

PUBLIC NOTICE
320 WAKETON ROAD
November 18, 2019
7:00 P.M.

OUT OF RESPECT FOR ALL THOSE IN ATTENDANCE, PLEASE REFRAIN FROM TALKING TO OTHER MEMBERS OF THE AUDIENCE DURING THE MEETING

- I. Opening: Call to Order
Roll Call
Invocation
Pledge of Allegiance – American Flag
Pledge of Allegiance – Texas Flag

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

- II. Citizens comments
- III. 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 minutes of November 4, 2019

- #### IV. Mayor, Council Members and Staff reports:

2. Mayor and Council
3. Public Works - Code Enforcement – Animal Control
4. Administration
5. Public Safety
6. Road and Drainage Committee

- V. New business agenda (consideration and action):

7. Discussion, consideration and action on town council committee and liaison list.

Presentation: Town Secretary Eileen Kennedy

8. Discussion, consideration and action on appointments to fill vacant seats on the Board of Adjustment and Planning and Zoning Commission.

Presentation: Town Secretary Eileen Kennedy

9. Discussion, consideration and action on Town Hall repairs and renovations.

Presentation: Council Member Anita Nelson
Deputy Mayor Pro-Tem Joe Dent

10. Discussion and consideration on a new proposed ordinance regarding portable storage containers.

Presentation: Mayor Donnelly

11. Discussion and consideration on proposed amendment to the Code of Ordinance regarding accessory buildings and home additions.

Presentation: Mayor Donnelly

12. Citizens comments

13. Council – staff announcements and comments:

- Town of Double Oak wishes everyone a Happy Thanksgiving
- Thanksgiving week trash pick-up will be Saturday, November 30, 2019
- Christmas Tree lighting is Monday December 2 at 6:00 pm

17. Adjournment

As authorized by section 551.071 of the Texas Government Code, 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 listed herein.

Posted this the 15th day of November at 4:00 p.m.

Eileen Kennedy

Town Secretary

PUBLIC PARTICIPATION

If you wish to address the Council, please sign the “CITIZENS WHO WISH TO SPEAK TO THE TOWN COUNCIL” sheet before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972.539.9464, fax 972.539.9613 or email to ekennedy@double-oak.com for additional information.

UNAPPROVED-NOT FOR PUBLICATION

STATE OF TEXAS
COUNTY OF DENTON
TOWN OF DOUBLE OAK

The Double Oak Town Council met in a regular session at 7:00 p.m. November 4, 2019 at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Mike Donnelly	Mayor
Scott Whisenhunt	Mayor Pro-Tem
Joe Dent	Deputy Mayor Pro-Tem
Anita Nelson	Council Member
Billie Garrett	Council Member
Von Beougher	Council Member

Also, in attendance were Town Secretary Eileen Kennedy, Assistant Town Secretary Lynn Jones Police Chief Derrick Watson and Town Engineer Brian Haynes.

Mayor Donnelly called the meeting to order at 7:00 p.m.

Mayor Pro-Tem Whisenhunt gave the invocation and Deputy Mayor Pro-Tem Dent led the pledge of allegiance to the American and Texas flags.

II. Citizens comments

None

III. Consent Agenda

1. Consideration and action on minutes of October 21, 2019

Motion Nelson, Dent second to approve the consent agenda as presented.

AYE:	Garrett, Dent, Nelson, Beougher, Whisenhunt
ABSTAIN:	None
NAY:	None

MOTION PASSED

IV. Mayor, Council Members and Staff reports:

2. Mayor and Council

None

3. Public Works - Code Enforcement – Animal Control

PW-The Mayor reported the culvert work on Kings Road has been completed by Double Oak Concrete. Reflectors installed on road at Timberleaf and Cedarcrest. A couple more residents have agreed to ROW easements on Waketon Road.

Town engineer Brian Haynes gave a brief report on the Waketon Road Reconstruction project.

4. Administration

Town Secretary Eileen Kennedy reported that Town Auditor Carl Deaton will be conducting the annual audit the week of 11th.

5. Public Safety

DOPD-Chief Derrick Watson introduced Eric Tolliver as the newest police officer

DOVFD-Chief Scott Whisenhunt reported all quiet around town.

6. Road and Drainage Committee

None

V. New business agenda (consideration and action):

7. Discussion, consideration and action on a presentation by Toll Brothers regarding the Vickery Park development in Copper Canyon.

Mike Boswell, Toll Brothers, had handouts of the concept plan along with photos of fencing material they will use* for Vickery Park in Copper Canyon. Mr. Boswell introduced Manny Rios as the point of contact on the site.

