**MINUTES**

**TOWN OF COPPER CANYON**

**REGULAR TOWN COUNCIL MEETING**

**MONDAY, SEPTEMBER 10, 2018**

**AND JOINT MEETING WITH THE**

**PLANNING AND ZONING COMMISSION**

**MONDAY, SEPTEMBER 10, 2018**

The Town Council of the Town of Copper Canyon met in regular session and conducted a joint meeting with the Town of Copper Canyon Planning and Zoning Commission on Monday, September 10, 2018, at 7:00 p.m. in the Council Chambers at Copper Canyon Town Hall, 400 Woodland Drive, Copper Canyon, Texas, whereupon the following items were considered:

1. **TOWN COUNCIL - CALL TO ORDER**

**Mayor Sue Tejml** called the regular meeting of the Copper Canyon Town Council to order at 7:00 p.m. on the 10th day of September 2018 in the Council Chambers at Copper Canyon Town Hall, 400 Woodland Drive, Copper Canyon, Texas, 75077.

**Council Present**

**Jeff Mangum** Mayor Sue Pro Tem

**Valerie Cannaday** Deputy Mayor Pro Tem

**Bill Castleman** Council Member

**Steve Hill** Council Member

**Dave Svatik** Council Member

**Staff Present**

**Terry Welch** Town Attorney

**Donna Welsh** Town Administrator

**Sheila Morales** Town Secretary

A quorum of the Town Council was established.

**Mayor Sue Tejml** and **Council Members** led meeting attendees in the Pledge of Allegiance to the U.S. and Texas Flags.

1. **TOWN COUNCIL - STAFF MAYOR SUE AND COUNCIL REPORTS ON ITEMS OF COMMUNITY INTEREST** (Pursuant to Texas Government Code Section 551.0415 the Town Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules, (3) recognition of individuals; (4) reminders about upcoming Town Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety.)
2. Update regarding former Council Member John Brother’s daughter, Tiffany Brothers. Tiffany rode her electric wheelchair in the July 4th Parade, waiving happily at everyone along the route. Growing up in Copper Canyon, Tiffany had participated in many July 4th Parades. She told her dad, John, she wanted to be in this year’s parade because it might be her last chance to do so. <https://www.gofundme.com/tiffany-brothers-als-hope-fund>, <https://www.facebook.com/581117008/posts/10156755371292009/>

**Ken Karnes**, as a resident of Copper Canyon for fourteen years and one who had served on the Town Council and served with the Town’s volunteer fire department, shared the following regarding his good friend John Brother’s daughter, Tiffany Brothers.

John Brothers has lived in the Town for over twenty-seven years; John has served on the Town Council and P&Z and has assisted in other Town functions as well. Most people recognize John as the one on the green tractor mowing the Town’s rights-of-way. John’s daughter Tiffany was diagnosed with ALS – Lou Gehrig’s disease. John’s family has spent over $100,000 out of their own pocket. Tiffany’s insurance is expiring because of her tenure with American Airlines. John is willing to spend every penny he has to improve her quality of life.

Ken Karnes has known John since 1997 when at that time, John shared his front loader with him, so he could complete a retaining wall project much more efficiently (rather than using just a shovel). John even delivered the front loader to Ken’s house with a full tank of gas, while Ken was on a work trip. John Brothers is the first to help and the last to ask for help.

Ken encouraged meeting attendees to spread the word that the Town has a resident in need and to go to Tiffany’s Go Fund me page (set up by a another friend of John’s) and make a donation.

1. New Department of Public Safety Driver’s License office opened Tuesday, September 3rd, 2018 at the Southwest Courthouse, 6200 Canyon Falls Drive, Argyle, TX 76226.  The Courthouse is one block west of FM 377 from the red light at the intersection of Canyon Falls Drive.  For tips on how to minimize your wait at any state driver’s license facility, visit their website at <https://tx-dps.com/products/texas-driver-license/how-to-minimize-wait-at-dps/>.
2. **PLANNING & ZONING COMMISSION (P&Z) – CALL TO ORDER**

**Chairman Andre Nicholas** called the meeting of the Copper Canyon Planning and Zoning Commission to order at 7:14 p.m. on the 10th day of September 2018 in the Council Chambers at Copper Canyon Town Hall, 400 Woodland Drive, Copper Canyon, Texas, 75077.

**Commissioners Present**

Andre Nicholas Chairman

Bill Alexander Commissioner – Alternate

Paula Bosco Commissioner

Kaki Lybbert Commissioner

Deb Valencia Schmitz Commissioner - Alternate

Commissioners Dornich, Pape and Reed were not in attendance due to prior plans.

1. **P&Z - CONSENT**
2. Approve June 4, 2018 Minutes of P&Z.

**Commissioner Schmitz** motioned to approve Consent Item #1.

**Commissioner Bosco** seconded the motion.

Ayes: **Chairman Andre Nicholas, Commissioners Alexander, Bosco, Lybbert and Schmitz**

Nays: None

**Chairman Andre Nicholas** announced that the motion passed unanimously.

1. **JOINT TOWN COUNCIL AND P&Z – PUBLIC HEARING**

The Planning and Zoning Commission and the Town Council of the Town of Copper Canyon, Texas, will conduct a joint public hearing to consider the following:

* 1. A request to amend the Town’s Master Plan for that portion of the Town Center located south of FM 407, by allowing single-family residential use at a density not to exceed 2.8 single-family units per gross acre on said property. [The current proposal submitted by Toll Bros. to the Town reflects a total of 240 lots: 88 lots with a size of 86 feet wide by 145 feet deep in the western portion of the property; and 152 lots with a size of 72 feet wide by 120 feet deep in the eastern portion of the property.]
		1. Presentation by applicant, Toll Bros.

