

STATE OF TEXAS
COUNTY OF DENTON
TOWN OF DOUBLE OAK

The Double Oak Town Council met in regular session at 7:00 p.m. on October 17, 2011, at Double Oak Town Hall, located at 320 Waketon Road with the following members' present to-wit:

Tom Pidcock	Mayor
Ara Minassian	Deputy Mayor Pro-Tem
John Dondrea	Council Member
Steve Durbin	Council Member

constituting a quorum. Mayor Pro-Tem Gary Garrett and Council Member Tracy Miller were absent. Also in attendance were Police Chief Derrick Watson, Director of Public Works Charlie Wright, Assistant Town Secretary Eileen Kennedy and Town Secretary Charlotte Allen.

The Mayor called the meeting to order at 7:02 p.m.

Deputy Mayor Pro-Tem Minassian gave the invocation and Council Member Steve Durbin lead the pledge of allegiance to the American and Texas flags.

II. CONSENT AGENDA - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. CONSIDERATION AND ACTION ON THE MINUTES OF SEPTEMBER 19, 2011
2. CONSIDERATION AND ACTION ON THE MINUTES OF OCTOBER 3, 2011
3. CONSIDERATION AND ACTION ON RENEWAL OF FRANCHISE AGREEMENT WITH BARTONVILLE WATER SUPPLY CORPORATION
4. CONSIDERATION AND ACTION ON PAYMENT OF AN INVOICE FROM WASTE MANAGEMENT FOR 3 ROLLOFF CONTAINERS UTILIZED FOR COLLECTION OF STORM DEBRIS IN THE AMOUNT OF \$1015.48 WHICH EXCEEDS THE MATRIX LIMIT
5. CONSIDERATION AND ACTION ON PAYMENT OF A STATEMENT FROM UPPER TRINITY REGIONAL WATER DISTRICT FOR THE FY2011-2012 ADMINISTRATIVE FEE AS REQUIRED BY CONTRACT IN THE AMOUNT OF \$1123 WHICH EXCEEDS THE MATRIX LIMIT
6. CONSIDERATION AND ACTION ON PAYMENT OF THE SEPTEMBER MONTHLY BILLING STATEMENT FROM UPPER TRINITY REGIONAL WATER DISTRICT FOR SEWER SERVICES IN THE AMOUNT OF \$2052.13 WHICH EXCEEDS THE MATRIX LIMIT

Durbin motion, Dondrea second to approve all 6 items on the Consent Agenda

AYE: Dondrea, Durbin, Minassian
NAY: None

MOTION CARRIED UNANIMOUSLY

III. CITIZENS COMMENTS: NON-AGENDA SUBJECTS

Mr. Dick Ulrich, 420 Simmons Road, commented:

- he wanted to comment regarding the traffic on Simmons Road

Council Member Tracy Miller joined the meeting at 7:09 p.m.

- he thanked the Council for saving so many trees during the reconstruction project
- Lantana residents were looking forward to this new route to FM-1171
- because of the detours and traffic his wife was afraid to walk their dog
- kids didn't play in front yards for fear cars might lose control and hit them
- more stop signs were needed in order to slow the traffic

Police Chief Derrick Watson reported:

- he also was concerned about the increase in traffic on Simmons Road
- a need did exist to look at traffic calming

Council Member Miller stated the Police Department and Council liaisons could get together to discuss options for this issue.

NO ACTION WAS TAKEN ON THIS AGENDA ITEM

7. QUARTERLY STAFF REPORTS

- Police Department

Police Chief Derrick Watson gave details on his report in the agenda packet.

- Planning and Zoning Commission

Chairman Steve Howard was not available to present a report as he had a conflicting meeting.

- Board of Adjustment

Chairman Candy Lamel was not available to present a report.

- Upper Trinity Regional Water District Board of Directors

Board Member Niels Martin was not available to present a report as he was out of town.

- Bartonville Water Supply Corporation Board of Directors

Board Member Susan Crawford was not available to present a report as she was attending the BWSC board meeting.

- Fire Department

Fire Chief Joe Dent reported:

- call volume to the DOVFD had been down during the last quarter
- 3 new recruits had joined last quarter bringing the total membership up to 28
- the County burn ban was still in effect
- the department was finishing up their budget for the next fiscal year

- Animal Control

Animal Control contractor Brian Hall was not available to give details to his report in the agenda packet as he was out of town.

- Sanitarian

Town Sanitarian Tom Bailey was not available to present a report.

8. MAYOR, COUNCIL MEMBERS AND STAFF REPORTS

- Status report on Public Works projects

Director of Public Works Charlie Wright reported:

- most of the sod was down for phase 1 and 2 of the Simmons Road reconstruction project
- crews were preparing to pour driveways
- the project was tracking in line
- the recent rain had help with compaction
- a main Verizon trunk line that was only 6 inches below the surface had been hit
- this had knocked out FIOS service from Simmons to Tanglewood
- he had been told this was all working again
- the project was on track to be completed by Thanksgiving

IV. NEW BUSINESS AGENDA (CONSIDERATION AND ACTION):

9. DISCUSSION, CONSIDERATION AND ACTION ON APPOINTMENTS AND/OR REAPPOINTMENTS TO THE BOARD OF ADJUSTMENT

THIS ITEM WAS PASSED IN THE AGENDA ORDER

10. HOLD A PUBLIC HEARING TO CONSIDER AND ACT UPON THE REQUEST FROM MS. LISA HILDINGER FOR OUTDOOR SEASONAL SALES IN THE TOWN OF DOUBLE OAK, DENTON COUNTY, TEXAS. THE PARCEL IS DESCRIBED AS PART OF LOT 5, BLOCK A, CROSSROADS BIBLE CHURCH ADDITION, AT 8301 JUSTIN ROAD

Mayor Pidcock opened the public hearing at 7:26 p.m.