Several residents asked to speak and ask questions to Mr. Boswell. The following citizens spoke:

Marty Robbins, 801 Cross Timbers
Leonard Lopez, 701 Cross Timbers
Jeff Graves, 250 Simmons
Paula Cotton, 170 Highview
Michael Lee, 700 Cross Timbers
Ted Gruenloh, 102 Tanglewood
Nancy Gilmer, 740 Cross Timbers
Patrick Johnson, 160 Forest Park
Richard Harwell, 120 Highview
Linda Blesch, 110 Tanglewood

* copy attached and made a part of these minutes

Jo Ann Jenkins, 120 Tanglewood
Mark Rose, 308 East Carruth
Curtis Glover, 170 Double Oaks Dr

At this time the Mayor adjourned the meeting at 8:25 p.m.

The Mayor reopened the meeting at 8:39 p.m.

8. Discussion, consideration and action on fiscal year 2019-2020 crack seal street program.

Mayor Donnelly referred to a proposal from Midway Sealcoating* for crackseal on eleven roads. He also commented on an email from Gary Goodman*, chairman of the Roads & Drainage Committee, listing the order in which roads needed to be crack sealed given the \$35,000 budget for crack sealing.

Motion Whisenhunt, Beougher second, to approve Midway Sealcoating to crack seal Shady Oaks Ln., Brown Cliff, Pepperport, Plantation Ln., Kings Road, and Oakview in an amount not to exceed \$40,000.

AYE: Beougher, Garrett, Dent, Whisenhunt, Nelson,
ABSTAIN: None
NAY: None

MOTION PASSED

9. Discussion, consideration and action on the report from the Investment Committee.

The Investment Report* at 2018-2019 year-end was presented to the council.

Motion Nelson, second Dent to accept the Investment Report as presented.

AYE: Dent, Whisenhunt, Nelson, Garrett, Beougher
ABSTAIN: None
NAY: None

MOTION PASSED

10. Discussion, consideration and action on town council committee and liaison list.

Council Member Garrett asked to be liaison for the Planning and Zoning Commission.

No further action was taken.

*copy attached and made a part of these minutes

11. Discussion, consideration and action on a quote from Knickerbocker for restroom partitions.

Council Member Nelson recommended we use Knickerbocker Partition Corporation to replace the partitions in the men's and ladies' restrooms.

Motion Dent, second Beougher to use Knickerbocker Partition Corporation to replace the restroom partitions with stainless steel in an amount not to exceed \$3,500.

AYE: Whisenhunt, Nelson, Garrett, Beougher, Dent
ABSTAIN: None
NAY: None

MOTION PASSED

12. Discussion, consideration and action on Town Hall repairs and renovations.

Deputy Mayor Pro-Tem Dent reported the lighting in and around Town Hall was nearing completion. Dent also said he had all the equipment to consolidate the outside timer panel from five timers to one.

Council Member Nelson reported the chairs for the conference room and council came in under budget.

Mayor Donnelly said the front door and the two crash doors on the east side of the building were being replaced. All the doors will have new brush nickel hardware.

No action was taken.

13. Discussion and consideration on a new proposed ordinance regarding portable storage containers.

Curtis Glover, 170 Double Oaks Dr, asked if people that sustained fire or water damage to their homes if exceptions would be granted to the length of time the portable storage containers would be allowed. Mayor Donnelly assured Mr. Glover that considerations would be made on extenuating circumstances, but the standard time length would be 45 days.

Phyllis Meyerson, 133 East View Court, asked if a resident need more time, who would they contact. Mayor Donnelly said when the ordinance is adopted and rules set in place, residents would contact staff.

14. Discussion and consideration on proposed amendment to the Code of Ordinance regarding accessory buildings and home additions.

Mayor Donnelly said the ordinance regarding accessory buildings and home additions should go before the Planning and Zoning Commission with input from Council. The Mayor asked Assistant Town Secretary Lynn Jones to check with other cities on their process for accessory buildings and home additions and report back in January.

No action was taken.

15. Citizens comments

None

16. Council – staff announcements and comments:

- Brian Shults will celebrate his 12-year anniversary with Double Oak November 12
- Clint Murphy will celebrate his 5-year anniversary with Double Oak November 25
- Election Day November 5 voting at Town Hall from 7:00 am to 7:00 pm
- DOWC annual auction November 12 benefiting the DOVFD
- Town Hall will be closed Monday, November 11, in observance of Veteran's Day
- Christmas Tree lighting is Monday December 2 at 6:00 pm

DOVFD will have the Santa Run through town on December 8th.

17. Adjournment

With no further business to come before Council, motion Garrett, second Whisenhunt, the meeting adjourned at 9:27 p.m.

