

**MINUTES OF TOWN COUNCIL MEETING
FOR THE TOWN OF ARGYLE
MARCH 24, 2009**

STATE OF TEXAS §

COUNTY OF DENTON §

TOWN OF ARGYLE §

The special meeting of the Argyle Town Council was held on March 24, 2009 at 5:15 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 March 20, 2009, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

TOWN COUNCIL MEMBERS PRESENT:

Greg Landrum	Mayor
Joe Phelps	Mayor Pro-Tem
Dona Schroetke	Councilmember
Joey Hasty	Councilmember
Bonny Haynes	Councilmember
Jay Pellicone	Councilmember (Arrived at 5:22)

TOWN COUNCIL MEMBERS ABSENT:

None

STAFF PRESENT:

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

TOWN COUNCIL AGENDA (5:15 p.m.)

CALL TO ORDER AND ANNOUNCE A QUORUM:

Mayor Landrum called the meeting to order at 5:19 p.m., noting a quorum was present.

WORK SESSION:

1. **Wayside Horn demonstration (5:30 p.m.) at U.S. 377 and Old Justin Road by Railroad Controls Limited (RCL) – Robert Albritton**

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.”

Mayor Landrum led the recitation of the Pledges of Allegiance to the American and Texas Flags, respectively.

REPORTS:

1. **Receive update on FY 2009 Budget – Kim Collins, Town Accountant/Budget Analyst**
2. **Receive update on May 9, 2009 Election- Codi Delcambre, Town Secretary**

No action was taken.

CONSENT AGENDA:

1. **Consider approval of the minutes of the regular meeting of the Town Council for March 10, 2009.**
2. **Consider a resolution reappointing the Town Administrator to a four-year term on the Upper Trinity River Regional Water District Board of Directors.**

Bonny Haynes made a motion to approve the consent agenda. Dona Schroetke seconded the motion. For unanimous. Carried 5-0.

PRESENTATIONS:

1. **Receive presentation of the Final Report from Robert Albritton Railroad Controls Limited (RCL) on Argyle Quiet Zone Evaluation Study.**

Council received a presentation on the Final Report from Robert Albritton Railroad Controls Limited (RCL) on Argyle Quiet Zone Evaluation Study. No action 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.

OLD BUSINESS: NONE

NEW BUSINESS:

- 1. Hold a public hearing and consider an Ordinance amending Ordinance No. 2002-22 and adopting a new Comprehensive Plan for the Town of Argyle.**

Mayor Landrum opened the public hearing.

Robin McCaffrey with MESA presented Council with the background information.

Commented on:

Eric Lamon of 597 of Sam Davis Road
Graham Whitehead 217 Old Justin Road
Matt Nelson of 509 Old Justin Road
Darlene Lortz of 305 E FM 1830

Mayor Landrum closed the public hearing.

Bonny Haynes made a motion to approve an Ordinance amending Ordinance No. 2002-22 and adoption a new Comprehensive Plan for the Town of Argyle with the following conditions.

- 1. T6 area of I-35 and Crawford Road shall have an Eastern Boundary of C. Taylor Road.*
- 2. C-1 Corridor setback shall be 200 vs. 600 feet*
- 3. Bottom right hand paragraph on page ix shall be bold and shall also be added to the cover sheet.*

Joey Hasty seconded the motion. For unanimous. Carried 5-0.

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.

1. 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: *David Pierce, an Individual, Clear Channel Outdoor, Inc., and Arnold Velez V. City of Argyle. Cause No. 2003-10339-16 and 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
- (C) Consultation with Town Attorney regarding pending or contemplated litigation: *XTO Energy Inc. v. Town of Argyle. Civil Action No. 4:08-CV-00372, U.S. District Court, Sherman Division.*

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 8:53 p.m.

APPROVED this the 14th day of April 2009.

APPROVED:

Greg Landrum, Mayor

(SEAL)

ATTEST:

Codi Delcambre, Town Secretary TRMC, CMC