

**MINUTES OF TOWN COUNCIL MEETING
FOR THE TOWN OF ARGYLE
JUNE 9, 2009**

STATE OF TEXAS §

COUNTY OF DENTON §

TOWN OF ARGYLE §

The regular meeting of the Argyle Town Council was held on June 9, 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 June 2, 2009, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

TOWN COUNCIL MEMBERS PRESENT:

Greg Landrum	Mayor
Dona Schroetke	Councilmember
Wayne Holt	Councilmember
Jackie Thomas	Councilmember

TOWN COUNCIL MEMBERS ABSENT:

Joey Hasty	Councilmember
Bonny Haynes	Councilmember

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 (6:00 p.m.)

CALL TO ORDER AND ANNOUNCE A QUORUM:

Mayor Landrum called the meeting to order at 6:02 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.”

Codi Delcambre and Jackie Thomas led the recitation of the Pledge of Allegiance to the American Flag and to the Texas Flag.

REPORTS:

1. Update on Quite Zone funding - Town Administrator Lyle Dresher

CONSENT AGENDA:

1. Consider approval of the minutes of the regular meeting of the Town Council for May 26, 2009.

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

PRESENTATIONS:

Presentation on Denton County Dispatch Services – Chief Deputy Lee Howell and Captain Michelle Pena and Corporal Cathy Stanley

Council received a presentation from Chief Deputy Howell and Captain Pena concerning the Denton County Dispatch Services. 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.

OLD BUSINESS: NONE

NEW BUSINESS:

- 1. Consider a resolution approving the Subdivider Agreement with Fasterra Group, L.P. for Gateway Business Park.**

Dona Schroetke made a motion to approve a resolution approving the Subdivider Agreement with Fasterra Group, L.P. for Gateway Business Park. Wayne Holt seconded the motion. For Unanimous. Carried 3-0.

- 2. Consider a resolution approving a Final Plat for Gateway Business Park, a proposed eight (8) lot commercial subdivision to be constructed on a 29.949-acre tract of land out of the F.W. Thornton Survey, Abstract Number 1244, located on the south side of FM 407 approximately 2,000 feet east of I-35W, in the Extraterritorial Jurisdiction of the Town of Argyle, Denton County, Texas. Fasterra Group, L.P. is the applicant; Denkmann Associates, L.L.C. is the property owner; Landmark Surveyors is the surveyor.**

Wayne Holt made a motion to approve a resolution approving a Final Plat for Gateway Business Park, a proposed eight (8) lot commercial subdivision to be constructed on a 29.949-acre tract of land out of the F.W. Thornton Survey, Abstract Number 1244, located on the south side of FM 407 approximately 2,000 feet east of I-35W, in the Extraterritorial Jurisdiction of the Town of Argyle, Denton County, Texas with the following conditions:

- 1. All public improvements; including streets, waterlines, and drainage facilities; shall be inspected and accepted by the Town of Argyle, the Argyle Water Supply Corporation and the Argyle Fire District before the Final Plat is filed with Denton County.*
- 2. The Town of Argyle hereby accepts the 30-foot wide right-of-way dedication for the western half of Gateway Boulevard in conjunction with approval of the Final Plat for Gateway Business Park.*

Dona Schroetke seconded the motion. For Unanimous. Carried 3-0.

- 3. Consider a resolution approving a Final Plat for Arens Addition, a proposed four (4) lot residential subdivision on a 12.842-acre tract of land out of the S.A. Chambers Survey, Abstract Number 308, located on the northeast corner of Frenchtown Road and South Gibbons Road and zoned SF 2.5 (Single Family Residential Estate 2.5), in the Town of Argyle, Denton County, Texas. Noel Arens is the owner/applicant; Landmark Surveyors is the surveyor.**

Jackie Thomas made a motion to approve a resolution approving a Final Plat for Arens Addition, a proposed four (4) lot residential subdivision on a 12.842-acre tract of land out of the S.A. Chambers Survey, Abstract Number 308, located on the northeast corner of Frenchtown Road and South Gibbons Road and zoned SF 2.5 (Single Family Residential Estate 2.5), in the Town of Argyle, Denton County, Texas. Wayne Holt seconded the motion. For Unanimous. Carried 3-0.

- 4. Consider an ordinance re-adopting tax levy for the Town's issuance of Town of Argyle, Texas, Combination Tax and Surplus Revenue Certificate of Obligation, Series 2009.**

Staff requested that this item be pulled from the agenda. No action was taken.

- 5. Consider a resolution approving a consulting services agreement with MESA relating to the Town's Comprehensive Plan.**

Wayne Holt made a motion to approve a resolution approving a consulting services agreement with MESA relating to the Town's Comprehensive Plan. Jackie Thomas seconded the motion. For Unanimous. Carried 3-0.

EXECUTIVE SESSION:

- 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. Mark L. Maestas and Traca L. Maestas V. John M. Michaels D/B/A JDR-Noble Partners, LLC and JDR-Noble Partners, LTD. V. Codi Delcambre, Secretary for the City of Argyle. Cause No. 2008-10016-16.*
- (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 7:59 p.m.

APPROVED this the 14th day of July 2009.

APPROVED:

Greg Landrum, Mayor

(SEAL)

ATTEST:

Codi Delcambre, Town Secretary TRMC, CMC