

**FEBRUARY 7, 2022**

**REGULAR TOWN COUNCIL MEETING OF THE TOWN OF ARGYLE, TEXAS, HELD ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:**

**CALL TO ORDER**

Mayor Livingston called the regular meeting to order at 6:04 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 4	CYNTHIA HERMANN
COUNCIL MEMBER PLACE 5	RICK BRADFORD

**STAFF PRESENT**

TOWN ADMINISTRATOR	RICHARD OLSON
TOWN ATTORNEY	CYNTHIA KIRCHOFF
TOWN SECRETARY/TOWN TREASURER	DIANNA BUCHANAN
ASSISTANT TOWN SECRETARY	BAILEY LOVE
INTERIM COMMUNITY DEVELOPMENT DIRECTOR	HARRISON WICKS
POLICE CHIEF	EMMITT JACKSON

**INVOCATION**

Council Member Sherri Myers provided the invocation.

**PLEDGE OF ALLEGIANCE**

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

**OPEN FORUM**

There was no one to speak at this time.

**SPECIAL PRESENTATION**

1. Presentation of Texas Police Chiefs Association Best Practices Recognition Certificate to the Argyle Police Department.  
Trophy Club Police Chief Patrick Arata presented the Texas Police Chiefs Association Best Practices Recognition Certificate to the Argyle Police Department and Argyle Police Chief Emmitt Jackson.

**ITEMS OF COMMUNITY INTEREST**

Mayor Livingston announced the following items:

Municipal Development District Board Meeting, Tuesday, February 8th, 6 pm, Town Hall

Crime Control and Prevention District Board Meeting, Thursday, February 10th, 6 pm, Town Hall

Town Council Retreat Meeting, Saturday, February 12th, 8:30 am, University of North Texas Union Building, 1155 Union Circle Drive, Room 333C, Denton, TX 76203

The Last Day to File as a Candidate in the May 7th General Election for Council Member Places 1, 3 or 5 is February 18th at 5 pm. Candidates that have filed at time of agenda publication are: Council Member Place 1: Marilyn K. Lewis and Gordon Baethge; Council Member Place 3: Donald Moser; and Council Member Place 5: Rick Bradford. Mayor Livingston also mentioned since publication of the agenda that two filings were received: Sherri Myers, Place 3 and Brian Darnell, Place 1.

Argyle Business Association Networking Meeting, Thursday, February 17th, 8 am at the Seeden Photography Studio, 306 US 377, Argyle

Financial Oversight Committee Meeting, February 17th, 6 pm, Town Hall

Town Offices will be closed Monday, February 21st in observance of the President's Day Holiday

Town Council Regular Meeting, Tuesday, February 22nd, 6 pm, Town Hall

#### **BOARDS AND COMMISSIONS**

2. Recap of January 27, 2022 Financial Oversight Committee Meeting (Chairman Schmidt)

Recap provided by Mayor Pro Tem Schmidt, Chair of the Financial Oversight Committee. The next meeting of the committee will be Thursday, February 17<sup>th</sup> at 6 pm.

#### **STAFF REPORTS**

3. List of Council Requests for Agenda Items and Status Report received.
4. Active Development Review Committee Project List Report received.

#### **CONSENT AGENDA**

5. Approve the January 18, 2022 Regular Town Council Meeting Minutes

**CONSENT AGENDA ITEM 5**

**APPROVED**

**MOTION BY COUNCIL MEMBER MYERS AND SECOND BY COUNCIL MEMBER HERMANN TO APPROVE THE MINUTES AS WRITTEN. MOTION APPROVED 5-0.**

**PUBLIC HEARING AND ACTION ITEMS**

6. Hold public hearing, consider and act regarding Resolution 2022-02 requesting the Argyle Crime Control and Prevention District Board of Directors to order a referendum on the continuation of the Argyle Crime Control and Prevention District for fifteen (15) years and the current one-fourth of one percent local sales and use tax be continued for fifteen (15) years.

Staff summarized the item. Police Chief Jackson reported that the CCPD funds are relied on for Police Department programs and other expenses. The CCPD is scheduled to meet this Thursday to consider ordering the reauthorization election.

Mayor Livingston opened the public hearing at 6:29 p.m. and asked if there was anyone to speak for or against the proposed resolution. There was no one to speak and Mayor Livingston closed the public hearing at 6:30 p.m.

