

**MINUTES OF TOWN COUNCIL MEETING  
FOR THE TOWN OF ARGYLE  
JUNE 23, 2009**

**STATE OF TEXAS           §**

**COUNTY OF DENTON       §**

**TOWN OF ARGYLE         §**

The regular meeting of the Argyle Town Council was held on June 23, 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 19, 2009, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

**TOWN COUNCIL MEMBERS PRESENT:**

Greg Landrum	Mayor
Joey Hasty	Councilmember
Wayne Holt	Councilmember
Bonny Haynes	Councilmember
Jackie Thomas	Councilmember

**TOWN COUNCIL MEMBERS ABSENT:**

Dona Schroetke	Councilmember
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**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 6:03 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.”**

Mayor Landrum 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 a Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and activities related to Oncor Electric Delivery.**

*Bonny Haynes made a motion to approve the consent agenda. Wayne Holt seconded the motion. For Unanimous. Carried 4-0.*

**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. Hold a public hearing and consider an ordinance approving a text amendment to Section 40 of the Zoning Ordinance, Accessory Building and Use Regulations.**

Richard Luedke presented facts related to the text amendment.

Mayor Landrum opened the public hearing. There were no comments.

Mayor Landrum closed the public hearing.

*Jackie Thomas made a motion to approve an Ordinance approving a text amendment to Section 40 of the Zoning Ordinance, Accessory Building and Use Regulations. Bonny Haynes seconded the motion. For Unanimous. Carried 4-0.*

**2. Hold a public hearing and consider an ordinance approving an amendment to Section 43 of the Zoning Ordinance, Supplemental Regulations, by providing regulations governing Wind Energy Systems.**

Richard Luedke presented facts related to the providing regulations governing Wind Energy Systems.

Mayor Landrum opened the public hearing.

Larry Meyer of 501 Country Club Road stated he was in favor of allowing regulations for wind energy systems but he was concerned about some of the requirements of the ordinance.

Mayor Landrum closed the public hearing.

*Bonny Haynes made a motion to approve a Ordinance approving an amendment to Section 43 of the Zoning Ordinance, Supplemental Regulations, by providing regulations governing Wind Energy Systems as amended. Jackie Thomas seconded the motion. For Unanimous. Carried 4-0.*

**3. Consider approval of an ordinance amending Article 5.03, Fireworks, of the Code of Ordinances of the Town of Argyle, Texas.**

*Wayne Holt made a motion to authorize the First Baptist Church of Argyle as a designee for a 5 minute firework display on June 28, 2009, subject to all requirements of Section 5.03.025 of the Code of Ordinance. Bonny Haynes seconded the motion. For Unanimous. Carried 4-0.*

**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: *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 8:09 p.m.

**APPROVED this the 28<sup>th</sup> day of July 2009.**

**APPROVED:**

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**Greg Landrum, Mayor**

(SEAL)

**ATTEST:**

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