

**MINUTES OF TOWN COUNCIL MEETING
FOR THE TOWN OF ARGYLE
SEPTEMBER 8, 2009**

STATE OF TEXAS §

COUNTY OF DENTON §

TOWN OF ARGYLE §

The regular meeting of the Argyle Town Council was held on September 8, 2009 at 6:00 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 September 4, 2009, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

TOWN COUNCIL MEMBERS PRESENT:

Greg Landrum	Mayor
Jackie Thomas	Councilmember (arrived at 6:27 p.m.)
Dona Schroetke	Councilmember
Joey Hasty	Councilmember
Wayne Holt	Councilmember

TOWN COUNCIL MEMBERS ABSENT:

Bonny Haynes	Mayor Pro-Tem
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STAFF PRESENT:

Lyle Dresher	Town Administrator
Codi Delcambre	Town Secretary
Kim Collins	Town Accountant
Troy Norton	Director of Public Works
Matthew Boyle	Town Attorney (arrived at 6:20 p.m.)
William Tackett	Chief of Police
Richard Luedke	Development Services Coordinator

TOWN COUNCIL AGENDA (6:00 p.m.)

CALL TO ORDER AND ANNOUNCE A QUORUM:

Mayor Landrum called the meeting to order at 6:00 p.m., noting a quorum was present.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG.

“Honor the Texas Flag; I pledge Allegiance to thee, Texas, one state under God, one and indivisible.”

Harold Peck and Dona Schroetke led the recitation of the Pledge of Allegiance to the American Flag and to the Texas Flag, respectively.

REPORTS: NONE

CONSENT AGENDA:

- 1. Consider approval of the minutes of Town Council’s regular meeting of August 25, 2009.**
- 2. Consider approval of a resolution approving a lease agreement with the Argyle Water Supply Corporation providing a one-year lease by the Town of Argyle of the property located at 314 Country Club Road for use by the Public Works Department and authorizing the Town Administrator to execute said lease on behalf of the Town of Argyle.**
- 3. Consider approval of an ordinance finding that the current rates of CoServ Gas Ltd. are unreasonable; approving CoServ Gas Ltd’s revised and uncontested tariffs; setting the effective date of new tariffs as October 1, 2009; finding rate case expenses reasonable; finding that any relief requested by CoServ Gas Ltd. not specifically granted herein is denied; finding that the meeting at which this ordinance is passed is open to the public as required by law; providing for notice of this ordinance to CoServ Gas Ltd.; and providing an effective date.**
- 4. Consider approval of a resolution approving an agreement with Brian the Animal Guy for Town of Argyle Animal Control Services for Fiscal Year 2009-2010 and authorize the Town Administrator to execute said agreement on behalf of the Town of Argyle.**
- 5. Consider approval of a resolution approving an interlocal cooperation agreement with Corral City, Texas for police and courts services.**

Dona Schroetke made a motion to approve the consent agenda. Wayne Holt seconded the motion. For: Unanimous. Carried: 3-0.

PRESENTATIONS:

1. Presentation of a Certificate of Achievement for Planning Excellence to the Town of Argyle from the Texas Chapter of the American Planning Association.

Development Services Coordinator Richard Luedke presented the Council with a *Certificate of Achievement for Planning Excellence* from the Chapter of the American Planning Association.

OPEN FORUM:

The opportunity for citizens to address the Town Council on any subject (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) hours notice. Issues raised may be referred to Town Staff for research and possible future action.

OLD BUSINESS:

1. Consider approval of an ordinance amending Chapter 3 of the Town of Argyle, Texas Code of Ordinances by repealing Article 3.13, Signs, in its entirety and replacing it with a new Article 3.13, Sign Regulations.

Dona Schroetke made a motion to approve an ordinance amending Chapter 3 of the Town of Argyle, Texas Code of Ordinances by repealing Article 3.13, Signs, in its entirety and replacing it with a new Article 3.13, Sign Regulations as corrected. Joey Hasty seconded the motion. For: Unanimous. Carried: 3-0.

NEW BUSINESS:

1. Hold a public (second) hearing on the proposed increase in total tax revenues relating to the proposed FY 2009-2010 Annual Budget for the Town of Argyle, Texas.

Mayor Landrum opened the public hearing.

Town Accountant Kim Collins presented the proposed increase in total tax revenues relating to the proposed FY 2009-2010 Annual Budget.

Mayor Landrum asked to hear from those citizens in favor of or against the proposed increase in total tax revenues relating to the proposed FY 2009-2010 Annual Budget.

Marie Trichka of 708 Charyl Lynn Road spoke against the proposed increase in the tax revenues.

Mayor Landrum closed the public hearing.

No action was taken. The Council will be voting on the proposed FY 2009-2010 tax rate on September 22, 2009 at 6:00 p.m.

2. Hold a public hearing on the proposed FY 2009-2010 Annual Budget for the Town of Argyle, Texas.

Mayor Landrum opened the public hearing.

Town Administrator Lyle Drescher presented the proposed FY 2009-2010 Annual Budget.

Mayor Landrum asked to hear from those citizens in favor of or against the proposed FY 2009-2010 Annual Budget.

Marie Trichka of 708 Charyl Lynn Road stated that she was opposed to the increase in the FY 2009-2010 Annual Budget.

Mayor Landrum closed the public hearing.

No action was taken. The Council will be voting on the proposed FY 2009-2010 Annual Budget on September 22, 2009 at 6:00 p.m.

