



**Town Council
Regular Meeting
Minutes – January 28, 2020**

The Regular Meeting of the Town Council was held on **January 28, 2020** 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, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

A. CALL SPECIAL MEETING OF THE TOWN COUNCIL TO ORDER

Mayor Pro Tem Hermann called the Regular Meeting to order at 5:05 p.m.

Attendee Name	Title	Status	Arrived
Donald Moser	Mayor	Absent	
Cynthia Hermann	Mayor Pro Tem, Place 4	Present	
Bryan Livingston	Council Member, Place 1	Present	
Ronald Schmidt	Council Member, Place 2	Present	
Sherri Myers	Council Member, Place 3	Present	
Marla Hawkesworth	Council Member, Place 5	Present	

Andy Messer	Town Attorney
Jeff Howell	Interim Town Manager

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

American Flag

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

D. PUBLIC COMMENT:

This is an opportunity for the public to address the Town Council on any matter, except public hearings that are included on the agenda. 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 his/her name and address before speaking. Speakers shall address the governing body with civility that is conducive to appropriate public discussion. Speakers can address only the governing body 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 Town 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.

No speakers

E. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS

1. Town Council and Staff Presentations / Reports
 1. First Quarter Financials – Kim Collins, Finance Director
Ms. Collins informed Council gave a brief overview of the Town’s revenue and expenditures for the first quarter of FY 20.
 2. 2019 Road Street Improvement Project – Troy Norton, Public Works Director
Mr. Norton and Gary Vickery, Town Engineer, updated Council on the progress of the Street Project. Mr. Vickery will bring a change order to Council for Harpole and Gibbons level-up.

F. EXECUTIVE SESSION

At 5:43 p.m. the Town Council adjourned into executive session pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D to discuss the following:

1. Pending or contemplated litigation or to seek the advice of the Town Attorney pursuant to Section 551.071:
 - a. Tax increment reinvestment zone and public improvement districts currently existing, and demand to the town by the Waterbrook of Argyle developer
 - b. Waterbrook of Argyle drainage issues
 - c. Creation of a municipal development district and city sales and use taxes
 - d. Ownership, gas tanks and gas sales involving Johnny Joes property, 401 Highway 377 S., Argyle, Texas
 - e. Tree preservation requirements for Optimal Holdings property and its vested rights
2. Economic Development negotiations pursuant to Section 551.087 (to discuss or deliberate regarding commercial or financial information or to deliberate the offer of a financial or other incentive to a business prospect):
 - a. Project Delta

G. RECONVENE INTO OPEN SESSION: In accordance with Texas Government Code, Section 551, the Town Council will reconvene into Regular Session and consider action, if any, on matters discussed in Executive Session.

No action was taken as a result of Executive Session discussion.

H. CONSENT AGENDA:

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

1. Consider approval of the December 17, 2019 Town Council regular meeting minutes as recorded.
2. Consider approval of the January 21, 2020 Town Council special meeting minutes as recorded.
3. Consider approval of Resolution 2020-01 memorializing the annual review and adoption of the Town's Investment Policy and Strategy in compliance with the Public Funds Investment Act.
4. Consider approval of Resolution 2020-02 approving a Master Interlocal Purchasing Agreement with the North Central Texas Council of Government to participate in the North Texas Share Cooperative Purchasing Contract and authorize the Mayor to execute same on behalf of the Town.
5. Consider awarding a contract to SPI Asphalt LLC., to replace a culvert at 915 Skyline Drive and authorize the Mayor to execute the same on behalf of the Town.
6. Consider establishing a public hearing date of March 24, 2020, for the consideration of amendments to the Wastewater and Roadway Impact Fee Study, Land Use Assumptions, Wastewater and Roadway Capital Improvements Plans, and the Wastewater and Roadway Impact Fee Rates.
7. Consider approval of Ordinance 2020-02 calling the General Municipal Election of Officers for May 2, 2020.
8. Consider approval of an agreement with The Fulcrum Group, Inc. for Town of Argyle managed Information Technology Services and authorize the Town Manager to execute said agreement.

ACTION: Item H.1. to H.8.

APPROVED

Councilmember Livingston moved to approve consent agenda items as presented. Councilmember Hawkesworth seconded the motion. Abstained: Councilmember Schmidt. The motion passed 4-0-1.

I. PUBLIC HEARING ITEMS:

1. Consider and take appropriate action on an Ordinance Amendment (TDS-19-005) regarding amendments to Article IV, Sign Regulations, of the Town of Argyle Town Development Standards, providing a savings clause; providing for injunctive relief;

providing a severability clause; providing a penalty clause; and providing an effective date.

2.

Angie Manglaris, Development Coordinator, informed Council the amendment is an update to the Sign Ordinance and as a means to achieve Platinum Level Certification through the Scenic City Program. Areas of focus for the amendment are digital signs, temporary/seasonal signs, residential subdivision signs, vehicle signs, sign approval process and to remove regulations pertaining to political signs as the State Statute is no longer in existence.

Mayor Pro Tem Hermann opened the public hearing at 9:58 p.m. and closed thereafter with no speakers.

ACTION: Item I.1.

APPROVED

Councilmember Hawkesworth moved to approve an Ordinance Amendment (TDS-19-005) regarding amendments to Article IV, Sign Regulations, of the Town of Argyle Town Development Standards with the exclusion of proposed Section 14.4.2 (L) Vehicular Signs. Councilmember Myers seconded the motion. For: Unanimous. The motion passed 5-0.