Town Secretary

Mayor



<p>TOWN OF COPPER CANYON, DENTON COUNTY, TEXAS</p> <p>Toll Brothers AMERICA'S LUXURY HOME BUILDER</p> <p>TBG HUITT-ZOLLARS</p> <p>March 20, 2019</p> <p><small>The information shown is based on the best information available and is subject to change without notice.</small></p>	<p>Location Map</p>	<p>Development Team</p> <table border="0"> <tr> <td> <p>Owner / Developer: TOLL BROTHERS 2555 SW Grapevine Pkwy, Ste 100, Grapevine, Texas 76051 Contact: Mike Boswell Phone: 817-329-7973 Email: mboswell@tollbrothersinc.com</p> </td> <td> <p>Engineer / Surveyor: HUITT-ZOLLARS 1717 McKinney Avenue, Suite 1400, Dallas, Texas 75202 Contact: Kevin Carlson Phone: (214) 871-3311 Email: kcarlson@Huitt-Zollars.com</p> </td> <td> <p>Planner / Landscape Architect: TBG PARTNERS INC. 2001 Bryan Street, Suite 1450, Dallas, TX 75201 Contact: Mark Meyer Phone: 214-744-0757 Email: Mark.Meyer@tbgpartners.com</p> </td> </tr> </table>	<p>Owner / Developer: TOLL BROTHERS 2555 SW Grapevine Pkwy, Ste 100, Grapevine, Texas 76051 Contact: Mike Boswell Phone: 817-329-7973 Email: mboswell@tollbrothersinc.com</p>	<p>Engineer / Surveyor: HUITT-ZOLLARS 1717 McKinney Avenue, Suite 1400, Dallas, Texas 75202 Contact: Kevin Carlson Phone: (214) 871-3311 Email: kcarlson@Huitt-Zollars.com</p>	<p>Planner / Landscape Architect: TBG PARTNERS INC. 2001 Bryan Street, Suite 1450, Dallas, TX 75201 Contact: Mark Meyer Phone: 214-744-0757 Email: Mark.Meyer@tbgpartners.com</p>	<p>General Note</p> <p>BEING 88.1 ACRES 88.1± ACRES OUT OF THE T. & P.R.R. SURVEY, ABSTRACT NO. 1298, DENTON COUNTY, TEXAS. LOCATED GENERALLY AT THE SOUTHEAST CORNER OF FM 407 (JUSTIN ROAD), AND TANGLEWOOD DRIVE.</p> <p>Disclaimer: This is a conceptual rendering depicting how this property may be developed. The owner reserves the right to make changes to this concept subject to approval of the Town of Copper Canyon.</p>	<p>CONCEPT PLAN FOR VICKERY PARK 88.1 ACRES</p> <p>ZONING CASE #</p> <p>(PAGE 2 OF 3)</p>
<p>Owner / Developer: TOLL BROTHERS 2555 SW Grapevine Pkwy, Ste 100, Grapevine, Texas 76051 Contact: Mike Boswell Phone: 817-329-7973 Email: mboswell@tollbrothersinc.com</p>	<p>Engineer / Surveyor: HUITT-ZOLLARS 1717 McKinney Avenue, Suite 1400, Dallas, Texas 75202 Contact: Kevin Carlson Phone: (214) 871-3311 Email: kcarlson@Huitt-Zollars.com</p>	<p>Planner / Landscape Architect: TBG PARTNERS INC. 2001 Bryan Street, Suite 1450, Dallas, TX 75201 Contact: Mark Meyer Phone: 214-744-0757 Email: Mark.Meyer@tbgpartners.com</p>					



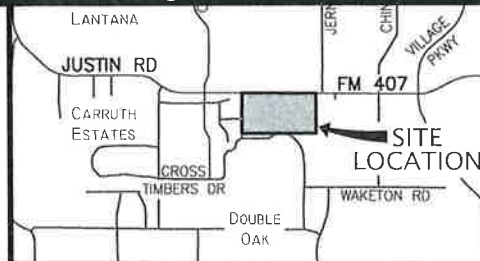
TOWN OF COPPER CANYON,
DENTON COUNTY, TEXAS



March 20, 2019

The information shown is based on the best information
available and is subject to change without notice.