**ACTION ITEM 6****APPROVED**

**MOTION BY COUNCIL MEMBER BRADFORD AND SECOND BY COUNCIL MEMBER MYERS TO APPROVE RESOLUTION 2022-02 REQUESTING THE ARGYLE CRIME CONTROL AND PREVENTION DISTRICT BOARD OF DIRECTORS TO ORDER A REFERENDUM ON THE CONTINUATION OF THE ARGYLE CRIME CONTROL AND PREVENTION DISTRICT FOR FIFTEEN (15) YEARS AND THE CURRENT ONE-FOURTH OF ONE PERCENT LOCAL SALES AND USE TAX BE CONTINUED FOR FIFTEEN (15) YEARS. MOTION APPROVED 5-0.**

7. Consider and act regarding Ordinance 2022-02 Calling a General Election and establishing the procedure for the General Election for Three Positions--one at large Alderman for Place One, one at large Alderman for Place Three and one at large Alderman for Place Five to be held on May 7, 2022 in the Town of Argyle, approving the Joint Election Agreement and Contract for Election Services with Denton County and providing other matters relating to the Election.

**ACTION ITEM 7****APPROVED**

**MOTION BY COUNCIL MEMBER HERMANN AND SECOND BY MAYOR PRO TEM SCHMIDT TO APPROVE ORDINANCE 2022-02 CALLING A GENERAL ELECTION AND ESTABLISHING THE PROCEDURE FOR THE GENERAL ELECTION FOR THREE POSITIONS--ONE AT LARGE ALDERMAN FOR PLACE ONE, ONE AT LARGE ALDERMAN FOR PLACE THREE AND ONE AT LARGE ALDERMAN FOR PLACE FIVE TO BE HELD ON MAY 7, 2022 IN THE TOWN OF ARGYLE, APPROVING THE JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH DENTON COUNTY AND PROVIDING OTHER MATTERS RELATING TO THE ELECTION. MOTION APPROVED 5-0.**

8. Consider and act regarding Ordinance 2022-03 Ordering a Special Election to be held on May 7, 2022 in the Town of Argyle for the purpose of reauthorizing a one-half of one percent Sales and Use Tax for the Maintenance and Repair of Municipal Streets within the Town of Argyle.

**ACTION ITEM 8****APPROVED**

**MOTION BY COUNCIL MEMBER MYERS AND SECOND BY COUNCIL MEMBER HERMANN TO APPROVE ORDINANCE 2022-03 ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 7, 2022 IN THE TOWN OF ARGYLE FOR THE PURPOSE OF REAUTHORIZING A ONE-HALF OF ONE PERCENT SALES AND USE TAX FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS WITHIN THE TOWN OF ARGYLE. MOTION APPROVED 5-0.**

9. CONTINUED: Consider an ordinance amendment (TDS-21-009) to Article III, Zoning, of the Town of Argyle Town Development Standards regarding various amendments to setbacks and bufferyards for commercially zoned districts adjacent to residentially zoned districts in the Town Development Standards (Public Hearing held on January 3, 2022).

**ACTION ITEM 9****APPROVED**

**MOTION BY COUNCIL MEMBER HERMANN AND SECOND BY COUNCIL MEMBER BRADFORD TO APPROVE ORDINANCE 2022-01 AMENDMENT (TDS-21-009) TO ARTICLE III, ZONING, OF THE TOWN OF ARGYLE TOWN DEVELOPMENT STANDARDS REGARDING VARIOUS AMENDMENTS TO SETBACKS AND BUFFERYARDS FOR COMMERCIAL ZONED DISTRICTS ADJACENT TO RESIDENTIALLY ZONED DISTRICTS IN THE TOWN DEVELOPMENT STANDARDS. MOTION APPROVED 5-0.**

10. Consider and take appropriate action on an Amended Site Plan (SP-22-003) for The Well Community Church, an approximately 20,500 sq. ft. church facility, located north of FM 407 and west of US 377, being 12.957 acres and legally described as Lot 8, Block A located in the Patrick Rock Survey, Abstract No. 1063, Town of Argyle, Denton County, Texas.

