

APRIL 18, 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.

INVOCATION

Mayor Livingston led the invocation.

COUNCIL PRESENT

MAYOR

MAYOR PRO TEM, PLACE 2

COUNCIL MEMBER PLACE 1

COUNCIL MEMBER PLACE 3

COUNCIL MEMBER PLACE 4

COUNCIL MEMBER PLACE 5

BRYAN LIVINGSTON

RONALD SCHMIDT

JOAN DELASHAW

SHERRI MYERS

CYNTHIA HERMANN

RICK BRADFORD

STAFF PRESENT

TOWN ADMINISTRATOR

TOWN ATTORNEY

ACTING TOWN SECRETARY

COMMUNITY DEVELOPMENT DIRECTOR

PLANNER II

POLICE CHIEF

RICHARD OLSON

BRENDA MCDONALD

BAILEY LOVE

NABILA NUR

HARRISON WICKS

EMMITT JACKSON

PLEDGE OF ALLEGIANCE

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

OPEN FORUM

John Ankeny, 419 Bent Creek Cove, Argyle, TX 76226 spoke in favor of the funding for Unity Park and requested council consider creating a Park Board.

ITEMS OF COMMUNITY INTEREST

Mayor Livingston announced the following items:

- Argyle Business Association Networking + Coffee, April 21, 8 AM, Liberty Christian School
- Community Meeting- Stonecrest Rd. Reconstruction Project, April 21, 6 PM, Town Hall
- Argyle Business Association Networking Happy Hour, April 25, 5-7 PM, Earl's 377
- PACE Meeting- Heath Tract, April 25, 6 PM, Town Hall
- Council Candidate Forum, April 26, 7 PM, Town Hall

- Argyle Town Council Regular Meeting, May 2, 6 PM, Town Hall
- Election Day, May 7, 7 AM- 7 PM, Town Hall- Community Room

STAFF REPORT

1. Active Development Review Committee Project List Report received.
2. List of Council Requests for Agenda Items and Status Report received.
3. Initiation of the Sign Ordinance Review and Update Report received. Councilmember Bradford requested that lighting as signage be reviewed, Council Member Myers requested a review for temporary signage for businesses while US 377 is under construction. Mayor Livingston requested a review for totem signs for all businesses.
4. Construction Site Maintenance Update Report received. Council Member Myers would like to see latches added to dumpsters, Mayor Pro Tem Schmidt requested that Brenda McDonald, Town Attorney do an additional review for consequences that can be given for construction projects that do not keep their sites clean.

CONSENT AGENDA

5. Consider and act to approve Town Council Special Meeting Minutes for March 31, 2022
6. Consider and act to approve Town Council Regular Minutes for April 4, 2022
7. Consider and act to approve Town Council Special Meeting Minutes for April 12, 2022

CONSENT AGENDA ITEMS 5-7

APPROVED

MOTION BY COUNCIL MEMBER HERMANN AND SECOND BY COUNCIL MEMBER BRADFORD TO APPROVE THE CONSENT AGENDA. MOTION APPROVED 5-0.

DISCUSSION ITEMS

8. Discuss proposed Town Council Code of Conduct

Discussion was had regarding a Town Council Code of Conduct, Town Attorney McDonald recommended that Town Council have a workshop to work on a Code of Conduct.

9. Discussion regarding possible uses for Coronavirus Local Fiscal Recovery Funds (CLFRF)

Discussion was had regarding possible uses for the CLFRF funds, Mayor Livingston requested staff confirm exactly how the funds can be spent.

ACTION ITEMS

10. Consider and act on supplemental appropriation in the amount of approximately \$14,000 for additional improvements to Unity Park.

Town Administrator, Rich Olson, gave report.

ACTION ITEM 10

APPROVED

MOTION BY COUNCIL MEMBER MYERS AND SECOND BY COUNCIL MEMBER BRADFORD TO APPROVE SUPPLEMENTAL APPROPRIATION UP TO \$14,000 FOR ADDITIONAL IMPROVEMENTS TO UNITY PARK. MOTION APPROVED 5-0.

11. Consider and take appropriate action on a Revised Site Plan (SP-22-002) for TM Evans Tract, Phase II, a proposed 19,673 square-foot facility with office, restaurant, and retail uses, located on approximately 1.883 acres of land, legally described as Lot 2, Block A, Evans Tract, located in the Town of Argyle, Denton County, Texas.

Community Development Director, Nabila Nur gave presentation. Sahil Kurji, 2500 Indigo Dr. McKinney, TX of Slate Land and Development Co. spoke to the site plan for TM Evans Tract, Phase II and answered questions of the Town Council.