Location Map



Development Team

Owner / Developer:
TOLL BROTHERS
2555 SW Grapevine Pkwy, Ste 100,
Grapevine, Texas 76051
Contact: Mike Boswell
Phone: 817-329-7973
Email: mboswell@tollbrothersinc.com

Engineer / Surveyor:
HUITT-ZOLLARS
1717 McKinney Avenue, Suite 1400,
Dallas, Texas 75202
Contact: Kevin Carlson
Phone: (214) 871-3311
Email: kcarlson@Huitt-Zollars.com

Planner / Landscape Architect:
TBG PARTNERS INC.
2001 Bryan Street, Suite 1450,
Dallas, TX 75201
Contact: Mark Meyer
Phone: 214-744-0757
Email: Mark.Meyer@tbgpartners.com

General Note

BEING 88.1 ACRES 88.1± ACRES OUT OF THE T. & P.R.R.
SURVEY, ABSTRACT NO. 1298, DENTON COUNTY, TEXAS.
LOCATED GENERALLY AT THE SOUTHEAST CORNER OF FM
407 (JUSTIN ROAD), AND TANGLEWOOD DRIVE.

Disclaimer: This is a conceptual rendering depicting how
this property may be developed. The owner reserves the
right to make changes to this concept subject to approval
of the Town of Copper Canyon.

CONCEPT PLAN
FOR
VICKERY PARK
88.1 ACRES

ZONING CASE #

(PAGE 1 OF 3)

Eileen Kennedy

From: Mike Boswell <mboswell@tollbrothers.com>
Sent: Friday, November 1, 2019 2:00 PM
To: Eileen Kennedy
Cc: 'Donna Welsh'; Manny Rios
Subject: Fencing

Eileen:

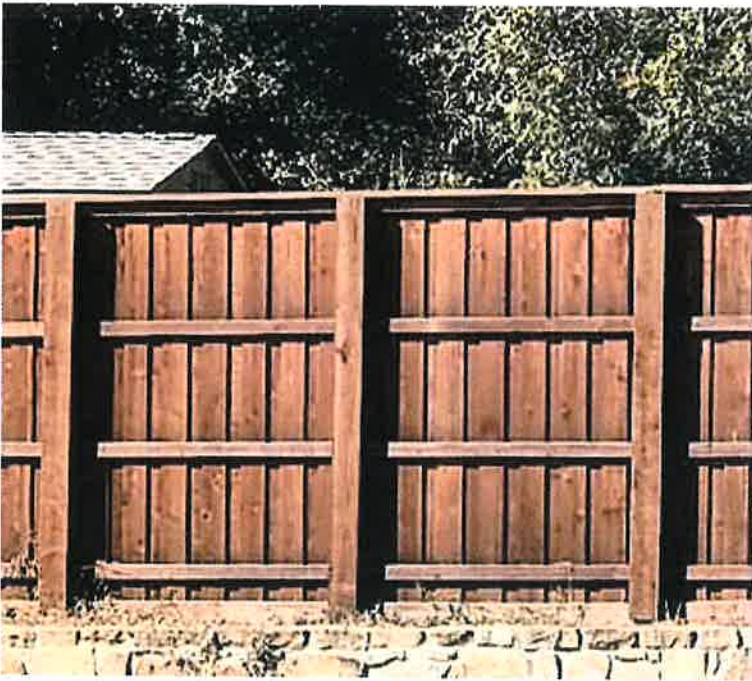
I am attaching the photos of our fence material use on our perimeters.

Board on board fence (with steel posts):

Outside



Inside



Tubular steel fence:



Mike Boswell
Director of Land Development

Toll Brothers, *America's Luxury Home Builder®*
2555 SW Grapevine Parkway, Suite 100, Grapevine, Texas 76051
Office: (817) 329-7973 | Cell: (972) 672-5228 | Fax: (817) 251-7309



P.O. Box 180953 Arlington, TX 76096

817-467-7003 / F817-465-1665

www.midwaysealcoating.com

Proposal

August 21, 2019

City of Double Oak
ATTN: Mike Donnelly
Double Oak, TX
214-448-9337
mtefm@yahoo.com
ekennedy@double-oak.com
ljones@double-oak.com

City of Double Oak streets

Crackseal

Clean cracks as necessary by blowing debris. Place crack fill material in cracks and squeegee as necessary to cover cracks using Crafcro Type III material. Allow to cure and open to traffic.

Shady Oaks Lane	-	\$2,532.00
Brown Cliff	-	\$3,797.00
Pepperport	-	\$3,797.00
Plantation Lane	-	\$1,350.00
Kings Road	-	\$24,750.00
Meadow Knoll	-	\$7,594.00
Oakview	-	\$2,532.00
Cross Timber	-	\$4,500.00
South Forest and North Forest		\$7,594.00
Trailing Oaks	-	\$2,025.00
Willow Oaks	-	\$1,350.00

Note:

Total	\$61,821.00
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** PLUS: APPLICABLE SALES TAX / RESALE CERTIFICATE. **

By signing this document, both parties acknowledge to have read, understand & agree to the above.
I have read and agree with the terms and conditions of this contract.