**Rob Paul** with Toll Brothers stated the following:

* Thank you for letting Toll Brothers speak regarding the Master Plan amendment. Toll Brothers worked hard on modifying the application presented months ago.
* He understands that meetings can get emotional and sometimes personal, all of which is part of the process. He appreciates that everyone is entitled to voice their opinion in government. He understands attendees’ time is valuable and understands that each attendee is away from their obligations and families.
* Speaking of families, Mr. Brothers and his daughter’s illness puts what he / Toll Brothers does in perspective. He expressed his sadness regarding the situation.
* There was a disagreement in earlier meetings where his and Toll Brothers integrity was questioned. This issue is now behind us. The issue was completely resolved the following day with members of the Agyle Fire District confirming the meetings and communication regarding their suppression plan. If there are still any questions, someone on his team or he will answer them. He thanked those that came to his defense which proved to him that Copper Canyon and Toll Brothers would make a fantastic partnership.
* He wants to develop in Copper Canyon and build homes and create a community, since the Town is a beautiful place and future residents will add to this community.
* Rather than rehashing the history of the site or the nature of the zoning applications, he reinforced that the proposal is coming from a single company with a single point of contact and a single team that will design, develop, build and service all the homes at this location. Toll Brothers is not just a developer that wants to put as many lots on the ground that they can to then sell the lots to the highest builder. Toll Brothers is not motivated by lots sales, but rather they are motivated by the end result of quality and beauty.
* Toll Brothers is a quality builder and can be trusted to complete what they start. He has worked for Toll Brothers for seventeen years, and he plans to continue with them for the rest of his career.
* With Toll Brothers being the sole participant every step of the way, the Town is guaranteed a beautiful community full of beautiful homes and a beautiful town.
* When projects like this are considered, they don’t just consider the number of lots. There are many variables that go into the analysis such as: fixed costs, land cost, variable expenses, market drivers, demographics, interest rates, commodity pricing (tariffs on lumber and cost of steel), etc. It’s not just about lot count. Toll Brothers has put a lot of thought and effort into the layout and density that would actually work on this site.

**Rob Paul** presented a brief slide presentation with the following information:

* A Master Plan amendment is what is being considered tonight. Toll Brothers is asking to change the ‘use’ on this property (not the concept plan which is part of the PD zoning phase).
* The property (88.1 acres) is bordered on three sides by Double Oak and FM 407 on the north side.
* The 2015 Master Plan amendment is a mixture of Town Center, medium density residential, some open space, and there is also an option at the discretion of Council and P&Z, for an age-restricted component with a gross density of four per acre.
* Toll Brother’s Master Plan amendment request is an amendment which would allow for single family residential use not to exceed 2.8 single family units per gross acre with recreational and social facilities.
* Toll Brother’s last Master Plan amendment application was for 3.5 single family units per gross acre.
* Specific details regarding the current Master Plan Amendment for the property are as follows:
	+ Total land - 88.1 acres
	+ Open space of 16.1 acres, which is approximately 18% of the site not including the street rights-of-way or private streets; this was a reduction in open space by two acres. This in turn helped make the lots larger, as compared to their last submission.
	+ Concept plan shows a maintained green space meandering along FM 407, with an offset from fifty to two-hundred feet from the south pavement of FM 407.
	+ Lot sizes have changed; the 50’ smaller home sites were increased to 62’ x 120’ (152 of those) and the 74’ larger lots were increased to 86’ x 145’ (88 of those) for a total of 240 lots.
	+ Previously 291 home sites were proposed; the new proposal reflects a 17.2% reduction in overall lot count. This was done by increasing their anticipated delivered price, increasing the costs of the homes on both lot sizes and changing some of their absorption assumptions and back end calculations.
	+ Nothing has changed regarding sewer, water and streets as compared to what was presented before. These are completely private streets, gated and maintained by the HOA.
	+ Prior submission requested 3.5 units per gross acre. Current submission is proposing 2.8 units per gross acre, however, with the 240 lots, it’s actually 2.73 units per gross acre.
	+ Per the current concept map: 51 fewer home sites; similarly designed with same entries, exits, fencing details and water features details. Additional details regarding the concept plan will be addressed during the PD zoning phase.

In response to **Chairman Andre Nicholas’s** question**, Rob Paul** stated that ‘gross’ numbers were used in both master plan amendment requests in order to keep things consistent.

In response to **Commissioner Bosco’s** question**, Rob Paul** stated that the expected average ‘out the door’ sales price for the 62’ lots is $690,000 and $835,000 for the 86’ lots.

In response to **Commissioner Bosco’s** question, **Rob Paul** stated that the last traffic study was done based on 291 homes, so reducing the number of lots to 240 would result in a reduction of the traffic impact.

* + 1. Public comments

The following people spoke:

**Thomas Pique** (971 Chinn Chapel) stated that the Council has the opportunity to guide the Town this evening. Approving the development would set a legal precedent for the Town thereby allowing all the other property in Copper Canyon to be developed with high density. He questioned why this proposal was being reconsidered since a few months ago the Council and P&Z unanimously voted no.

**Tim Morin** (725 Estates), as a resident since 2000, stated that he is in favor of not changing the current Master Plan.

**Eric Rooney** (648 Chinn Chapel) stated that Toll Brothers is an excellent builder. However, their proposal is not in alignment to what the residents want. The proposed development is too dense; one-third net acre lots are preferred.

**James Hilliard** (630 Copper Canyon Road) stated that he has lived in the Town for a little over a year, after living in Flower Mound for seventy-two years. His great grandfather is buried in the Chinn Chapel Cemetery. Based on his experience working with Toll Brothers, Toll Brothers goes above and beyond their commitment and they are extremely cordial. He sold fifty-six acres of land to them in Flower Mound and Toll Brothers is building houses valued close to 1 million dollars each – all of which helps the tax base in Flower Mound. Toll Brothers has done everything they said they would do and they have met all the requirements that he and Flower Mound required. The problem that the Town Council needs to consider is the future costs to reconstruct and maintain roads within the Town – all of which will require large expenditures for the Town. He is in favor of Toll’s development in Copper Canyon.

**James Lokie** (3831 Landseer) thanked the Council and P&Z for letting him speak and turning down Toll Brother’s first request. Toll Brothers is a quality builder and the merits of the proposed development seem to address many of the issues previously raised by the Council, P&Z and residents (i.e., safety and security, greenbelts, fire prevention, streets and other maintenance, drainage containment). However, the remaining issue, that was also an issue in June, is the density and lot sizes. Therefore, the proposal is unacceptable. It does not meet the density requirement as detailed in the Town’s Master Plan. Approving Toll Brother’s request will set a dangerous precedent. Copper Canyon will look more like Flower Mound, Highland Village or Lantana and the residents don’t want that. He asked the Council and P&Z to honor the existing Master Plan and turn down the Master Plan amendment request.

**Joe Brady** (1000 N. Berry Trail Ct.) stated that he is against approving the requested Master Plan amendment. The largest lots submitted are hardly one-third acre. The Town needs to stick to one-third acre lots. The Town should let someone else come in and try.

**Ted Stranczek** (1020 N. Berry Trail Ct.) stated that he loves the rural feel of the Town, and he wants to see that continue. Council has a fiduciary responsibility to protect land values. Things are starting to change and pressure to change density has begun. The current Master Plan requires one-third acre. However, the proposed change would be for something less. The Town has no justification to approve the change. Council and P&Z should protect the Town and not set a precedent for future zoning requests. Please reject this proposal.