J. ACTION ITEMS:

1. Consider approval of an ordinance calling a Special Election to be held on May 2, 2020 for the purpose of submitting to the qualified voters of the Town of Argyle a proposition to create a Municipal Development District in the Town of Argyle and/or the Extraterritorial Jurisdiction (ETJ); and concurrently reducing or abolishing the Argyle Economic Development Corporation and/ or the street maintenance tax. Ms. McComis informed Council the special election will be to allow the voters within the Town and ETJ to vote on the option to abolish the 4B EDC and create a Municipal Development District within the Town and ETJ. Councilmember Livingston further advised the election will allow for the Town to collect sales tax within the ETJ to allow for the funding of projects within the Town and ETJ.

ACTION: Item J.1.

APPROVED

Councilmember Livingston moved to approve an ordinance calling a Special Election to be held on May 2, 2020 for the purpose of submitting to the qualified voters of the Town of Argyle a proposition to create a Municipal Development District in the Town of Argyle and/or the Extraterritorial Jurisdiction (ETJ); and concurrently reducing or abolishing the Argyle Economic Development Corporation. Councilmember Myers seconded the motion. For: Unanimous. The motion passed 5-0.

2. Consider and take appropriate action on a Site Plan Amendment (SP-19-014) for a sign package for Harvest, a mixed-use development in the Patrick Rock Survey, Abstract

No. 1063, and being located in the Town of Argyle's Extraterritorial Jurisdiction, Denton County, Texas.

Ms. Manglaris informed Council in 2014 Harvest was approved for a site plan amendment pertaining to their signs for an initial period of five years with the option to renew two additional times for five year periods. The applicant is requesting the first five year extension at this time. The applicant submitted an updated design for the sign located at the intersection of FM 407 and I-35W. The Planning and Zoning Commission approved the site plan at their meeting with added conditions that the repainting and updating of signs shall be completed within sixty days of approval.

ACTION: Item J.2.

APPROVED

Councilmember Schmidt moved to approve a Site Plan Amendment (SP-19-014) for a sign package for Harvest, a mixed-use development in the Patrick Rock Survey, Abstract No. 1063, and being located in the Town of Argyle's Extraterritorial Jurisdiction, Denton County, Texas. Councilmember Hawkesworth seconded the motion. For: Unanimous. The motion passed 5-0.

3. Discuss and consider a contract amendment for professional engineering services for the 2019 Streets Capital Improvements Project to Teague Nall and Perkins, Inc. and authorize the Town Manager to execute same on behalf of the Town.

Mr. Norton informed Council the Town currently is under contract with Teague, Nall and Perkins (TNP) for the 2019 Streets Capital Improvements Project. The contract amendment will allow the Town to include Stonecrest Road South of FM 407 in the Streets Project. Funds in the amount of \$58,730 are being requested to allow for TNP to survey the road and prepare construction plans and bid documents as well as handle the advertising and bidding of the project. Mr. Howell has been advised by Denton County that they may be interested in extending this project to their area of Stonecrest Road. Mr. Howell will continue that discussion with Denton County.

ACTION: Item J.3.

APPROVED

Councilmember Livingston moved to approve a contract amendment for professional engineering services for the 2019 Streets Capital Improvements Project to Teague Nall and Perkins, Inc. and authorize the Town Manager to execute same on behalf of the Town. Councilmember Schmidt seconded the motion. For: Unanimous. The motion passed 5-0.

4. Discuss and consider action on the renovation of Argyle Town Hall and the adjacent facility.

ACTION: Item J.4.

APPROVED

Councilmember Schmidt moved to approve authorizing Councilmember Myers to conduct a purpose study of the parsonage adjacent to Town Hall. Councilmember Livingston seconded the motion. For: Unanimous. The motion passed 5-0.

5. Consider and take appropriate action on an Interlocal Cooperation Agreement between City of Denton, Texas and the Town of Argyle for provision of all necessary engineering, right-of-way acquisition, utility relocation, and reconstruction of Crawford Road.

ACTION: Item J.5.

APPROVED

Councilmember Livingston moved to approve an Interlocal Cooperation Agreement between City of Denton, Texas and the Town of Argyle for provision of all necessary engineering, right-of-way acquisition, utility relocation, and reconstruction of Crawford Road. Councilmember Schmidt seconded the motion. For: Unanimous. The motion passed 5-0.

K. EXECUTIVE SESSION

At 10:30 p.m. the Town Council adjourned into executive session pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D to discuss the following:

1. Personnel matters pursuant to Section 551.074 (to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee):
 - a. Town Manager

- L. RECONVENE INTO OPEN SESSION: In accordance with Texas Government Code, Section 551, the Town Council will reconvene into Regular Session and consider action, if any, on matters discussed in Executive Session.**

The Town Council reconvened in to Regular Session at 10:45 p.m. with no action taken from Executive Session discussion.

ACTION: Item 1.a.

APPROVED

Councilmember Livingston moved to approve a task order to Teague, Nall and Perkins to complete a drainage study for Waterbrook as required by Town ordinance. Mayor Pro Tem Hermann seconded the motion. For: Unanimous. The motion passed 5-0.

- M. RECEIVE REQUESTS FROM COUNCIL MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA** (*discussion under this item must be limited to whether or not the Council wishes to include a potential agenda item on a future agenda*)

Councilmember Livingston requested TNP provide a progress update pertaining to the 2019 Street Project and possible update of specification for future road projects.

N. ADJOURN

There being no further business, ~~Mayor Moser~~ ^{Mayor Pro Tem Hermann} adjourned the regular session at 10:46 p.m.


Donald Moser, Mayor


Erika McComis, Town Secretary