Signed

Lawrence Otto

Eileen Kennedy

From: Gary Goodman <garyindoubleoak@verizon.net>
Sent: Friday, October 25, 2019 7:18 PM
To: nan.bowen09@gmail.com; dickcook@tx.rr.com; jeff@ccm-eng.com; garyjill44@verizon.net; bhaynes@half.com; anitanelson@tx.rr.com; aww@awwills.com; Lynn Jones
Cc: Eileen Kennedy; mtefm@yahoo.com; Lynn Jones
Subject: Re: Midway estimate

After discussion with Mayor Donnelly, the problem is not with our ordering, but with the ordering imposed by the values given in the Midway costs.

1	Shady Oaks Lane	\$2,532.00
2	Brown Cliff -\$3,797.00	\$3,797.00
3	Pepperport -\$3,797.00	\$3,797.00
4	Plantation Lane -\$1,350.00	\$1,350.00
5	Kings Road -\$24,750.00	\$24,750.00
6	Meadow Knoll -\$7,594.00	\$7,594.00
7	Oakview -\$2,532.00	\$2,532.00
8	Cross Timber -\$4,500.00	\$4,500.00
9	South Forest and North Forest	\$7,594.00
10	Trailing Oaks -\$2,025.00	\$2,025.00
11	Willow Oaks - \$1,350.00	\$1,350.00

Namely, there appears to be two possibilities, given that our budget is \$35,000.

1. Do King's Road and #1, #2, and #3, or
 2. Leave King's Road for next year, and do items #1 thru #9 and #11 this year.
- Whatever doesn't get done this year will be placed on the list for next year.

I slightly prefer #1.

Please send me your preference by 11:59 pm this Sunday so the committee can give its recommendation to the Town Council.

Thanks for all your work,
Gary

-----Original Message-----

From: Gary Goodman <garyindoubleoak@verizon.net>
To: ekennedy <ekennedy@double-oak.com>; mtefm <mtefm@yahoo.com>
Cc: nan.bowen09 <nan.bowen09@gmail.com>; dickcook <dickcook@tx.rr.com>; jeff <jeff@ccm-eng.com>; garyjill44 <garyjill44@verizon.net>; garyindoubleoak <garyindoubleoak@verizon.net>; bhaynes <bhaynes@half.com>; anitanelson <anitanelson@tx.rr.com>; aww <aww@awwills.com>; Ljones <Ljones@double-oak.com>; ekennedy <ekennedy@double-oak.com>
Sent: Fri, Oct 25, 2019 11:55 am
Subject: Re: Midway estimate

Mayor Donnelly, Eileen,

In our May 16, 2019 meeting, the R&D Committee prepared it's recommendation for roads to be reconstructed and roads to be crack sealed (see enclosure). These roads were listed in priority order and I doubt if that order would change much if re were to redo the evaluation. I will consult with committee members to see if they believe a redo is warranted.

In Harmony,
Gary

**Investment Inventory Report
@ September 30, 2019**

PURCHASE DATE	MATURITY DATE	CERTIFICATE OF DEPOSIT
04/16/13	12/04/20	DATCU
04/12/13	04/12/20	INDEPENDENT BANK
02/18/13	02/18/20	INDEPENDENT BANK

CD TOTAL

YIELD	BEGINNING BOOK	BALANCE @ 09/30/18	EARNINGS @ END 09/30/19	BALANCE @ 09/30/19	% of TOTAL PORTFOLIO
0.650%	200,133	206,007	3430	209,436	
0.600%	25,000	25,556	154	25,710	
0.30%	201,855	204,698	615	205,313	
	426,988	436,261	4,198	440,459	34%

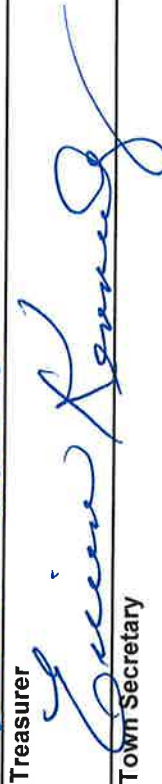
Demand Accounts

Independent Bank - Money Market
Independent Bank - Checking
Independent Bank - Police LEOSE
Independent Bank - John B. Wright Park Fund
Independent Bank - Police Chapter 59
Independent Bank - Petty Cash
DATCU

YIELD	BALANCE @ 09/30/18	Change	BALANCE @ 09/30/19	% of TOTAL PORTFOLIO
0.450%	776,177	154,560	930,737	
0.450%	-94,122	-8,820	-102,942	
0.440%	186	1,086	1,272	
0.410%	349	1	350	
0.000%	9	-1	8	
0.000%	499	1	500	
0.250%	2,309	530	2,839	
	685,408	147,356	832,764	65%
	1,121,668	151,554	1,273,223	100%

This report is in compliance with the Investment Policy and strategies as approved and the Public Funds Investment Act.