**Dorothy Mayer** (17 Black Jack) stated that her parents built in Copper Canyon in 1978, and her father was on the Council in 1980. Although the Toll Brothers development is lovely, she does not want it in the Town. The people have spoken, and they don’t want it here. **Ms. Mayer** asked how Toll Brothers could be asking again, after they were told ‘no’ earlier. **Town Attorney Welch** stated that Toll Brothers modified their prior proposal, and that it is the proposal being considered this evening.

**Cindy Giovanetti** (655 Orchid Hill) questioned whether the **Town** could let Double Oak have the property in question. She stated she is concerned that once the development is complete, there could be possibly another 500 voters who would not be interested in the ruralness of Copper Canyon.

**Jeff Mayer** (1020 Valley Wood) stated that he’s lived in the Town since 1984, and the current Master Plan requirement of one-third acre is acceptable. The Master Plan should not be changed.

**Vic Moiles** (1021 Valley Wood Ct.) stated that he is against the proposed Master Plan amendment.

**Karen Campbell** (620 Orchid Hill) stated that she has lived in the Town for twenty-five years, and she moved here because of horses. She is against the Master Plan amendment proposal. Approving the proposal could set a precedent for future properties in the Town. She wants to keep Copper Canyon rural.

**Larry Burwell** (552 Knollridge) stated that to pass the proposed Master Plan amendment, would set a dangerous precedent for future developers. The Town should not change the Master Plan just because they feel pressured. The Town needs to stick to the one-third acre as noted in the recent Master Plan.

**Jeannie Courtwright** (8800 Justin Road) stated that she is speaking as a representative of the Shackelford family. They have owned this property since 1961 and her father was one of the original Town founders. The Vickery family were and still are dear friends of hers and her family. The requirements for the land in question have changed over the years and she spoke against changing it to anything denser than the current one-third acre. Additionally, she expressed her concern regarding adequate fire suppression for the proposed development. She is concerned that if this isn’t addressed, the fire risk for surrounding properties would be great. She understands the Vickery family has a right to do what they want with their land.

**Nancy Gilmer** (740 Cross Timbers Dr.) stated that as a resident of Double Oak for twenty-three years and one that backs up to a pond that could be affected by the proposed development, she is against the proposed density. She does not want to see the natural beauty of the land destroyed.

**Nancy Henry** (761 Lonesome Dove) read a letter on behalf of Martha Sue Crowder, daughter of Bob and Jean Shackelford. The Shackelfords have owned their property in Copper Canyon since 1961. There are multiple reasons for keeping the zoning the same, many of which have been raised by residents. We need to keep the rural atmosphere of the Town. She encouraged the Council to vote no for rezoning and against the proposed high-density development.

**Mary Thorp** (961 Orchid Hill Lane and 3012 & 3015 Canyon Bluff Ct.) stated that she and her husband have lived here since January 2013, and since then she is feeling the need to add additional land around their current property as a buffer. Lantana is building out, taking away the beautiful green pastures. She likes nature and doesn’t want to see it destroyed by the proposed development; natural trees down the middle of high density housing isn’t sufficient. She understands that for areas in Copper Canyon to have rural exemptions, the Town does need a tax base. She also understands that Toll Brothers can be trusted to do what they said they will and also that they are a company with a high reputation. The proposed land is the best place for higher density. The higher the price for the proposed houses, the less taxes she’ll have to pay in the future for her agricultural land. She encouraged Council to not allow anything smaller than one-third acre lots. She would rather see sixty houses selling for 1.5 million each so that more green space could be saved.

**Audra VanHorn** (847 Chinn Chapel) thanked the Council for time to express her opinion and thanked **Mayor Sue Tejml** for getting her this information through the phone tree. The Town is rural, and she likes the ruralness of the Town. The proposed development could bring another 480 voters and these people will have a different mindset than the rest of the residents that live in a rural setting.

**Robin Grider** (560 Orchid Hill) stated that she has lived here since 1997 and she loves it. Since she has lived here, the Master Plan was put into place. She encouraged the Council to stick to the current Master Plan. She asked Council to envision the proposed property in their backyard and asked if they would like density. She is concerned that if the Master Plan is changed, that will set a precedent for future developers. She encouraged the Council to keep the Master Plan the way it is and deny the request to change it.

**Sally Butler** (580 Orchid Hill)stated that as a resident for twenty-three years, allowing the master plan change would set a precedent for future developers. She stated the proposed development is too dense and the proposed development would bring in a different type voter, one with differing mentality / priorities as compared to current Town residents. Toll Brothers is very reputable and a great company. She asked that Toll Brothers go back and make it work with fewer houses.

**George Bleuher** (916 Hillside Drive) stated that he opposed the project back in June. Back then he opposed Toll Brothers asking the Town to subsidize the development of the Vickery property. He referenced a recent article in the Wall Street Journal (8/21/2018), *Toll Brothers Profit jumps as wealthy Americans Spend*. The article confirmed the point he stressed back in June. Per the article, Toll Brothers has experienced a 30% jump in quarterly profits and a 27% increase in quarterly revenue, for a total revenue of 1.91 billion. Customers added an average of $165,000 for customizations to the price of the Toll Brothers homes sold during that period. And so far, for the 3rd fiscal year, Toll Brothers expects the average price of their homes to be between $835,000 - $860,000. **Mr. Bleuher** has no problem with Toll Brothers making a profit or the Vickery family making a profit. However, based on the article, there’s no need to revise our Master Plan. There is plenty of profit to go around. As an alternative, he suggested the Town grant the master plan amendment only after receiving significant compensation, no less than 6 million dollars, from Toll Brothers. **Mr. Bleuher’s** background is in finance and in his past business experience, no one walked away from the table without money changing hands. The 6 million dollars is calculated 3% of 204 million dollars that Toll Brothers is going to receive as gross revenue. What Toll Brothers is proposing is a bad deal for the Town.

**Carmen Craig** (846 Chinn Chapel) stated that she also purchased 980 Chinn Chapel since she didn’t want the land next to her being developed with something she wouldn’t like. The Town has worked hard to create the Town’s Master Plan requiring one-third acre. She is concerned approving the Master Plan change would set a precedent for future developers. She asked that the Council not approve the amendment.

**Suzanne Boltz** (911 Edmonson Drive) stated that nobody in this room wants this change. She suggested Toll Brothers take another forty houses out of the plan.

