

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

STATE OF TEXAS §

COUNTY OF DENTON §

TOWN OF ARGYLE §

The special meeting of the Argyle Town Council was held on February 24, 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 February 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

TOWN COUNCIL MEMBERS ABSENT:

Jay Pellicone	Councilmember
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STAFF PRESENT:

Lyle Dresher	Town Administrator
Kim Collins	Town Accountant
Chief Tackett	Police Chief
Troy Norton	Director of Public Works
David Mayes	Engineer Project Manager

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

CALL TO ORDER AND ANNOUNCE A QUORUM:

Mayor Landrum called the meeting to order at 5:05 p.m., noting a quorum was present.

WORK SESSION:

- a. **Review and discuss Report on Wastewater Rates for the Town of Argyle – Robert McLain, McLain Decision Support Systems**

Bob McLain presented the Wastewater Rate Report for the Town of Argyle.

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: None

CONSENT AGENDA:

1. **Consider approval of a Resolution adopting the Town of Argyle Core Values.**

Bonny Haynes made a motion to approve the consent agenda. Dona Schroetke 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. **Consider an ordinance amending Appendix “A”, Article A 7.000 (4), of the Code of Ordinances amending and replacing sanitary sewer fees and charges; providing a severability clause; providing a penalty; providing a publication clause; and providing an effective date.**

Bonny Haynes made a motion to adopt an Ordinance amending Appendix “A”, Article A 7.000 (4), of the Code of Ordinances amending and replacing sanitary

sewer fees and charges as amended. Joey Hasty seconded the motion. For: Hasty, Haynes, Phelps. Against: Schroetke. Carried 3-1.

2. Consider an resolution adopting an Identity Theft Policy pursuant to an amendment to the Fair and Accurate Credit Transaction Act of 2003; providing for severability; and an effective date.

Bonny Haynes made a motion to approve a Resolution adopting an Identity Theft Policy pursuant to an amendment to the Fair and Accurate Credit Transaction Act of 2003. Joey Hasty seconded the motion. For Unanimous. Carried 4-0.

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.*

(Mayor Landrum recused himself from any discussion and left the council chamber due to a conflict of interest.)

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 6:16 p.m.

APPROVED this the 10th day of March 2009.

APPROVED:

Greg Landrum, Mayor

(SEAL)

ATTEST:

Codi Delcambre, Town Secretary TRMC, CMC