

**MINUTES OF TOWN COUNCIL MEETING  
FOR THE TOWN OF ARGYLE  
MAY 24, 2011**

**STATE OF TEXAS           §**

**COUNTY OF DENTON       §**

**TOWN OF ARGYLE         §**

The regular meeting of the Argyle Town Council was held on May 24, 2011 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 May 20, 2011, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

**TOWN COUNCIL MEMBERS PRESENT:**

Matt Smith	Mayor
David Wintermute	Councilmember
Jackie Thomas	Councilmember
Bonny Haynes	Mayor Pro-Tem
Dona Schroetke	Councilmember
Joey Hasty	Councilmember

**TOWN COUNCIL MEMBERS ABSENT:**

**STAFF PRESENT:**

Lyle Dresher	Town Manager
Matthew Boyle	Town Attorney
Codi Delcambre	Town Secretary
Troy Norton	Public Works Director
Eddie Cheatham	Town Engineer

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

**CALL TO ORDER AND ANNOUNCE A QUORUM:**

Mayor Smith called the meeting to order at 6:05 p.m., noting a quorum was present.

**WORK SESSION: None**

**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.”**

Jackie Thomas and Joey Hasty led the recitation of the Pledge of Allegiance to the American Flag and to the Texas Flag, respectively.

**STAFF REPORTS: None**

**ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

- a. **Town Council and Staff announcements of civic and charitable events**
- b. **Awards and proclamations**
  1. **May is Motorcycle Safety & Awareness Proclamation**
- c. **Presentation of calendar of events and updates**
- d. **Staff Presentations**

**CONSENT AGENDA:**

1. **Consider approval of the minutes for the Town Council meeting of April 26, 2011.**
2. **Consider a resolution adopting 3,300 as the official population as of January 1, 2011 for the Town of Argyle, Texas.**
3. **Consideration of a resolution affirming the Steering Committee of Cities served by Oncor Settlement Agreement relating to Oncor’s application to the PUC for an increase in electric base rates dated January 7, 2011.**

*Dona Schroetke made a motion to approve the consent agenda as presented. 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.**

Jamie Sizelove of 622 Frenchtown Road stated that she would like the Council to consider adopting a resolution supporting the reduction of volatile organic compounds in the Barnett Shale.

Trey Thurston of 402 Old Justin Road stated that he has the expects all of the Council to work together and support the Mayor.

Patrick Phelps 315 Willow Street stated expects the newly elected members of Council to work with current members of Council.

**OLD BUSINESS: None**

**NEW BUSINESS:**

- 1. Hold a public hearing and consider an ordinance approving a zoning change from A (Agricultural District) to SF-2.5 (Single Family Residential – 2.5-Acre Estate District) on 20.846-acre tract of land out of the Patrick Rock Survey, Abstract Number 1063, which is located on the north side of FM 407 and the south side of Sam Davis Road approximately 1,120 feet west of Stonecrest Road, at 324 W. FM 407, in the Town of Argyle, Denton County, Texas. Mark and Wanda Chapin are the property owners/ applicants. Project # Z-11-003.**

Mayor Smith opened the public hearing.

Town Attorney Matthew Boyle presented the case background.

Applicant Mark Chapin of 324 W. FM 407, stated that he was asking for the zoning change so that he would be able to develop his property into smaller lots at some point in the future.

Mayor Smith asked to hear from those in favor of the proposed zoning change. No one spoke in favor.

Mayor Smith asked to hear from those opposed to the proposed zoning change.

Chris Mcquirk of 233 Westover stated he was against the proposed zoning change.

Wayne Robinson of 239 Sam Davis Road stated that he was concerned about the drainage.

Mayor Smith closed the public hearing.

*Joey Hasty made a motion to deny the zoning change from A (Agricultural District) to SF-2.5 (Single Family Residential – 2.5-Acre Estate District) on 20.846-acre tract of land out of the Patrick Rock Survey, Abstract Number 1063, which is located on the north side of FM 407 and the south side of Sam Davis Road approximately 1,120 feet west of Stonecrest Road, at 324 W. FM 407, in the Town of Argyle, Denton County, Texas. Jackie Thomas seconded the motion. For Unanimous. Carried 5-0.*

- 2. Consider approval of a resolution approving Change Order No. 2 to the Phase I Contract with Reynolds Asphalt and Construction Company, Inc. relating to Phase I of the Argyle CIP 2011 Street Reconstruction Program.**

*Joey Hasty made a motion to approve the a resolution approving Change Order No. 2 to the Phase I Contract with Reynolds Asphalt and Construction Company, Inc. relating to Phase I of the Argyle CIP 2011 Street Reconstruction Program. Jackie Thomas seconded the motion. For Hasty, Schroetke, Haynes, Thomas. Against Wintermute. Carried 4-1.*

- 3. Consideration of a resolution authorizing the First Baptist Church of Argyle to conduct a public fireworks display [Argyle Freedom Celebration] on Saturday, June 25, 2011, in observance of the 4<sup>th</sup> of July.**

*Dona Schroetke made a motion to approve a resolution authorizing the First Baptist Church of Argyle to conduct a public fireworks display [Argyle Freedom Celebration] on Saturday, June 25, 2011, in observance of the 4<sup>th</sup> of July. Bonny Haynes seconded a motion. For Unanimous. Carried 5-0.*

- 4. Consider approval of a resolution approving a professional services agreement with Factory Creative relating to the update and redesign of the Argyle Economic Development Corporation (AEDC) Web Site, as approved and recommended by the AEDC Board of Directors, and authorizing the Town Manager to execute all contract documents related thereto on behalf of the Town of Argyle.**

*Bonny Haynes made a motion to approve a resolution approving a professional services agreement with Factory Creative relating to the update and redesign of the Argyle Economic Development Corporation (AEDC) Web Site, as approved and recommended by the AEDC Board of Directors, and authorizing the Town Manager to execute all contract documents. Jackie Thomas seconded the motion. For Unanimous. Carried 5-0.*

**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 parks/public open space purposes.
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 7:40 p.m.

**APPROVED this the 14<sup>th</sup> day of June 2011.**

**APPROVED:**

\_\_\_\_\_  
**Matt Smith, Mayor**

(SEAL)

**ATTEST:**

\_\_\_\_\_  
**Codi Delcambre, Town Secretary TRMC, CMC**