



NOTICE OF THE TOWN COUNCIL
TOWN COUNCIL SPECIAL MEETING
March 28, 2023 at 6:00 PM
Argyle Town Hall, 308 Denton Street, Argyle, Texas

AGENDA

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Argyle Town Council will meet in a Town Council Special Meeting on March 28, 2023 at 6:00 PM at the Argyle Town Hall, 308 Denton Street, Argyle, Texas.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

American Flag

Texas Flag: "Honor the Texas Flag; I pledge allegiance to thee Texas, one state under God, one and indivisible."

OPEN FORUM

This is an opportunity for the public to address the Town Council on any matter of public business, except public hearings. Comments related to public hearings will be heard when the specific hearing begins. Each speaker is limited to five (5) minutes, unless the speaker requires the assistance of a translator, in which case the speaker is limited to ten (10) minutes, in accordance with applicable law. Each speaker shall approach the podium and state their name and address. Speakers shall address the governing body with civility that is conducive to appropriate public discussion. Speakers can address only the governing body as a whole and not individual city officials or employees. The public cannot speak from the gallery but only from the podium. Per the Texas Open Meetings Act, the Council is prohibited from deliberating or taking action on any matter not listed on the agenda. The Council may only: (1) make a statement of fact regarding the item; (2) make a recitation of existing policy regarding the item; or (3) propose the item be placed on a future agenda, in accordance with Council adopted procedures.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

(Mayoral proclamations, presentations of awards and certificates, and other acknowledgements of significant accomplishments or service to the community.)

1. Proclamation of the Town of Argyle designating the month of April as Child Abuse Prevention Month.

STAFF REPORT

(Staff Reports are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items of a future agenda for action.)

2. Presentation of Fiscal Year 2022 Audit *(Mike Vail, Vail and Park PC)*

CONSENT AGENDA

Any Council member may request an item on the Consent Agenda to be taken up for individual consideration.

3. Consider and take action on approval of the Fiscal Year 2022 Annual Comprehensive Financial Report (audit).
4. Consider and take action on approval of the February 21, 2023, Town Council regular meeting minutes as recorded.
5. Consider and take action on Resolution 2023-10 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.
6. Consider and take action on Resolution 2023-11 authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of ten cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC.
7. Consider and take action on Resolution 2023-12 authorizing approval of an Interlocal Cooperation agreement with Denton County for the purpose of providing use of their radio communications system to the Argyle Police Department and authorizing the Mayor to execute the same on behalf of the Town.
8. Consider and take action on Resolution 2023-13 to accept donations made to the Town of Argyle for the construction of a Law Enforcement Center in the amount of \$10,000.
9. Consider and take action on approval of a contribution in the amount of \$2,000 to Metroport Meals on Wheels, Inc.
10. Consider and take action on Ordinance 2023-11 to repeal and replace Article 13.04, "Discharge of Commercial and Industrial Waste into Sanitary Sewer" in Chapter 13, "Utilities" of the Argyle Town Code of Ordinances.
11. Consider and take action on Ordinance 2023-12 to add Article 13.07 "Liquid Waste" to Chapter 13, "Utilities" of the Argyle Town Code of Ordinances.
12. Consider and take action on approval of the First Amended Employment Agreement for the Town Administrator and authorize the Mayor to execute same on behalf of the Town.

13. Consider and take action on Resolution 2023-16 approving the Denton County Hazard Mitigation Plan.
14. Consider and take action on a funding request to purchase onboarding and performance management software through NEOGOV.
15. Consider and take action on a request to fund an upgrade to the Town's Open Records Software (JustFOIA Pro).

PUBLIC HEARING ITEMS

16. Public hearing, consider and take action on Ordinance 2023-06 for an amendment (TDS-22-001) to Article IV, Sign Regulations and Article I, General of the Town of Argyle Town Development Standards to amend the sign regulations and relevant definitions.
17. Public hearing, consider and take action on Ordinance 2023-07 allowing an ordinance amendment (TDS-23-001) to consider amendments to Article I. General, Part 3, Definitions, Section 14.1.15 Definitions of the Town of Argyle Town Development Standards regarding the definition of a Barber Shop/Beauty Shop (Non-College).
18. Public hearing, consider and take action on Ordinance 2023-08 approving a Future Land Use Plan amendment (FLUP-23-001) from C1 Rural Corridor to PD Commercial Planned Development for a 3.00-acre tract of land out of the Patrick Rock Survey Abstract No. 1063, being part of 9.99-acre tract of land described as tract 114C in deed in favor of The Well Community Church of Argyle recorded in instrument number 2019-49287, Town of Argyle, Denton County, Texas.
19. Public hearing, consider and take action on Ordinance 2023-09 allowing a Zoning Change Request (Z-23-001) from Agriculture (A) to Planned Development District limited to a Restaurant (Without Drive-Through) with a base zoning of Office Retail (OR) for a 3.00-acre tract of land out of the Patrick Rock Survey Abstract No. 1063, being part of 9.99-acre tract of land described as tract 114C in deed in favor of The Well Community Church of Argyle recorded in instrument number 2019-49287, Town of Argyle, Denton County, Texas.

