

**MINUTES OF TOWN COUNCIL MEETING
FOR THE TOWN OF ARGYLE
AUGUST 11, 2009**

STATE OF TEXAS §

COUNTY OF DENTON §

TOWN OF ARGYLE §

The regular meeting of the Argyle Town Council was held on August 11, 2009 at 5:30 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 August 7, 2009, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

TOWN COUNCIL MEMBERS PRESENT:

Greg Landrum	Mayor
Bonny Haynes	Mayor Pro-Tem
Jackie Thomas	Councilmember
Dona Schroetke	Councilmember
Joey Hasty	Councilmember
Wayne Holt	Councilmember (Arrived at 5:39 p.m.)

TOWN COUNCIL MEMBERS ABSENT:

STAFF PRESENT:

Lyle Dresher	Town Administrator
Codi Delcambre	Town Secretary
Kim Collins	Town Accountant
Troy Norton	Director of Public Works
Matthew Boyle	Town Attorney
Richard Luedke	Development Services
William Tackett	Chief of Police

TOWN COUNCIL AGENDA (5:30 p.m.)

CALL TO ORDER AND ANNOUNCE A QUORUM:

Mayor Landrum called the meeting to order at 5:36 p.m., noting a quorum was present.

WORK SESSION:

- 1. Review and discuss the proposed amendments to Article 3.13, Sign Regulations. – Development Services Coordinator- Richard Luedke**

Development Services Coordinator Richard Luedke reviewed the proposed amendments to the Sign Ordinance with Council. Staff was directed to make the changes as discussed and bring back corrected ordinance for approval. No action was taken.

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.”

Kim Collins and Dona Schroetke led the recitation of the Pledge of Allegiance to the American Flag and to the Texas Flag.

REPORTS: NONE

CONSENT AGENDA:

- 1. Consider approval of the minutes of Town Council for July 28, 2009 Regular Council meeting.**

Jackie Thomas made a motion to approve the consent agenda. Bonny Haynes seconded the motion. For Unanimous. Carried 5-0.

PRESENTATIONS: NONE

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: NONE

NEW BUSINESS:

- 1. Consider approval of a resolution proposing the adoption of a total ad valorem tax rate for Fiscal Year 2010 of \$0.3850 per \$100.00 of assessed valuation subject to all public hearing requirements of the Texas Property Tax Code.**

Bonny Haynes made a motion to approve a resolution that places on a future Town Council Agenda a proposal to consider the adoption of a total ad valorem tax rate for Fiscal Year 2010 of \$0.3850 per \$100.00 of assessed valuation following the scheduling of two public thereon as set forth in the Texas Property Code. Wayne Holt seconded the motion. For Hasty, Holt, Schroetke, Haynes, Thomas. Against None. Carried 5-0.

- 2. Consider a resolution approving a Site Plan for the Barnett Gathering L.P. McCutchin Unit Gathering Pipeline, a proposed natural gas lateral pipeline to be constructed on a 162.42-acre tract of land out of the F. Thornton Survey, Abstract 1244, which is located on the south side of FM 407 approximately 1,400 feet east of I-35W, and zoned CR (Community Retail), in the Town of Argyle, Denton County, Texas. Barnett Gathering, L.P. is the applicant; Ronald Lee McCutchin is the property owner; Stanger Surveying Tyler L.L.C. is the surveyor.**

Bonny Haynes made a motion to approve a resolution approving a Site Plan for the Barnett Gathering L.P. McCutchin Unit Gathering Pipeline, a proposed natural gas lateral pipeline to be constructed on a 162.42-acre tract of land out of the F. Thornton Survey, Abstract 1244, which is located on the south side of FM 407 approximately 1,400 feet east of I-35W, and zoned CR (Community Retail), in the Town of Argyle, Denton County, Texas with the following conditions:

- 1. The operator of the pipeline shall place an identifying sign at each point where the pipeline crosses a public street or road.*
- 2. If the associated gas filed is identified as an H2S gas field, the pipeline operator shall be required to cease operations.*
- 3. The pipeline shall be limited to the maximum allowable operating pressure applicable to pipes installed and shall be installed with at least the minimum cover or backfill specified by the American National Safety Institute Code, as amended.*

4. *Structures shall not be built within 20 feet of the pipeline.*
5. *The location of the pipeline shall be marked with warning signs in accordance with federal and state law. In addition, during the backfill of pipeline excavations, "Buried Pipeline" warning tape shall be buried one foot (1') above the pipeline to warn future excavations of the presence of buried pipeline.*
6. *Pipeline as-built plans shall be provided to the Town once construction has been completed.*

Wayne Holt seconded the motion. For Unanimous. Carried 5-0.

- 3. Hold a public hearing and consider an ordinance approving an amendment to Section 31 of the Zoning Ordinance, Old Town 2 District and an amendment to Appendix C of the Zoning Ordinance, Table of Uses, to allow Community Centers (Public), Governmental Buildings (Municipal, State or Federal) and Libraries (Public) in all zoning districts.**

Mayor Landrum opened the public hearing.

Development Services Coordinator Richard Luedke presented the case background.

No one spoke for or against the proposed amendment.

Mayor Landrum closed the public hearing.

Bonny Haynes made a motion to approve an ordinance approving an amendment to Section 31 of the Zoning Ordinance, Old Town 2 District and an amendment to Appendix C of the Zoning Ordinance, Table of Uses, to allow Community Centers (Public), Governmental Buildings (Municipal, State or Federal) and Libraries (Public) in all zoning districts. Jackie Thomas seconded the motion. For Unanimous. Carried 5-0.

- 4. Consider an ordinance repealing Article 3.13, Signs, of the Code of Ordinances in its entirety and replacing it with a new Article 3.13, Sign Regulations.**

Staff was directed to make the changes as discussed and bring back corrected ordinance for approval. No action was taken.

5. Discuss progress of Town Hall renovation projects.

Council received update on Town Hall renovation projects. 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.*
 - (B) Deliberate the purchase, lease, or value of real property and infrastructure for Town facilities and/or utilities
2. Adjourn into Open Meeting
 3. 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 9:02 p.m.

APPROVED this the 25th day of August 2009.

APPROVED:

Greg Landrum, Mayor

(SEAL)

ATTEST:

Codi Delcambre, Town Secretary TRMC, CMC