**Mayor Mike Donnelly** recognized first responders in the audience and thanked them for their service. He stated that Double Oak has submitted a letter detailing Double Oak’s concerns. Double Oak is requesting that the land be developed as one acre lots. He stated Double Oak will work with whatever decision Copper Canyon makes. He wants to see buffering around Double Oak, as well as live screening. Double Oak is also requesting that Toll Brothers address their drainage concerns. He and his residents stand on the letter that was previously submitted.

**Tina Lattanzio** (435 Mobile Drive) stated that she and her husband moved here because of the quiet country feel of the Town. She is in favor of keeping the Town’s rural environment. She is against the development and respectfully requests that the Council say no to Toll Brothers request.

**Ms. Lattanzio** spoke in favor of changing the Town’s Home Occupation ordinance and asked that it be considered by P&Z at their next meeting and then considered by the Council in October.

**Mike Sommers** (435 Mobile Drive) stated that he’s lived in Copper Canyon for the past nineteen years. The residents don’t want to lose the rural lifestyle. To allow high density is the beginning of the end of ruralness. The Town may not be able to stop development, but the Town can control development. Norco, California is a city in Riverside County that has maintained its ruralness. The Town should research how Norco has held on to the rural feel.

**Robin Douglas Davis** (581 Jernigan Road) stated that she has lived in the Town for twenty-nine years, and she is opposed to anything less than one home per acre. This is consistent with the Town’s flavor and she wants to keep it this way.

**Darrin Peterson** (790 Estates Drive) stated that as a resident in the Town for twelve years (and one who enjoys large lots), he was on the Council and was the one that rejected the prior proposal; he was the one that put forward the motion for one-third acre. He stated that the Mayor Sue and Council have done a good job working with the Master Plan. They have done a really good job of protecting the Town by changing the Master Plan. Before, when previous developers came to the Town, the Master Plan would have allowed much higher density and that’s when the Council put a stop to what was going on.

**Mr. Peterson** stated he was brought to the Council by **Mayor Sue Tejml** since he had development experience. What was being proposed to the Council at that time, were two inexperienced builders. Today, the proposal is coming from Toll Brothers who is a very experienced developer and the builder. Having only one point of contact is a huge benefit to the Town.

**Mr. Peterson** stated that when he was on the Council, the Town enlisted a consultant from Grapevine to do a review of the Town’s Town Center. With the Shops of Highland Village and Lantana’s development and since the Town Center was zoned mostly commercial, he didn’t want donut shops and nail shops. Allowing residential would have looked a lot better than miscellaneous commercial along FM407.

**Mr. Peterson** stated that he resigned from the Council since in development, there has to be a ‘win win win’ situation for all parties involved (town, developer and land owner). He saw a potential opportunity with the Vickery property and he wanted to help them and the Town. He hasn’t received one penny from the Vickery family, and he will not be getting any penny from the Vickery Family. He wanted to bring the Town and developer and land owners together for a ‘win win win’ situation. He went to every home builder one can think of in marketing the Vickery property (i.e., Darling Homes, DR Hutton Homes, etc.). It’s important to understand the market - that you can dictate what you want to be on the property, but the reality is, it may not sell.

**Mr. Peterson** stated another concern, which the Council had with the prior developer, is finding a developer that can weather a market downturn. It’s important to choose a developer/builder that can make it through an economic down turn.

**Mr. Peterson** stated that sewer capacity is a real issue. As for setting a precedent for future developers for the rest of the Town, the infrastructure isn’t there in the rest of the Town. Developers can’t develop with high density because the sewer capacity isn’t there. The Vickery Family spent 1 million dollars to bring the sewer line to their property with the intent to develop to bring in tax revenues that would benefit the Town.

**Mayor Sue Tejml** stated that the Southlake planner said Copper Canyon’s proposed Town Center had three major drawbacks to retail/commercial development. The Town didn’t have – and never would have – a four-way intersection on FM 407. The Town Center fronted on only a four-lane highway, which would never be widened to six lanes. And, the proposed Town Center had a negative “mid-block” location in the middle of two major already established retail developments. (The FM 407 and FM 2499 major intersection in Highland Village and Flower Mound, just several blocks nearby to the East; and the FM 407 curve to the west with the new Kroger commercial area in Bartonville and easily accessed by nearby Lantana residents. So, keeping the proposed Town Center ‘commercial’ really wasn’t realistically feasible as a planning option.

**Mary Anne Dority** (340 Valley View Trail, Double Oak) thanked the Town for thinking of Double Oak. She does not want to see high density development on the proposed property.

**Julia Anderson** (811 Lonesome Dove) stated that Newtown, PA was destroyed because of developments similar to what is being proposed for Copper Canyon. The developers in Newtown promised tax revenues, but now the town is full of city people who outvote the original residents. And, property tax assessments have gone through the roof, and residents can’t afford the taxes and many had to move away. Potential new residents will want new stuff. There should be some happy medium between Toll Brothers and the Vickery Family. The Town shouldn’t subsidize the Toll Brothers subdivision.

**Peter Vickery** (7999 Justin Road) stated that as one of land owners and one who lives in the original first house, he and his siblings aren’t filthy rich. There’s a sentiment among residents that this development is going to cause higher density in the north part of the town. Yet, that’s impossible since that land has no sewer capacity for high density. Septic systems are required for those properties and the minimum acreage required is one acre to have a septic system. His family has lived in the Town since the mid-50s. They have worked with Toll Brothers since they are a top tier developer / builder. His family is confident that Toll Brothers will do a great job and will bring in tax revenues for Copper Canyon that will save residents from dramatic tax increases. Town expenses have increased over the years and they will continue to go up. Allowing this development will bring in tax revenues to the Town that will help with theses and future expenses.

1. **P&Z – ACTION AND DISCUSSION ITEMS**
2. Discuss, consider and act upon a recommendation to the Town Council regarding a request to amend the Town’s Master Plan for that portion of the Town Center located south of FM 407 by allowing single-family residential use at a density not to exceed 2.8 single-family units per gross acre on said property.

**Chairman Andre Nicholas** made a motion to move to executive session to receive legal advice.

**Commissioner Bosco** seconded the motion.

The P&Z Commission and Town Council convened into executive session at 8:44 p.m.

The P&Z Commission and Town Council reconvened into open session at 9:06 p.m.

**Chairman Andre Nicholas** thanked the residents for their input. He stated that the Town prefers one developer to develop and build the homes. The proposed plan is close to being acceptable. We hope to find a win win situation that is acceptable by all parties, including the Town residents.