Treasurer


Town Secretary

COUNCIL LIAISON APPOINTMENTS

Liaison is defined as to perform as neither an advocate nor an opponent but rather to act as a conduit for organizations, staff, boards, commissions, committees, etc. to facilitate communication between Council and entity without prejudice.

BOARD/COMMISSION/DEPARTMENT/ORGANIZATION

LIAISON

Double Oak Volunteer Fire Department	Nelson/Garrett
Double Oak Police Department	Dent/Nelson
Planning & Zoning Commission	Garrett/
Board of Adjustment	Beougher/
Upper Trinity Regional Water District	Donnelly
Cross Timbers Water Supply Corporation	Donnelly
School Districts/Denton County/Neighboring Towns	Donnelly/Beougher
Double Oak Women's Club	Garrett

STANDING COMMITTEES

COMMITTEE

COUNCIL LIAISON

MEMBERS

Investment Committee	Dent/ Garrett	Dick Cook Eileen Kennedy Ted Gruenloh Gary Garrett
Master Plan Committee	Dent/	Gary Garrett
Ordinance Review Committee	Dent/ Garrett	
Information Technology Committee	Dent/	Derrick Watson Dick Cook
Town Hall Renovation Committee Town Beautification Committee Conservation/Tree Committee		
Roads/Drainage Committee	Nelson/ Beougher	Dick Cook Jeff Crannell Gary Garrett Brian Haynes Gary Goodman Nan Bowen Mark Rose Andrew Wills

THE MAYOR IS AN AUTOMATIC LIAISON TO ALL DEPARTMENTS/ BOARDS/COMMITTEES

2019 - 2020 PLANNING AND ZONING COMMISSION

<u>NAME</u>	<u>TERM EXPIRES</u>	<u>NAME</u>	<u>TERM EXPIRES</u>
1. Georgette Cook 170 Oak Trail Double Oak, Texas 75077 (H) (817) 430-1427 (C) (214) 801-5587 georgettecook@tx.rr.com	9-21	7. Martha Holman 235 North Forest Lane Double Oak, Texas 75077 H (817) 430-3768 C (214) 215-3585 marthaholman1@yahoo.com	9-21
2. Gary Goodman, Chairman 131 Trailing Oaks Drive Double Oak, Texas 75077 H (817) 491-3940 garyindoubleoak@verizon.net	9-21	<u>ALTERNATES</u>	
3. Regess N. Krueger 515 Kings Road Double Oak, Texas 75077 C (214) 883-4575 rnkruegel@yahoo.com	9-20	8. Wayne Atkins 120 Hawk Crest Lane Double Oak, Texas 75077 C (214) 636-5064 wayne@sterlingbrookhomes.com	9-20
4. Mark Rose, Vice Chairman 308 East Carruth Lane Double Oak, Texas 75077 H (214) 649-6501 mrose@letcogroup.com	9-20	9. Andrew Weaver 203 N. Hill Court Double Oak, Texas 75077 (214) 532-6832 do.197328@yahoo.com	9-21
5. Donna Gilliam 221 Waketon Extension Double Oak, Texas 75077 H (972) 355-1630 C (972) 822-7149 donna7m7G@gmail.com	9-20	10. Mike Fickling 5301 Chinn Chapel Rd. Double Oak TX 75077 C (972) 948-0660 mikefickling@verizon.net	9-21
6. Linda Blesch 110 Tanglewood Double Oak, Texas 75077 H (214) 995-1283 LKPeebles@gmail.com	9-20	11. VACANT	9-20