No one spoke in favor.

No one spoke in opposition.

Mayor Pidcock closed the public hearing at 7:27 p.m.

Ms. Lisa Hildinger, 130 Forest Oak Court (the petitioner) stated:

- she was petitioning the zoning to be allowed to sell seasonal items
- the business would be open in the spring to sell flowers and potted plants, in the fall to sell items such as pumpkins, and also Christmas trees
- her plan was to have the business open for sale at those times beginning in March through December 2012

Mr. Bradley Flack, 160 Fox Trot Lane, Planning and Zoning Commission reported:

- the Planning and Zoning Commission had held a public hearing on this request
- P&Z had voted to recommend approval with the stipulations listed below:
 1. All town ordinances will be followed implicitly including building, electrical, food and signage.
 2. The SUP request is for a temporary business and shall be treated as such. As a temporary business all outbuildings shall be removed from the property when the business is to be closed for more than 4 concurrent weeks or more. Those outbuildings must also not be re-installed more than 2 weeks prior to re-opening of the business for future seasonal sales. This limit on the temporary business also limits operation of the business more than 40 weeks in one calendar year.
 3. All entry and exit points for the property shall be kept maintained in a dry and safe manner for ingress and egress to main roadways.
 4. Inspections for compliance to all town ordinances shall be maintained seasonally for the temporary business, and no less than 4 times annually.
 5. We ask that the applicant re-visit the SUP approval with the town of Double Oak within 12 months to review approval and adhere to all ordinances and conditions set above.

After discussion, the Council added to item #3 of the P&Z conditions the following:

A No Left Turn sign be required at the exit from the Property to FM 407

All entry and exit drives for the property shall be kept maintained in a dry and safe manner for ingress and egress to main roadways (to be determined by the Town Inspector.)

Durbin motion to approve the request with the P&Z stipulations and to add to item #3 that a No Left Turn sign be required and that all entry and exit drives for the property would be kept maintained in a dry and safe manner for ingress and egress to main roadways (to be determined by the Town Inspector.)

Motion died for lack of a second

After more discussion, the Council revised item 5 regarding SUP renewal procedure so that the applicant would not have to go through the rezoning public hearings each year. It was agreed that the applicant would re-visit the SUP approval with the Town Council of Double Oak within 12-months of the effective date of January 1, 2012. The Town Council would review on an annual basis adherence to all ordinances and conditions set above to determine renewal approval

Durbin motion, Minassian to direct staff to have the Town Attorney prepare a specific use permit zoning ordinance with the changes as noted in the discussions

AYE: Minassian, Dondrea, Miller, Durbin

NAY: None

MOTION CARRIED UNANIMOUSLY

11. DISCUSSION, CONSIDERATION AND ACTION ON PAYMENT OF THE AUGUST MONTHLY BILLING STATEMENT FROM UPPER TRINITY REGIONAL WATER DISTRICT FOR SEWER SERVICES IN THE AMOUNT OF \$2005.60 WHICH EXCEEDS THE MATRIX LIMIT

Miller motion, Minassian second to approve the payment

AYE: Dondrea, Miller, Durbin, Minassian

NAY: None

MOTION CARRIED UNANIMOUSLY

12. DISCUSSION, CONSIDERATION AND ACTION ON APPOINTMENT TO TOWN OF DOUBLE OAK STANDING AND AD HOC COMMITTEES

THE CONSENSUS OF THE COUNCIL WAS TO APPROVE THE PEVIOUSLY DISCUSSED APPOINTMENTS TO THE STANDING AND AD HOC COMMITTEES

13. CITIZENS COMMENTS

No citizens came forward.

- *9. COUNCIL – STAFF ANNOUNCEMENTS AND COMMENTS

Deputy Mayor Pro-Tem Minassian reminded all of the Fun Fest which would be held at Town Hall on Saturday, October 29 from 5:00 p.m. until 8:00 p.m.

Director of Public Works Wright announced that the committee organizing the golf tournament to benefit the Double Oak Volunteer Fire Department had met during the previous week

Mayor Pidcock read a letter of recognition received from the Department of Labor: Occupational Safety and Health Administration acknowledging the significant work and contributions by Chief Watson and the Double Oak Police Department regarding a fatality investigation

* This agenda item was numbered incorrectly

*10. ADJOURNMENT

Miller motion, Minassian second to adjourn

With no further business to come before the Council the meeting was adjourned at 8:13 p.m.

Town Secretary

Mayor

* This agenda item was numbered incorrectly