**Commissioner Valencia-Schmitz** stated that based on hearing from many residents, the residents aren’t in favor of high density. Our current Master Plan calls for one third acre lots. Based on her calculations, Toll Brothers would have to reduce the number of lots by thirty-four lots. That would then meet the Town’s current Master Plan requirements.

**Commissioner Lybbert** stated that she is impressed with what Toll Brothers has submitted. However, their proposal is not yet acceptable. This piece of property is an anomaly in the Town, and it won’t set precedent because all other lots in the Town require septic (they don’t have sewer capacity). She stated she likes that the Toll Brother’s concept plan has character rather than just ‘lot and block’ that one finds in other developments. She stated she would like the number to change some, maybe 30-40 lots.

**Commissioner Alexander** stated that he is new to the P&Z Commission and he appreciates the sincerity of everyone who spoke. He and his wife really do like the ruralness of the Town. Looking at the property under consideration, it might as well be in Double Oak, since it’s located further away from most of Copper Canyon. He stated he doesn’t see how approving this development would affect those in the rest of the town who have horses, chickens and goats. The reality is that no one is going to put a septic tank on less than an acre, they can’t. He stated that Toll Brothers is a great developer and that they’ve done this before and that they represent a high-end product. The maintenance of the streets within the proposed development will be maintained by the HOA. Toll Brother’s proposal is close to what could work for the residents, land owners, and Toll Brothers.

**Commissioner Bosco** stated that we’re here tonight to talk about amending the Town’s Master Plan; density is an issue. We’ve also heard how the Town got to this point with the current Master Plan. Because we don’t have a ‘Town Center’ available, we’re dealing with different animal. The decisions made before were based on the fact that retail was involved; now retail is off the table on the south side, so we don’t need density to support this. Back when the Master Plan was changed, it was understood that one third acre was needed to support the development. Tonight, we’re being asked to amend to even less than before even though lot prices and sales are substantially higher in today’s market as compared to back then. Prices have gone up, but they want more lots; this doesn’t make sense. At a minimum, the Town needs to keep in mind fire protection for the new development and the rest of the Town. We don’t want to lose a complete neighborhood to fire. The Town needs to ensure that there will be sufficient water supply to take care of an emergency situation. He stated that he is not in support of the density proposed; he would like to see something like ½ acre lot size.

**Town Attorney Welch** stated that the P&Z and Council are here to consider an amendment to the Town’s Master Plan. Toll Brothers is asking for an amendment which would allow 2.88 units per gross acre (which is smaller than 1/3 acre lots). P&Z has the option of keeping the Master Plan the way it is with 1/3 acre lots or approving 2.8 units per gross acre or approving a lower density for the area.

**Chairman Andre Nicholas** stated that Toll Brothers proposal is close to the existing requirement as detailed in the Town’s Master Plan, however, they are not yet close enough. He recommended that Toll Brothers reduce the number of lots to 198, leaving flexibility for the developer.

**Town Attorney Welch** stated that setting a density doesn’t determine the number of lots. He asked for clarification regarding the recommendation. **Chairman Andre Nicholas** stated the recommendation is based on lot size, one-third acre, leaving 25% for green space and roads; some lots will be third acres, and some will be slightly smaller.

**Commissioner Bosco** clarified that what he’s proposing is a denial of what was proposed and keeping the ordinance we already have. Nothing is being changed.

**Attorney Welch** stated that if the goal is to have one-third acre lots then he suggests that P&Z deny the master plan amendment.

**Chairman Andre Nicholas** stated that with eighty-eight acres and 25% for roads and green space, that leaves space for 198 houses.

**Council Member Cannaday** stated that 2.3 units per gross acre would be 202 lots.

**Chairman Andre Nicholas** made a motion to recommend to Council to allow single-family residential use at a density not to exceed 2.3 single-family units per gross acre on subject property.

**Commissioner Lybbert** seconded the motion.

**Commissioner Bosco** made a motion to amend the current motion by adding ‘with a minimum lot size of one third acre’.

**Commissioner Valencia-Schmitz** seconded the amended motion

Ayes: **Commissioners Alexander, Bosco, and Schmitz**

Nays: **Chairman Andre Nicholas and Lybbert**

Amendment passed three to two.

**Town Attorney Welch** stated the main motion was amended so the motion on the floor to be voted on is, to recommend to Council to allow single-family residential use at a density not to exceed 2.3 single-family units per gross acre on subject property with a minimum lot size of one third acre.

**Commissioner Lybbert** stated that by adding the amendment, P&Z is basically rejecting Toll Brother’s proposal.

Ayes: **Chairman Andre Nicholas, Commissioners Alexander, Bosco, Lybbert and Schmitz**

Nays: None

**Chairman Andre Nicholas** stated that the main motion, as amended, passed unanimously.

1. **P&Z - ADJOURN**

**Commissioner Lybbert** motioned to adjourn the meeting.

**Commissioner Alexander** seconded the motion.

Ayes: **Chairman Andre Nicholas, Commissioners Alexander, Bosco, Lybbert and Schmitz**

Nays: None

Meeting adjourned at 9:40 p.m**.**

1. **TOWN COUNCIL – ACTION & DISCUSSION ITEMS**
2. Discuss, consider and take action on a recommendation from the Planning and Zoning Commission regarding a request to amend the Town’s Master Plan for that portion of the Town Center located south of FM 407, by allowing single-family residential use at a density not to exceed 2.8 single-family units per gross acre on said property.

The following discussion took place:

**Deputy Mayor Pro Tem Cannaday** thanked the citizens for expressing their opinions and thanked Toll Brothers for coming back and listening to the citizens at the last meeting and revising their application. She thanked Toll for coming back to the Town with an opportunity to work on a ‘win-win’ agreement. She stated the following:

* Every meeting the council listens to an hour or more of comments from the public, however, it doesn’t seem that what the Council says gets absorbed back in the community.
* The calls that she has received, the comments read on social media, and the comments that are repeated at each Council meeting, it seems like there are a lot of facts that aren’t understood.
* One thing is that there is a perception that the Master Plan should never be changed. According to the Town’s Master Plan, *“…it helps guide zoning and development decisions, it will serve as a basis for future capital expenditures for public facilities. It’s important to emphasize that the Master Plan is not a rigid policy but rather a guide. It is intended to be flexible and provide latitude for more detail analysis that are commonly a part of zoning and development decision. A decision should be consistent with the policies established in the Master Plan. Planning is a continuous and ever-changing process. The Town will undoubtedly encounter future development proposals that are inconsistent with the plan. Some of these proposals may well be in the best interest of the Town and worth further consideration. As community conditions and priorities change over time, the Town’s Master Plan should be amended to take advantage of the new opportunities and to respond to new needs and circumstances. Thus, the Master Plan itself is not intended to be a static document. It is intended to be a dynamic, adaptable guide to help citizens and officials help shape Copper Canyon’s future.*”
* What’s been submitted to the Town is a well thought out plan from a highly regarded well respected builder.
* Looking at the proposal from a density perspective, starting with 88 acres and taking out 18 acres for road and open space and did built third acre lots, that would be 210 lots. Toll Brothers is proposing 240 lots. Is the Town willing to push aside the upside that this project brings to the Town from a great developer for only 30 lots?
* We’ve heard from the residents. We need to also look at the issue from the Town’s perspective. The Town is in debt with current roads – we have bond obligations. We also will have future expenses for the roads. When it comes time to replace the roads, in the past the Town had participation from the County. However, Copper Canyon can’t count on the County’s participation in the future.
* We’re here to protect the rural nature of the Town and one way to achieve that is have a development on FM 407, a road, by the way, that is maintained by TXDOT.
* The Town has a unique opportunity with the sewer system on the proposed property. The Vickery Family spent 1.1 million dollars of their own money to bring the sewer to their land. If the Town had only wanted one-acre development on the Vickery property, the Town would not have encouraged them to spend 1.1 million dollars for the sewer line. I would hope that each resident, if they spent 1.1 M, that the Council would vote so that you could have a realization on your investment. Their property was zoned 10-12 houses per acre which is no longer the case. This directly affects the value of their land and the type of projects that come to the table.

**Council Member Hill** stated the following:

* He is a little saddened by the conversation.
* Relating to the proposed development, he’s been an observer, representative of the residents and a consultant running 20-year pro forma reports on future Town expenditures.
* There are several attractive things regarding the proposal:
	+ Toll Brother is a great company, their reputation is very good. They are a for profit business and they have every right to make money, but not at the expense of what the Town wants.
	+ The proposed development will look very nice along FM 407.
	+ The proposed development will be taken care of by their HOA.
* Density proposed is too dense.
* Wants to ensure Town doesn’t morph into the communities to our east and west.
* Does believe, based on models run, the Town could have a viable budget with one third acre lots given predictable events in the future. However, the model does not take into account emergency situations; there isn’t a lot of contingency in the numbers. The Town needs leverage against things we can’t see. The FM 407 corridor is a good place for the development. This will allow the Town to keep the density on the north side of the Town as it is today.
* His position is 2.8 units per gross acre is still a little too dense; he prefers something closer to a third of an acre – possibly reducing it by 42 lots, but not necessarily reducing the count down by 42 lots but resizing the lots so they are a little bigger and selling them for a little more money.
* The property south of FM 407 isn’t going to look like the rest of the property north of FM 407, but yet it could be developed singularly by one company.

**Council Member Svatik** stated the following:

* Toll Brothers is a top-notch builder and he would love to have them develop in Copper Canyon.
* The accommodations Toll Brothers has made has come closer to what the Town is asking.
* In response to ‘why does Toll Brothers keep coming back?’, it’s because we’re negotiating. Hopefully, the Town and they are getting closer to a possible agreement.
* Before FM 407 was zoned strictly commercial. Now with the proposed development, at least residents won’t have to look at a bunch of commercial buildings. Instead, they’ll see the front end of homes, a lot of trees and ponds.
* He understands the smaller lots on the east side of the proposed development, since those lots might have to have a lower price point since they are closer to the commercial side of Double Oak.

In response to **Council Member Svatik** asking about fire suppression plans, **Rob Paul** and **Mike Boswell** stated the following:

* Toll Brothers install fire suppression systems in their houses all the time. They are well experienced with that process.
* Toll Brothers hasn’t worked with the pumper truck process in the Dallas market. They have however, worked with installing fiberglass fire tanks, where a pumper truck comes up and immediately starts pumping water out of the tanks.
* Hat Creek in Bartonville has built a pond and sized it appropriately for fire demand.
* The Fire District will purchase the truck which will pull in water from the pond.
* The pond will be kept at constant level; the pond would be sized appropriately.
* Toll Brothers will work with an engineer to certify the pond capacity.
* Fire suppression affects the marketability of their homes.
* Insurance companies confirmed that the water pump truck process is treated like fire hydrants and therefore is acceptable.
* Toll Brothers will get the Fire District’s approval before proceeding.

**Mayor Sue Tejml** stated that the Hat Creek Developer funded the truck and hose trailer equipment. Argyle Fire District will be able to draft from the ponds to access water needed. **Fire Chief Hohenberger** wouldn’t agree to house occupancy if he didn’t think the water hose trailer system would work. At this point, the water hose trailer would only be needed for Hat Creek and the proposed Vickery Park. Toll Brothers will install water lines needed to supply the fire hydrants. This is a system that our Fire Chief and Fire District think will work. It will be one truck pulling a trailer. Our Fire District also has backup from other fire departments if the emergency requires.

**Mayor Pro Tem Mangum** stated that the basic principle is drafting from a pond with a truck and a machine, called a turbo draft. The trailer allows the fire district to lay 8000 feet of 5” diameter hose to transport the water supply. This system is currently only authorized to be used in the Hat Creek Development in Bartonville. Hat Creek is the only place that has the equipment, pond, and is signed off by an engineer. If the Toll Brothers development is approved, Toll Brothers will have to obtain sign off from an engineer on the equipment, any relevant water well, the ponds and the hard surfaces approaching the ponds. This system would then only be authorized to be used in Hat Creek and Vickery Park.

**Council Member Hill** stated that Toll Brothers will create the infrastructure for fire suppression via normal hydrants and once the lawsuits with CTWSC are settled, fire hydrants will be the process used in fire suppression. The turbo draft and pond situation is a temporary solution.

**Council Member Castleman** stated that this is a temporary solution. The houses in Vickery Park won’t be built tomorrow. Most likely CTWSC will construct the water tower before the subdivision is built out. This is a temporary solution for fire suppression.

**Mayor Pro Tem Mangum** thanked Toll Brothers for coming back with a different proposal. In 2015 per the 20 Year Pro Forma, one third acre lots were sufficient to support the Town’s infrastructure. Looking at revised figures on the 20 Year Pro Forma, he still believes one third acre is an appropriate lot size to support and be financially responsible. He’s been on the Master Plan committee since the beginning, and he’s been part of the Council when changes were made to the Master Plan. Toll Brothers proposal is close; however, density is still an issue. He supports the current master plan.

