbert asked Council for direction in naming the park prior to moving forward with the sign purchase.

Councilmember Donahue asked that a park naming contest be held or some other way to involve more of the community in the naming of the park. Ms. Gilbert will put together a social media post for suggestions on park names followed by a poll for the community to vote on the name as well.

ACTION: Item I.5.

TABLED

Councilmember Hawkesworth moved to table the item until the August 27, 2019 Council Meeting. Councilmember Vukasin seconded the motion. For: Unanimous. The motion passed 4-0.

6. Consider approval of the purchase of equipment, software and services with Fiscal Year 2019 excess General Fund balance.

Ms. Gilbert informed Council during the recent review of FY 2019 budget re-estimates Staff identified approximately \$200,000 excess fund balance in the General Fund. Department heads prepared items to be considered for purchase with the funds consisting of audio/visual upgrades to the Council Chambers and Community Room, upgrade the projector system in the Community Room, updated security camera system for Town Hall, Police Department and the new Public Works Facility, electronic ticket writers for the Police Department, asphalt roller, zero turn mower, and possible additional contributions to TMRS to help reduce the unfunded actuarial liability.

ACTION: Item I.6.

APPROVED

Councilmember Hawkesworth moved to approve the purchase of equipment, software and services with Fiscal Year 2019 excess General Fund balance. Councilmember Vukasin seconded the motion. For: Unanimous. The motion passed 4-0.

7. Discuss and consider a resolution appointing the Mayor Pro Tem.

ACTION: Item I.7.

APPROVED

Councilmember Vukasin moved to approve a resolution appointing Cynthia Hermann as the Councilmember. Councilmember Hermann seconded the motion. For: Vukasin and Hermann. Opposed: Donahue and Hawkesworth. Mayor Moser voted to approve Cynthia Hermann in order to break the tie. The motion passed 3-2.

J. EXECUTIVE SESSION

At 8:00 p.m. the Town Council adjourned into executive session PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

- a. Deliberate regarding the purchase, exchange, lease, or value of real property pursuant to Section 551.072: TxDOT acquisition of Property along Front Street.

b. Economic Development negotiations pursuant to Section 551.087 (to deliberate the offer of a financial or other incentive to a business prospect): Project Alpha

2. Adjourn into Open Meeting at 8:35 p.m.

3. Consider action on executive session items. No action taken on items discussed during executive session.

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*)

No requests made at this time.

L. ADJOURN

There being no further business, Mayor Moser adjourned the regular session at 8:35 p.m.


M. WORK SESSION

The post-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.

Mayor Donald Moser called the post-meeting work session to order at 8:48 p.m.

1. Discussion regarding tree regulations.

Town Attorney, Robert Hager, led the discussion regarding the Town's Tree Mitigation Regulations and amendments proposed by the ad hoc Tree Committee. Staff will continue working on the proposed amendments with legal counsel and the Tree Committee Members. Once the amended ordinance has a final draft it will be brought before Council for consideration.


Donald Moser, Mayor


Erika McComis, Town Secretary