**ACTION ITEM 10****APPROVED**

**MOTION BY COUNCIL MEMBER BRADFORD AND SECOND BY COUNCIL MEMBER MYERS TO APPROVE AN AMENDED SITE PLAN (SP-22-003) FOR THE WELL COMMUNITY CHURCH, AN APPROXIMATELY 20,500 SQ. FT. CHURCH FACILITY, LOCATED NORTH OF FM 407 AND WEST OF US 377, BEING 12.957 ACRES AND LEGALLY DESCRIBED AS LOT 8, BLOCK A LOCATED IN THE PATRICK ROCK SURVEY, ABSTRACT NO. 1063, TOWN OF ARGYLE, DENTON COUNTY, TEXAS. MOTION APPROVED 5-0.**

11. Consider and take appropriate action for a special exception to the Town Development Standards, Section 14.4.14 - Wall Signs, for St Argyle Cajun Kitchen, located at 421 US HWY 377, Town of Argyle, Denton County, Texas.

The applicant, Mr. Tim Hays, Mello Signs, on behalf of the property owner, was present in support of the request and to answer questions. Mr. Steve Watkins, development partner with the restaurants located at US Hwy. 377 and FM 407, addressed Council regarding the request and the challenges of placing signage on the property in compliance with the Town's sign regulations and TxDOT regulations. Council discussed signage options that would enhance advertising for businesses located in the same immediate area as St Argyle's. Staff

will provide follow-up information regarding possible options for monument, way-finding and kiosk signage.

**ACTION ITEM 11**

**APPROVED**

**MOTION BY COUNCIL MEMBER BRADFORD AND SECOND BY COUNCIL MEMBER HERMANN TO APPROVE A SPECIAL EXCEPTION TO THE TOWN DEVELOPMENT STANDARDS, SECTION 14.4.14-WALL SIGNS TO ALLOW A 75 FT. WALL SIGN ON THE WEST FACING WALL OF THE BUILDING FOR ST ARGYLE CAJUN KITCHEN, LOCATED AT 421 US HWY 377, TOWN OF ARGYLE, DENTON COUNTY, TEXAS. MOTION APPROVED 5-0.**

12. Authorize the approval of Task Order #4 with Freese and Nichols to evaluate options for the Crawford Road Sewer Line

**ACTION ITEM 12**

**APPROVED**

**MOTION BY COUNCIL MEMBER HERMANN AND SECOND BY COUNCIL MEMBER MYERS TO APPROVE TASK ORDER #4 WITH FREESE AND NICHOLS TO EVALUATE OPTIONS FOR THE CRAWFORD ROAD SEWER LINE. MOTION APPROVED 3 AYES AND 2 NAYS BY MAYOR PRO TEM SCHMIDT AND COUNCIL MEMBER BRADFORD.**

**Mayor Livingston announced Executive Session and recessed the regular meeting at 8:15 pm, with Executive Session to begin after a 10 minute break.**

**EXECUTIVE SESSION**

**As authorized by Section 551.071 of the Texas Government Code (Consultation with Town Attorney), this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the Town Attorney on any agenda item herein.**

Additionally, pursuant to the Texas Government Code, Annotated, Chapter 551, Subchapter D, Texas Open Meetings Act (the "Act"), Town Council will recess into Executive Session (closed meeting) to discuss the following:

**Real Property**

*§551.072: Deliberate the purchase, exchange, lease, or value of real property:*

13. Argyle Police Station Property

**RECONVENE INTO OPEN SESSION AND TAKE ACTION RESULTING FROM EXECUTIVE SESSION**

There was no action as a result of Executive Session.

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


*Mayor Pro Tem Schmidt would like an update from Mayor Livingston on 35W Zone Development.*

Mayor Pro Tem Schmidt would like an update from Mayor Livingston on 35W Zone Development.  
Council Member Bradford wants to review the ordinances/development standards regarding signs and outdoor lighting.

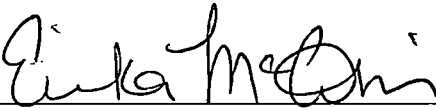
Council Member Delashaw would like information regarding the post office in Argyle, the building condition and maintenance, plans for future growth, to be proactive for better postal facility.

**ADJOURN**

Mayor Livingston adjourned the meeting at 9:10 pm.

  
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Bryan Livingston, Mayor

ATTEST:



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Erika McComis, Interim Town Secretary

Minutes were approved during the February 22, 2022 Town Council Meeting.