**Mayor Sue Tejml** stated that she supports the current master plan of one third net acre lots, which is 100’ wide by 145’ deep. One third acre lots would double the space between the houses, which also helps with fire suppression. Sewer is available only on the south side of FM 407 and approximately seventy acres in the Town Center on the north side of FM 407. By contract with Flower Mound, the sewer line cannot be extended outside of the Town Center. The rest of the Town is on septic. TCEQ currently allows septic systems on lots no smaller than one-half net acre. So, the rest of Copper Canyon will stay as it is today.

TxDot is paying for the installation of a Green Belt Median down the middle of FM 407 from I-35E to I-35W. TxDot will install the watering system and will install primarily native plant landscaping that is water efficient and requires minimum maintenance.

Each Town will be responsible for watering and maintaining the median landscaping within its municipal limits. Denton County has estimated the cost for each municipality per year to water and maintain the Green Belt running through its city limits. Denton County is willing to annually reimburse for ten years each municipality that estimated expense amount for the water used and maintenance costs within that municipality’s town limits. It will be beautiful along FM 407 and will make a lovely entrance to Town Center North and South.

**Council Member Castleman** thanked the participants and residents for speaking; many comments were appropriate, but some residents are still ill informed. He thanked Toll Brothers for their patience. He stated he wants Toll Brother to develop in Copper Canyon. If Toll Brothers doesn’t develop the land, the land will be developed. However, it could be developed by two or three developers, but he doesn’t want a mishap of developers. He suggested that a ‘bird in the hand is worth two in a basket’. He is flattered that Toll Brothers wants to build in Copper Canyon; they have picked a great spot. Toll Brothers current proposal is close, very close, to what would be acceptable. If other companies develop the property, the Town would have to pay for the infrastructure – including roads, which takes a lot of money – money which the Town doesn’t have. On the other hand, Toll Brothers is willing to pay for all the roads and to maintain them. They have done their fair share of convincing the Town that this will be a first-class project. In talking with residents who have called him, regarding what they would consider high density, he received various answers including one that answered, “I don’t know, but I don’t want it.” As for how this development will affect other residents’ lifestyles that live further away from the proposed development than he does, some answered that it wouldn’t. He doesn’t think it will affect his lifestyle or any of those north of where he lives. Lantana hasn’t affected their lifestyle and Ladera won’t affect their lifestyle, other than a little more traffic. The proposed development isn’t going to affect what residents are currently doing. These are the things to consider. Also, he had many residents coming up to him discussing the ‘math’ of the development. Only Toll Brothers understands the math calculations, and only Toll Brothers knows what they need to make a profit. It’s unclear how quick the houses will sell; the market is slowing. He stated he is for Toll Brothers developing in the Town. He also hears what residents are saying - that they want to keep third acre lots. We are a lot closer than has been discussed. He asked Toll Brothers to take this into consideration.

**Deputy Mayor Pro Tem Cannaday** agreed 100% with **Council Member Castleman.** One unique characteristic this property provides is the grove of trees down the middle. It gives the developer a market of buyers with the ‘Estate’ sized lots on one side and the ‘Villa’ sized lots on the other side of the trees. If Council chooses to leave the requirement at one third acre, that will limit Toll Brothers marketing the lots as they’ve seen work in other communities. P&Z was on the right track originally when they were talking gross number of homes per acre. Yet, Council needs to talk about gross number of homes per acre, because that allows more flexibility to the builder to take advantage of characteristics of the land. Some of the lots could end up being a third of an acre and some could be smaller. To say that all the lots have to be a third of an acre will tie Toll Brothers hands. We’ve talked about how the Town can come to terms for a ‘win win’ solution; the Town should not be closed minded to the needs of the developer. She stated she would like to have Toll Brothers develop the property because they would do a first class subdivision. For example, look how the concept plan is laid out. There is a greenbelt along FM 407 with houses fronting FM 407, which prevents us from having to see backyards, like it is in Lantana where you see playsets, barbeque pits, storage sheds, this color blinds, this color window tints, etc. Toll Brothers isn’t a first timer; the town should capitalize on the opportunity to work with them. She asked the Council to consider what number would work for gross number of homes per acre.

**Mayor Sue Tejml** stated that **Deputy Mayor Pro Tem Cannaday** is overlooking the fact that a 62’ wide lot is really tiny. If one wants to see what that size development would look like, enter Lantana south of the Fire Station on Copper Canyon Road and look around. This land is beautiful and could be a very successful development with one third acre lots. Lots sized at 100’ wide, 20’ between homes and 145’ depth would give residents room to build a pool or a backyard kitchen and would be much more like what Copper Canyon homes are like.

**Deputy Mayor Pro Tem Cannaday** stated that she is comfortable with 2.5 units per gross acre that calculates to 220 homes.

**Mayor Sue Tejml** stated that **Council Member Hill** had done some calculations with one third acre lots and he came up with 198 homes.

**Deputy Mayor Pro Tem Cannaday** stated that if this development goes away, an ‘age restricted’ community comes to the Town, they would be allowed to build 280 homes and it wouldn’t be from Toll Brothers. Toll Brothers is proposing 240. She stated she doesn’t see a problem at 220.

**Council Member Hill** stated that it comes down to principle, whether 220 versus 198; it’s a small difference. We’re all on the same team. With 198 lots, we get to exactly what the people are asking for. He stated that according to his opinion 198 accommodates the pricing that the Vickery Family likes, and density workable with Toll Brothers and density requested by the residents. A third of an acre isn’t like the rest of Copper Canyon; however, along FM 407, it is a good place to have that sized development. This development will help offset future expenses expected as the Town grows.

**Town Attorney Welch** stated that the Council can follow P&Z’s recommendation or Council can come up with their own recommendation.

**Council Member Hill** made a motion to act on the recommendation from P&Z regarding the request to amend the Town’s Master Plan for that portion of the Town Center located south of FM 407 to approve single-family residential use at a density not to exceed 2.25 single-family residential units per gross acre on said property.

**Mayor Pro Tem Mangum** seconded the motion.

**Mayor Pro Tem Mangum** stated that the reason Council uses the term ‘density’ versus one-third acre lots, is that the math comes out the same for the total number of lots available in the area. Using the term ‘density’ allows a little flexibility for the developer as it relates to the layout of the land. The wording approved basically matches ‘third acre zoning’ referenced in the model for that area.