3. Hold a public hearing and consider an ordinance approving a zoning change from A (Agricultural District) to CF (Community Facilities District) on a 2.561-acre tract of land out of the Spencer Graham Survey, Abstract Number 468, which is located on the east side of North Highway 377 approximately 2,100 feet north of Country Club Road, in the Town of Argyle, Denton County, Texas. Lake Cities Congregation of Jehovah's Witnesses is the owner/applicant.

Mayor Landrum opened the public hearing.

Development Services Coordinator Richard Luedke presented the case background.

Bruce Lang of 1510 Meadow Ave., Lantana stated that a 5,000 square foot King Hall will be built on the property. Mr. Lang stated that they were aware that they were going to have to make some improvements to Highway 377. He stated that the building size will never exceed 5,000 square feet.

Mayor Landrum asked to hear from those citizens in favor of or against the proposed zoning change.

Marie Trichka of 708 Charyl Lynn spoke against the proposed zoning change.

Mayor Landrum closed the public hearing.

Joey Hasty made a motion to adopt an ordinance approving a zoning change from A (Agricultural District) to CF (Community Facilities District) on a 2.561-acre tract of land out of the Spencer Graham Survey, Abstract Number 468, which is located on the east side of North Highway 377 approximately 2,100 feet north of Country Club Road, in the Town of Argyle, Denton County, Texas. Dona Schroetke seconded the motion. For: Unanimous. Carried: 4-0.

- 4. Hold a public hearing and consider an ordinance approving a Specific Use Permit for a proposed wind energy system on a 5.21-acre lot legally described as Lots 1 and 2, Block A, Brookside Estates, which is located on the north side of Country Club Road approximately 2,300 feet east of North Highway 377, at 501 Country Club Road and zoned SF-2.5 (Single Family Residential 2.5-acre Estate), in the Town of Argyle, Denton County, Texas. Larry Meyer is the owner/applicant.**

Mayor Landrum opened the public hearing.

Development Services Coordinator Richard Luedke presented the case background.

Larry Meyers of 501 Country Club Road stated that he was the applicant. He stated that the current placement of the wind generator was chosen for maximum functions. He stated that if he had to move it 115 ft., it would be in a valley and would not get enough wind. He stated that the ordinance needed to be amended to allow for a case by case review.

Mayor Landrum asked to hear from citizens in favor of or against the proposed case.

Charles Crumbley stated that he had worked with the applicant on the design and location of the Wind Energy System. He stated that the current location would provide the best wind energy.

Harold Peck of 2032 Hickory Hill Road, Alan Meyer of 17081 Hilltop Road and Marie Trichka of 708 Charyl Lynn spoke in favor of the proposed wind energy system.

Mayor Landrum closed the public hearing.

Joey Hasty made a motion to continue the public hearing and consideration of an ordinance approving a Specific Use Permit for a proposed wind energy system on a 5.21-acre lot legally described as Lots 1 and 2, Block A, Brookside Estates to the Town Council meeting on October 13, 2009. Jackie Thomas seconded the meeting. For: Unanimous. Carried: 4-0.

Jackie Thomas made a motion to send the Wind Energy Ordinance back to the Planning and Zoning Commission for review of the current pole height and setback location. Dona Schroetke seconded the motion. For: Unanimous. Carried: 4-0.

- 5. Consider a resolution approving a Site Plan for Argyle Town Village Amenity Center, a proposed private community pool to be constructed on a 0.149-acre lot legally described as Lot 15, Block 3, Argyle Town Village, which is located on the north side of Hearth Terrace approximately 920 feet east of Harrison Lane, at 541 Hearth Terrace, and zoned PD-OT-2 (Planned Development-Old Town 2 District), in the Town of Argyle, Denton County, Texas. DEMA Partners, L.P. is the owner/applicant. Blake Architects is the architect.**

Wayne Holt made a motion to approve a resolution approving a Site Plan for Argyle Town Village Amenity Center, a proposed private community pool to be constructed on a 0.149-acre lot legally described as Lot 15, Block 3, Argyle Town Village, which is located on the north side of Hearth Terrace approximately 920 feet east of Harrison Lane, at 541 Hearth Terrace with the following conditions:

1. Sidewalks shall be constructed to connect to adjacent future sidewalks to the east and west.
2. A building permit may be issued for the amenity center at any time up to a point 90 days after 50% of the residential permits in Argyle Town Village are issued.

Jackie Thomas seconded the motion. For: Unanimous. Carried: 4-0.

6. Consider approval of a resolution approving an interlocal cooperation agreement with Denton County for Shared Governance Communications and Dispatch Services System.

Jackie Thomas made a motion to approve a resolution approving an interlocal cooperation agreement with Denton County for Shared Governance Communications and Dispatch Services System. Joey Hasty seconded the motion. For: Unanimous. Carried: 4-0.

7. Discuss progress of Town Hall renovation projects.

Council received an update from Mayor Landrum. No action was taken.

EXECUTIVE SESSION:

PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D, SECTIONS §551.071(1) and (2), §551.072, §551.074(a) (1), and §551.087.

- (A) Consultation with Town Attorney regarding pending or contemplated litigation: *Don Molian V. City of Argyle. Cause No. 2008-30186-211.*

Adjourn into Open Meeting

Take action on Executive Session item(s).

Council did not convene into Executive Session.

ADJOURNMENT:

There being no further consideration to come before the body, the meeting was adjourned at 8:26 p.m.

APPROVED this the 8th day of December 2009.

APPROVED:

(SEAL)

Greg Landrum, Mayor

ATTEST:

Codi Delcambre, Town Secretary TRMC, CMC