2019 - 2020 BOARD OF ADJUSTMENT

<u>NAME</u>	<u>TERM EXPIRES</u>	<u>NAME</u>	<u>TERM EXPIRES</u>
1. Phyllis Meyerson-Chair 133 East View Court Double Oak, TX 75077 H (972) 539-0370 phyllismeyerson@gmail.com	9-20	<u>ALTERNATES</u>	
2. Candy Lamel 210 Cedarcrest Lane Double Oak, TX 75077 H (817) 567-1381 C (214) 686-1822 candylamel@aol.com	9-20	6. Jo Ann Jenkins 120 Tanglewood Double Oak, TX 75077 (972) 816-9218 jenkinsjoann32@gmail.com	9-21
3. Marty Robbins 801 Cross Timbers Dr Double Oak, TX 75077 (972) 948-9159 martin.g.robbsins@gmail.com	9-21	7. Bonnie Morrow 105 N. Forest Double Oak, TX 75077 H (817) 430-3536 C (469) 471-4261 bonnieasl@verizon.net	9-20
4. Art Fleming 190 Highview Drive Double Oak, TX 75077 H (972) 539-0168 art.t.fleming@gmail.com	9-21	8. Jeff Hardgrave 335 Thornhill Circle Double Oak, TX 75077 (469) 261-1662 jhardgrave@verizon.net	9-21
5. Karen Smith 168 Meadowknoll Double Oak, TX 75077 (214) 763-1892 Kdsmith516@gmail.com	9-20	9. VACANT	9-19
		10. VACANT	9-19
		11. VACANT	9-20

AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING SECTION 6.302 OF ARTICLE 6.300 ("OFFENSIVE CONDITIONS ON REAL PROPERTY") OF CHAPTER 6 ("HEALTH AND SANITATION") BY ADDING A PROHIBITION ON THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON PUBLIC STREETS AND RIGHTS-OF-WAY AND TO PROHIBIT THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON REAL PROPERTY FOR PERIODS IN EXCESS OF FORTY-FIVE (45) DAYS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Double Oak, Texas, finds and determines that the placement of portable storage containers such as PODs, Mobile Mini, Smart Box and mini storage units has proliferated in the Town and that a number of residents are using such portable storage containers on a permanent or semi-permanent basis in lieu of accessory buildings for outdoor storage; and

WHEREAS, the Town Council finds and determines that the placement of portable storage containers on public streets and rights-of-way causes visual obstructions to motor vehicles, which creates traffic hazards; that long-term use of portable storage containers is unsightly and negatively affects the value of real property; that offenses under this prohibition should be strict liability; and that prohibitions on placement of portable storage containers is in the best interest of the public health, safety and welfare. Now Therefore

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS:

SECTION 1. That the Code of Ordinances, Town of Double Oak, be and is hereby amended by amending Section 6.302 of Article 6.300, "Offensive Conditions on Real Property," of Chapter 6, "Health and Sanitation," by renumbering the existing provisions as subsection (a) without amendment to existing language, and adding a new subsection (b), such that Section 6.302 shall henceforth read in its entirety as follows [underlined language indicates additions, strike-through language indicates deletions]:

**"CHAPTER 6
HEALTH AND SANITATION**

...

ARTICLE 6.300 OFFENSIVE CONDITIONS ON REAL PROPERTY

...

Sec. 6.302 Unlawful Conditions on Real Property

(a) The owner or occupant of any property within the corporate limits of the town, whether the same be occupied or unoccupied, shall keep such property and adjacent parkway free of any of the following conditions which hereby constitute nuisances and offensive conditions:

- (1) stagnant water;
- (2) accumulations of trash, garbage, or debris including solid waste consisting of dirt, concrete, rocks, bricks, or other similar construction or building waste materials;
- (3) filth, carrion, or other impure or unwholesome matter;
- (4) grass, weeds and vegetation growing to a height of more than ten (10) inches, excepting regularly cultivated crops not growing within a public right-of-way;
- (5) rubbish, brush, graffiti and other objectionable, unsightly, or unsanitary matter; or
- (6) any other condition found by the town's building inspector, code enforcement officer, health officer, the county health officer, state health officer, or other authorized person to be unsanitary or unwholesome or a condition that may produce disease.

(b) It shall be unlawful for any person, occupant, or owner to place on any public street or right-of-way a portable storage container or unit, including but not limited to PODs, Mobile Mini, Smart Box, and Mini Storage units. Furthermore, no such portable storage container or unit shall be caused to remain on any property for a period in excess of forty-five (45) consecutive days. In the prosecution of an offense under this section, no proof or pleading of intentional or knowing conduct shall be required, and the offense shall be deemed strict liability.

...”

SECTION 2. That any provisions of the ordinances of the Town of Double Oak in conflict with the provisions of this ordinance be and same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Double Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY ADOPTED by the Town Council of the Town of Double Oak, Texas on the _____ day of _____, 2019.

