

MINUTES OF THE ARGYLE TOWN COUNCIL REGULAR MEETING

August 02, 2021 at 6:00 PM

Argyle Town Hall, 308 Denton Street, Argyle, Texas

CALL TO ORDER

Mayor Livingston called the regular meeting to order at 6:03 p.m.

COUNCIL PRESENT

MAYOR	BRYAN LIVINGSTON
MAYOR PRO TEM, PLACE 2	RONALD SCHMIDT
COUNCIL MEMBER PLACE 1	JOAN DELASHAW
COUNCIL MEMBER PLACE 3	SHERRI MYERS
COUNCIL MEMBER PLACE 5	RICK BRADFORD

COUNCIL ABSENT

COUNCIL MEMBER PLACE 4	CYNTHIA HERMANN
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STAFF PRESENT

TOWN ADMINISTRATOR	RICHARD OLSON
ASSISTANT TOWN ADMINISTRATOR	ERIKA MCCOMIS
TOWN ATTORNEY	BRENDA MCDONALD
ACTING TOWN SECRETARY	DIANNA BUCHANAN
DEVELOPMENT DIRECTOR	EMILIO SANCHEZ

INVOCATION

Councilmember Sherri Myers provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor Livingston led the pledges to the American Flag and Texas Flag.

OPEN FORUM

This is an opportunity for the public to address the Town Council on any matter of public business, except public hearings.

There were no speakers.

STAFF REPORT

(Staff Reports are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items of a future agenda for action.)

Mayor Livingston directed the meeting to Staff Report Item 3. at this time.

Community Development

3. Receive presentation from SAFEbuilt regarding the 2021 Quarterly Business Review, contract updates, and building code updates.

Council received a presentation from SAFEbuilt, the Town's current third party contractor that provides inspection services and plan reviews as needed. SAFEbuilt representatives Mr. Manny Villareal, Jr., State Building Department Services Manager and Mr. Craig Rush, Account Manager presented an overview regarding the 2021 Quarterly Business Review, contract updates and a recommendation regarding building code updates.

Mayor Livingston directed the meeting to Staff Report Item 1. at this time.

Town Administrator

1. Presentation and discussion on Fiscal Year 2022 Budget.

Town Administrator Olson provided information regarding the proposed Fiscal Year 2022 Budget including the zero-based budgeting process followed by staff and details for each cost center. The August 16, 2021 agenda will include items to set the public hearing date for the proposed budget, to set the date for the public hearing for the proposed tax rate, and to vote on the proposed tax rate.

Assistant Town Administrator/Town Treasurer

2. Presentation and discussion on the Fiscal Year 2021 Third Quarter Financial Report.

Assistant Town Administrator Erika McComis presented the Fiscal Year 2021 Third Quarter Financial Report. Total revenue at the third quarter mark of FY 2021 shows 95.31% completion of expected revenues as the Town has exceeded projected sales tax revenues and collection of higher amounts for permits through the quarter's end. The majority of departments are effectively close to or below the 75% mark on expenditures and department heads continue to monitor these carefully.

CONSENT AGENDA

Any Council member may request an item on the Consent Agenda to be taken up for individual consideration.

4. Consider approval of the July 19, 2021 Regular Town Council meeting minutes as recorded.
5. Consider approval of the July 26, 2021 Special Town Council meeting minutes as recorded.
6. Consider and take appropriate action on Ordinance 2021-16 to amend the Town Development Standards by approving an ordinance amendment (TDS-21-005) to Article III, Zoning, of the Town of Argyle Town Development Standards regarding various amendments

to solar energy system requirements and other alternative energy system regulations in the Town Development Standards.

7. Consider approval of Resolution 2021-38 appointing Mayra Ramos as the Town of Argyle Municipal Court Clerk.
8. Consider approval of Resolution 2021-39 appointing Dianna Buchanan to serve as the Acting Town Secretary for the Town of Argyle.
9. Consider approval of Resolution 2021-40 approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2021 rate review mechanism filing.

Council Member Sherri Myers requested Item 9. be removed from the Consent Agenda and taken up for individual consideration.

Staff requested that Item 6. be removed from the Consent Agenda for further legal review due to recent legislative action that may affect the validity of the ordinance amendments proposed.

ACTION ITEMS 4, 5, 7 AND 8

APPROVE

MOTION BY COUNCIL MEMBER MYERS TO APPROVE ITEMS 4, 5, 7 AND 8 OF THE CONSENT AGENDA. MOTION SECONDED BY COUNCIL MEMBER BRADFORD. MOTION APPROVED 4-0.

Regarding Consent Agenda Item 9., Council Member Myers asked staff for clarification of the proposed settlement and answers were provided by staff.

ACTION ITEM 9

APPROVE

MOTION BY MAYOR PRO TEM SCHMIDT AND MOTION SECONDED BY COUNCIL MEMBER MYERS TO APPROVE RESOLUTION 2021-40 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2021 RATE REVIEW MECHANISM FILING. MOTION APPROVED 4-0.

ACTION ITEMS

10. Discuss and consider the establishment and appointment of members to an interview committee for the Town of Argyle contract services engineering firm selection process.

By Council consensus a subcommittee comprised of Mayor Livingston, Council Member Myers and Council Member Bradford will conduct interviews of the two finalists for the Town's engineering services contract along with Town Administrator Olson. The interviews will be virtual, and the schedule will be provided when available.

11. Consider approval of Resolution No. 20201-42 approving the terms of a Professional Services Agreement with Eddie Peacock, PLLC, for services relating to financial management support and authorizing the Town Administrator to execute the same on behalf of the Town.

Town Administrator Olson detailed that due to the retirement of the Town's prior financial management support contractor and the need for financial management support and training, staff is recommending approval of the proposed agreement.

ACTION ITEM 11

APPROVE

MOTION BY COUNCIL MEMBER BRADFORD TO APPROVE RESOLUTION NO. 2020-42 APPROVING THE TERMS OF A PROFESSIONAL SERVICES AGREEMENT WITH EDDIE PEACOCK, PLLC, FOR SERVICES RELATING TO FINANCIAL MANAGEMENT SUPPORT AND AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE SAME ON BEHALF OF THE TOWN. MOTION SECONDED BY COUNCIL MEMBER DELASHAW. MOTION APPROVED 4-0.

EXECUTIVE SESSION

At 7:55 p.m., the Town Council adjourned into executive session pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D to discuss the following:

Consultation with Attorney

§551.071(1),(2): Consultation with attorney regarding pending or anticipated litigation, or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter:

12. Furst Ranch-Flower Mound Ranch

RECONVENE INTO OPEN SESSION

At 9:09 p.m., the Town Council reconvened into open session.

There was no action as a result of Executive Session.

RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA

Mayor Pro Tem Schmidt requests Council discuss establishment of a subcommittee to review and suggest methods to standardize the evaluation process for city employees.

Council Member Bradford requests an update on the status of the tree preservation ordinance.

Council Member Bradford requests an item reviewing the Town's ordinances relating to temporary and permanent signs.

Mayor Livingston requests staff provide the status of land use chart updates.

ADJOURN

There being no further business, Mayor Livingston adjourned the regular session at 9:15 pm.

BK

Bryan Livingston, Mayor

8/19/2021

Date

Dianna Buchanan

ATTEST: Dianna Buchanan, Acting Town Secretary

8-19-2021

Date