Ayes: **Mayor Pro Tem Mangum, Council Members Castleman, Hill and Svatik**

**Deputy Mayor Pro Tem Cannaday** questioned what the 2.25 as compared to the 2.5 is based on. **Mayor Pro Tem Mangum** stated it’s based on 1/3 acre lots for the 88 acres taking out 25% for roads and green space.

**Deputy Mayor Pro Tem Cannaday** asked **Rob Paul** whether 25% is correct for roads and green space. **Rob Paul** stated that they are at 18% open space for the current plan and they need to include at least 10% for the balance so their calculation is a little higher than 25%.

**Deputy Mayor Pro Tem Cannaday** stated that her hesitation in casting a vote, is based on what she said earlier. She understands that her vote may not matter to the public, but her vote matters to her. She stated she is going to vote according to her conviction.

**Deputy Mayor Pro Tem Cannaday** stated that she is comfortable at 2.5, but not 2.3 because of the extra expenses Toll Brothers already plans to incur (sewer maintenance, road maintenance, additional fire suppression expenses). Toll Brothers has already reduced their number by 51 units which is quite a bit of a concession.

**Deputy Mayor Pro Tem Cannaday** asked to make another motion. However, **Town Attorney Welch** explained that since there is a motion and a 2nd on the floor, she needs to vote for or against the current motion, unless someone motions to withdraw the current motion and the 2nd.

**Deputy Mayor Pro Tem Cannaday** cast her vote.

Nays: **Deputy Mayor Pro Tem Cannaday,**

**Mayor Sue Tejml** announced that the motion passed 4-1.

1. **TOWN COUNCIL – PUBLIC INPUT**

Citizens can make comments to the Town Council during this section of the meeting agenda. We ask citizens who wish to speak on agenda items to sign in on the sheet provided on the table at the back of the Council Chambers. There is a 3-minute time limit for each speaker. Pursuant to State Open Meetings law, the Town Council cannot discuss or take action on items not posted on the Agenda. Therefore, the Council cannot take action on or discuss any issues or items brought up during public input.

**Rob Paul** thanked the Council and P&Z for their time. He asked if there was an opportunity in the next step for a work session to be scheduled due to the time and expense involved; each time they come forward with questions, the process drags on. The delays affect the land owner, getting corporate approvals and contractual obligations. He would like to work through the ‘win-win’ mentioned earlier in the meeting. A sea of singular lot sizes substantially reduces the market and the time line of absorption just blew up any model the Town has considered. It would be like every home in Copper Canyon being the same price. There are some things they would like to work through to see if they can move forward and to provide greater clarity and understanding for all parties.

**Council** asked if holding a workshop on Monday, September 17th at 7 p.m. would work. **Mr. Paul** stated that he will confirm later this week.

**Town Attorney Welch** stated that the zoning application, PD ordinance and PD zoning amendments all require a minimum 10-day property owner notification for P&Z and a 15-day newspaper notification for Council. The Town will need at least two or three zoning amendments depending on the zoning application submitted (i.e., changing the Town’s PD ordinance and amending the Town Center zoning ordinance).

1. **TOWN COUNCIL - PUBLIC HEARING**
2. The Town Council will conduct a Public Hearing on the proposed 2018 Ad-Valorem Property Tax Rate.

**Mayor Sue Tejml** opened the public hearing at 10:36 p.m.

No one spoke.

**Mayor Sue Tejml** closed the public hearing at 10:37 p.m.

1. **TOWN COUNCIL – CONSENT**

Items on the Consent Agenda are routine and administrative in nature. As such, these items are considered for approval by a single motion and vote without discussion. Council Members can remove an item or items from the agenda, so it can be considered separately and/or add any item to be considered as part of the Consent Agenda.

1. Approve August 27, 2018 Minutes of Council Meeting

**Council Member Svatik** made a motion to approve Consent Items #1 as presented.

**Deputy Mayor Pro Tem Cannaday** seconded the motion.

Ayes: **Mayor Pro Tem Mangum, Deputy Mayor Pro Tem Cannaday, Council Members Castleman, Hill, and Svatik.**

Nays: None

**Mayor Sue Tejml** announced that the motion carried unanimously.

1. **TOWN COUNCIL - DISCUSSION OF FUTURE AGENDA ITEMS** (A Councilmember may request that an item be placed on a subsequent agenda for consideration. Any deliberation shall be limited to the proposal to place the subject on a subsequent agenda.)

No items were discussed.

1. **TOWN COUNCIL - EXECUTIVE SESSION**

The Town Council convened at 10:45 p.m. into a closed session pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074 and 551.087 to discuss matters relating to consultation with Town Attorney, pending or anticipated litigation, real property, personnel, and economic development negotiations as follows:

* 1. Discuss and consider appointments of Commissioners to Planning & Zoning (P&Z) Commission and Board of Adjustment and all matters incident and related thereto.
1. **TOWN COUNCIL - CONSIDERATION OF EXECUTIVE SESSION ITEMS**

The Town Council reconvened at 10:48 p.m. into open session pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074 and 551.087 to take action relating to consultation with Town Attorney, pending or anticipated litigation, real property, personnel, and economic development negotiations as follows:

1. Discuss, consider and act upon appointments of Commissioners to Planning & Zoning (P&Z) Commission and Board of Adjustment and all matters incident and related thereto.

**Council Member Castleman** made a motion to appoint **Jody Hargus** to the Board of Adjustments.

 **Council Member Svatik** seconded the motion.

Ayes: **Mayor Pro Tem Mangum, Deputy Mayor Pro Tem Cannaday, Council Members Castleman, Hill and Svatik.**

Nays: None

 **Mayor Sue Tejml** announced that the motion carried unanimously.

1. **TOWN COUNCIL – ADJOURN**

**Mayor Pro Tem Mangum** made a motion to adjourn.

**Council Member Svatik** seconded the motion.

Ayes: **Mayor Pro Tem Mangum, Deputy Mayor Pro Tem Cannaday, Council Members Castleman, Hill, and Svatik.**

Nays: None

Meeting adjourned at 10:52 p.m.

**APPROVED BY THE TOWN COUNCIL THIS \_\_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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Sue Tejml, Mayor Sheila B. Morales, TRMC – Town Secretary

Town of Copper Canyon Town of Copper Canyon

**APPROVED BY THE PLANNING AND ZONING COMMISSION THIS \_\_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**APPROVED:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Andre Nicholas

Chairman, Planning & Zoning Commission

**ATTEST:**

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Sheila B. Morales, TMRC

Town Secretary