ACTION ITEM 11

APPROVED

MOTION BY MAYOR PRO TEM SCHMIDT AND SECOND BY COUNCIL MEMBER BRADFORD TO APPROVE REVISED SITE PLAN (SP-22-002) FOR TM EVANS TRACT, PHASE II, A PROPOSED 19,673 SQUARE-FOOT FACILITY WITH OFFICE, RESTAURANT, AND RETAIL USES, LOCATED ON APPROXIMATELY 1.883 ACRES OF LAND, LEGALLY DESCRIBED AS LOT 2, BLOCK A, EVANS TRACT, LOCATED IN THE TOWN OF ARGYLE, DENTON COUNTY, TEXAS. MOTION APPROVED 5-0.

Mayor Livingston called for a break at 7:37 p.m.

Mayor Livingston reconvened the meeting at 7:52 p.m.

12. Consider and take appropriate action regarding appointment of Planning and Zoning Commission, Place 2.

Town Attorney Brenda McDonald gave presentation.

At 8:00 p.m. Town Council moved to item 18 to move into Executive Session.

13. Consider approval of the reappointment of Town Administrator Rich Olson as the Authorized Contracting Party Representative for the Denton Creek Regional Wastewater System Advisory Committee of the Trinity River Authority.

Town Administrator, Rich Olson, gave report.

ACTION ITEM 13**APPROVED**

MOTION BY COUNCIL MEMBER MYERS AND SECOND BY MAYOR PRO TEM SCHMIDT TO APPROVE THE REAPPOINTMENT OF TOWN ADMINISTRATOR RICH OLSON AS THE AUTHORIZED CONTRACTING PARTY REPRESENTATIVE FOR THE DENTON CREEK REGIONAL WASTEWATER SYSTEM ADVISORY COMMITTEE OF THE TRINITY RIVER AUTHORITY. MOTION APPROVED 5-0.

14. Consider and act to rescind Resolution 2021-31 pertaining to the duties of the office of the Mayor.

Mayor Livingston gave background information regarding the action item. Town Administrator, Rich Olson, gave staff report. Discussion was had.

ACTION ITEM 14**APPROVED**

MOTION BY COUNCIL MEMBER BRADFORD AND SECOND BY COUNCIL MEMBER HERMANN TO APPROVE RESOLUTION 2022-12 WHICH RESCINDS RESOLUTION 2021-31. MOTION APPROVED 4-1 WITH DISENT BY COUNCIL MEMBER MYERS.

15. Consider and act on termination of contract with Reytech for nonperformance on the US 377 Sewer Relocation Project.

Town Administrator, Rich Olson, gave report. No action taken at this time, will be revisited at May 2nd, 2022 meeting.

16. Consider and act to approve Resolution 2022-13 appointing of Laura Calcote as Town Secretary/Assistant Town Administrator.

Town Administrator, Rich Olson, gave report. Council Member Delashaw requested an updated letter stating that as Town Secretary Calcote will report to council.

ACTION ITEM 16**APPROVED**

MOTION BY MAYOR PRO TEM SCHMIDT AND SECOND BY COUNCIL MEMBER MYERS TO APPROVE RESOLUTION 2022-13 APPOINTING LAURA CALCOTE AS TOWN SECRETARY AND ASSISTANT TOWN ADMINISTRATOR. MOTION APPROVED 5-0.

17. Consider and take action on the proposed change to MDD bylaws to increase the number of board members from five to seven.

Town Administrator, Rich Olson, gave report.

ACTION ITEM 17**APPROVED**

MOTION BY COUNCIL MEMBER HERMANN AND SECOND BY COUNCIL MEMBER BRADFORD TO CHANGE MDD BYLAWS TO INCREASE THE NUMBER OF BOARD MEMBERS FROM FIVE TO SEVEN. MOTION APPROVED 5-0.

EXECUTIVE SESSION

At 8:00 p.m., the Town Council adjourned into Executive Session pursuant to the Texas Government Code, Annotated, Chapter 551, Subchapter D, Texas Open Meetings Act (the "Act") to discuss the following:

18. Personnel Matters

§551.074: Personnel matters (to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee):

Planning and Zoning Commission Place 2

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

At 8:30 p.m., the Town Council reconvened into open session. There was no action as a result of Executive Session.

At this time the council returned to item 13.

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

Discussion under this section must be limited to whether or not the Council wishes to include a potential item on a future agenda.

ADJOURN

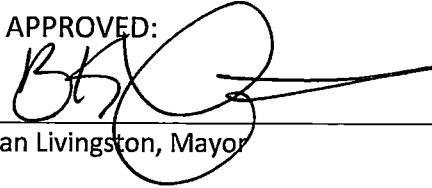
There being no further business, Mayor Livingston adjourned the special session at 9:21 p.m.

NOTE: 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.

CERTIFICATION

I hereby certify that the above notice was posted in the bulletin board at Argyle Town Hall, 308 Denton Street, Argyle, Texas, by 5:00 PM on the 14th day of April 2022

APPROVED:



Bryan Livingston, Mayor

ATTEST:



Erika McComis, Interim Town Secretary

Minutes were approved during the May 2, 2022 Town Council Meeting.