APPROVED:

MAYOR

ATTEST:

TOWN SECRETARY

APPROVED AS TO FORM:

TOWN ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING SECTION 6.302 OF ARTICLE 6.300 ("OFFENSIVE CONDITIONS ON REAL PROPERTY") OF CHAPTER 6 ("HEALTH AND SANITATION") BY ADDING A PROHIBITION ON THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON PUBLIC STREETS AND RIGHTS-OF-WAY AND TO PROHIBIT THE PLACEMENT OF PORTABLE STORAGE CONTAINERS ON REAL PROPERTY FOR PERIODS IN EXCESS OF FORTY-FIVE (45) DAYS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING AN EFFECTIVE DATE.

DULY PASSED by the Town Council of the Town of Double Oak, Texas, on the ____ day
of _____, 2019.

APPROVED:

MAYOR

ATTEST:

TOWN SECRETARY

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING THE COMPREHENSIVE ZONING ORDINANCE, EXHIBIT A OF ARTICLE 14.100 ("ZONING ORDINANCE ADOPTED") OF CHAPTER 14 ("ZONING"), TO AMEND SECTION 26-1 ("DEFINITIONS") REVISING THE DEFINITION OF "ACCESSORY BUILDING OR ACCESSORY STRUCTURE," PROVIDING A DEFINITION OF "ADDITION;" PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Double Oak finds and determines that a proliferation of accessory structures has occurred throughout the Town in violation of the Town's Accessory Building regulations; that many property owners have avoided the Town's zoning limitations on accessory buildings by simply connecting an accessory building to the main structure by a breezeway or common roof, and that clarity in the difference between an addition to a building and an accessory structure is needed; and,

WHEREAS, the Planning and Zoning Commission of the Town of Double Oak and the governing body of the Town of Double Oak, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners and interested persons generally, the governing body of the Town of Double Oak is of the opinion that said zoning ordinance should be amended as provided herein.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOUBLE OAK, TEXAS:

SECTION 1. That the Code of Ordinances, Town of Double Oak, be and is hereby amended by amending Section 26-1, "Definitions," of the Comprehensive Zoning Ordinance, Exhibit "A" of Article 14.100 ("Zoning Ordinance Adopted") of Chapter 14 ("Zoning"), to revise regulations relating to accessory buildings by amending the definition of "Accessory Building or Accessory Structure," and adding a new definition of "Addition" after the definition of "Accessory Use" and before the definition of "Airport," without amendment, repeal or change to other parts of Section 26-1, such that the definitions of "Accessory Building or Accessory

Structure” and “Addition” shall henceforth read as follows [underlined language indicates additions, strike-through language indicates deletions]:

**“CHAPTER 14
ZONING**

ARTICLE 14.100 ZONING ORDINANCE ADOPTED

EXHIBIT A

**COMPREHENSIVE ZONING ORDINANCE
TOWN OF DOUBLE OAK, TEXAS**

**SECTION 26
DEFINITIONS**

26-1 The following words, when used in this ordinance, shall have the meanings respectively ascribed to them in this section, unless such construction would be inconsistent with the manifest intent of the terms of this ordinance or where the context of this ordinance clearly indicates otherwise.

Accessory Building or Accessory Structure - shall mean a subordinate building or structure, attached to or detached from the main building, and customarily incidental to the principal building. Distinct from an “addition,” an accessory building or structure is a detached building, or a building or structure connected to the main structure by a breezeway, common roof line, common floor, or common walls. The connection of a structure by a breezeway, floor area or wall or any combination thereof shall not be deemed an addition unless fully enclosed and attached to the main structure by a common roof, floor and walls as an integral part of the main structure.

Addition – shall mean an extension or increase in floor area or height of a building or structure. An addition shall be compatible in appearance with the primary structure through similar or identical exterior walls and roofing.

...”

SECTION 2. That any provisions of the ordinances of the Town of Double Oak in conflict with the provisions of this ordinance be and same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

SECTION 3. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Double Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY ADOPTED by the Town Council of the Town of Double Oak, Texas on the _____ day of _____, 2019.

APPROVED:

MAYOR

ATTEST:

TOWN SECRETARY

APPROVED AS TO FORM:

TOWN ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF DOUBLE OAK, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF DOUBLE OAK, TEXAS, BY AMENDING THE COMPREHENSIVE ZONING ORDINANCE, EXHIBIT A OF ARTICLE 14.100 ("ZONING ORDINANCE ADOPTED") OF CHAPTER 14 ("ZONING"), TO AMEND SECTION 26-1 ("DEFINITIONS") REVISING THE DEFINITION OF "ACCESSORY BUILDING OR ACCESSORY STRUCTURE," PROVIDING A DEFINITION OF "ADDITION;" PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.

DULY PASSED by the Town Council of the Town of Double Oak, Texas, on the ____ day
of _____, 2019.

APPROVED:

MAYOR

ATTEST:

TOWN SECRETARY