[Original Request] Hold a public hearing and consider approval of Ordinance 2023-08 allowing a Zoning Change Request (Z-23-001) from Agriculture (A) to Office Retail (OR) for a 3.00-acre tract of land out of the Patrick Rock Survey Abstract No. 1063, being part of 9.99-acre tract of land described as tract 114C in deed in favor of The Well Community Church of Argyle recorded in instrument number 2019-49287, Town of Argyle, Denton County, Texas.

ACTION ITEMS

20. Discuss, consider and take action on a funding request from the Children's Advocacy Center for North Texas to reimburse for services provided to Argyle children in 2021.
21. Discuss, consider, and take action on an Ordinance regarding a disannexation petition filed by Dave Salisbury, President of Creekview, LLC to disannex a certain 0.17 acre and a certain 0.14 acre tracts from the Town of Argyle and waive the ETJ rights on the same tracts.

22. Discuss, consider and take action on a Site Plan (SP-23-001) for a proposed 6,185 square foot medical office located on Tract 4 of the Avalon commercial portion of the Avalon at Argyle Planned Development PD-001, located north of Avalon Boulevard, 400 feet east of the entrance into Avalon at Argyle Phase I at Castle Chase Road, Town of Argyle, Denton County, Texas.
23. Discuss, consider and take action on Resolution 2023-14 allowing an amendment to the agreement previously entered into on July 2, 2019 with SAFEBuilt Texas, LLC, in order to include Code Compliance services.
24. Discuss, consider and take action on Resolution 2023-15 appointing members to the Comprehensive Land Use Plan Steering Committee.
25. Discuss, consider and take action on a request to waive the attorney-client privilege to release summary report prepared by attorney Darrell Noga with Fee, Smith & Sharp, LLP and retaining the privilege for the witness statements.

WORKSHOP ITEMS

(Workshop items are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items on a future agenda for action.)

26. Discussion and guidance on Resolution 2023-08 approving an Interlocal Cooperation Agreement between the Town of Argyle and Belmont Fresh Water Supply District No. 2, Denton County, Texas for the purpose of providing law enforcement protection.
27. Discuss a variance process by Town Council to the minimum acreage required for a septic system, specifically related to a property addressed 224 Crawford Street, Argyle, Texas.

COUNCIL REQUESTED ITEMS

(Council requested items are for discussion only as a means for clarification and staff guidance. No action is to be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items on a future agenda for action.)

28. Discussion on need for new law enforcement center. *(Councilmember Schmidt)*
29. Discussion on a way to provide transportation to seniors. *(Councilmember Myers)*

EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may convene in a closed session. After the Executive Session, discussion on any of the following items, any final action or vote taken will be in public.

Consultation with Attorney

§551.071(1),(2): Consultation with attorney regarding pending or anticipated litigation, or a settlement offer; or on a matter in which the duty of the attorney to the governmental body

under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter:

- 30. Tender Agreement between Town and FCCI Insurance Company - Reytech Contract
- 31. March 24, 2023 meeting with Senator Tan Parker and area Mayors

OPEN SESSION

In accordance with Texas Government Code, Section 551, the Town Council will reconvene into Open Session and consider action, if any, on matters discussed in Executive Session.

RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON FUTURE MEETING AGENDA

Discussion under this section must be limited to whether or not the Council wishes to include a potential item on a future agenda

ADJOURN

NOTE: As authorized by Section 551.071 of the Texas Government Code (Consultation with Town Attorney), this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the Town Attorney on any agenda item herein.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Argyle Town Hall, a place convenient and readily accessible to the general public at all times, and to the Town’s website in compliance with Chapter 551, Texas Government Code, on **March 24, 2023, by 5:00 p.m.** and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Town Secretary



Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the Argyle Town Hall 48 hours in advance, at 940-464-7273, and reasonable accommodations will be made for assistance.