

**MINUTES OF TOWN COUNCIL MEETING
FOR THE TOWN OF ARGYLE
OCTOBER 13, 2009**

STATE OF TEXAS §

COUNTY OF DENTON §

TOWN OF ARGYLE §

The regular meeting of the Argyle Town Council was held on October 13, 2009 at 5:00 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 October 9, 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 (arrived 5:10 p.m.)
Jackie Thomas	Councilmember
Dona Schroetke	Councilmember
Joey Hasty	Councilmember (left at 6:07 p.m.)
Wayne Holt	Councilmember

TOWN COUNCIL MEMBERS ABSENT: NONE

STAFF PRESENT:

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

TOWN COUNCIL AGENDA (5:00 p.m.)

CALL TO ORDER AND ANNOUNCE A QUORUM:

Mayor Landrum called the meeting to order at 5:02 p.m., noting a quorum was present.

WORK SESSION:

1. Review final renovation plans for Town Hall/Police Department Renovation- Michael Archer, Beck Architecture

Council received a presentation from Michael Archer and Hoyt Hammer on the final renovation plans for Town Hall and Police Department.

2. Review and Discuss Development Ordinance Amendments (Plat Review Process)-

Richard Luedke briefed the Council on the amendments to the Development Ordinance.

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.”

John Michaels and Jeri Harwell 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’s meeting on September 22, 2009.

Jackie Thomas made a motion to approve the consent agenda. Wayne Holt seconded the motion. For Unanimous. Carried 4-0.

PRESENTATIONS:

1. Presentation from Allied Waste Service about change of pickup day for the Town of Argyle. –Jeri Harwell and Tim Powell.

Council received a presentation from Jeri Harwell with Allied Waste Service relative to changing the trash pickup day to Wednesday. No action was taken.

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.

John Michaels of 9998 Hilltop Road, stated he was concerned about the drainage at his rent house located 519 FM 407. He stated the problem started when the Town rebuilt Ben Boyd Road. He stated that the house has flooded three times so far. He stated that the flooding has been a result of the work on Ben Boyd Road. He stated he would like the Town to assist in fixing flooding problem.

OLD BUSINESS:

- 1. Continue 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.**

(This item was moved after New Business 1)

Bonny Haynes made a motion to approve 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 with the following conditions:

1. The final plat of the property shall be filed with Denton County before a building permit is issued for a wind energy system
2. The set back is 63.5 feet from the property line.

Wayne Holt seconded the motion. For Unanimous. Carried 4-0.

NEW BUSINESS:

- 1. Hold a public hearing and consider an ordinance approving amendments to Section 43.12 of the Zoning Ordinance, Wind Energy Systems.**

Mayor Landrum opened the public hearing.

Development Services Coordinator Richard Luedke presented the case background.

Larry Meyers of 501 Country Club Road spoke in favor of the amendment.

Mayor Landrum closed the public hearing.

Jackie Thomas made a motion to approve an Ordinance approving amendments to Section 43.12 of the Zoning Ordinance, Wind Energy Systems. Bonny Haynes seconded the motion. For Unanimous. Carried 4-0.

2. Review and consider a Notification of Intent for an Energy Efficiency and Conservation Block Grant application.

Jackie Thomas made a motion to authorize the Town Administrator to move forward with the Notification of Intent for an Energy Efficiency and Conservation Block Grant application. Bonny Haynes seconded the motion. For Unanimous. Carried 4-0.

3. Consider a Resolution appointing members to the Planning and Zoning Commission.

Bonny Haynes made a motion to approve a Resolution appointing John Adams, Corinne Hill, and Paula Mabry to the Planning and Zoning Commission. Wayne Holt seconded the motion. For Haynes, Holt. Against Schroetke, Thomas—Mayor Landrum. Motion Failed 2-3.

Dona Schroetke made a motion to approve a Resolution appointing Corinne Hill, Paula Mabry and Debra Weber to the Planning and Zoning Commission. Jackie Thomas seconded the motion. For Schroetke, Thomas---Mayor Landrum. Against Haynes, Holt. Carried 3-2.

4. Consider a Resolution appointing members to the Zoning Board of Adjustment.

Jackie Thomas made a motion to approve a Resolution appointing Tom Stecik, Amy Radford, Graham Whitehead, Richard Kravetz and Mark Robison to the Zoning Board of Adjustment. Wayne Holt seconded the motion. For Unanimous. Carried 4-0.

5. Consider a Resolution appointing members to the Argyle Economic Development Corporation.

Jackie Thomas made a motion to approve a Resolution appointing Larry Leahy, Skip Kalb and Martin Pitts to the Argyle Economic Development Corporation. Wayne Holt seconded the motion. For Unanimous. Carried 4-0.

6. Consider a Resolution appointing members to the Crime Control and Prevention District.

Bonny Haynes made a motion to approve a Resolution appointing Kevin Sander, Jay Pellicone, Jackie Carpenter and Alan Bowersox to the Crime Control and Prevention District. Wayne Holt seconded the motion. For Unanimous. Carried 4-0.

7. Consider a Resolution Appointing a representative to serve as an Appointed Director to Argyle Volunteer Fire District Board of Directors.

Jackie Thomas made a motion to approve a Resolution appointing Robert Swanbeck to serve as an Appoint Director to Argyle Volunteer Fire District Board of Directors. Bonny Haynes seconded the motion. For Unanimous. Carried 4-0.

8. Consider and discuss progress of Town Hall and Police Department 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.*

2. Adjourn into Open Meeting

3. Take action on Executive Session item(s).

ADJOURNMENT:

There being no further consideration to come before the body, the meeting was adjourned at 8:02 p.m.

APPROVED this the 27th day of October 2009.

APPROVED:

Greg Landrum, Mayor

(SEAL)

ATTEST:

Codi Delcambre, Town Secretary TRMC, CMC