

NOTICE OF  
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING  
TOWN OF PROVIDENCE VILLAGE, TEXAS  
PROVIDENCE COMMUNITY CENTER  
9400 WATERMAN DRIVE  
**MONDAY, AUGUST 8, 2011**  
7:00 P.M. Regular Session

**MINUTES**

**REGULAR SESSION 7:00 p.m.**

**I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:**

Mayor Roberson called the meeting to order at 7:00 p.m. Town Council members present were Alderman Lisa Garcia, Alderman Earnest Law and Alderman Mark McCullough. Mayor Pro-Tem Thompson and Alderman Eddie Army were absent.

**II. PLEDGE OF ALLEGIANCE**

- a. United States Flag
- b. Texas Flag:
  - i. Honor the Texas Flag I pledge allegiance to thee Texas, one State under God, one and indivisible

**III. INVOCATION**

Leonitas Ramos with Edge Fellowship led the invocation.

**IV. OPEN FORUM:**

Open Forum is for information only. The Council can take no action. No charges and/or complaints will be heard against any elected official, appointed official or employee of the Town unless presented in writing as prescribed in Chapter 22, paragraph 22.043 of the Local Government Code. Speaking time will be limited to three (3) minutes.

*\*Please note\* Anyone wishing to furnish the Town Council with copies/handouts regarding their item of interest must provide 9 copies and present them to the Town Secretary for distribution to the Town Council.*

There were no requests to address the Town Council. Alderman Garcia moved to close open forum; Alderman McCullough seconded. Motion carried: 3 in favor; 0 opposed.

**V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:**

- a. Monthly Reports from Communications Committee, HOA Committee, Water Committee, Ordinance Committee and Finance Committee

Communication Committee – Alderman Law reported that changes had been updated to the website to include all address and phone number information.

HOA Committee – Nothing to report.

Water District Committee – Alderman Garcia provided a written report and provided a summary of same regarding developer's report and discussion regarding a request that the Town request that the HOA Board keep the DCSO schedules confidential.

Ordinance Committee – Alderman Law reported that the ordinance committee met with Mike Carroll to discuss code enforcement matters and that the issue would be further addressed later on the agenda.

Finance Committee – Alderman Garcia provided notes relating to the Finance Committee meeting and reported that finalization of the budget was moving forward.

- b. Staff Reports

Connie Hansen, Town Secretary, provided a written report and summarized the information by reporting that the Town Hall facility was furnished, equipped and that keys to the building had either been distributed to various authorized personnel and/or were available. Ms. Hansen also reported on the status of the Municipal Court and stated that citation books had been distributed to the deputies and citations were being issued. It was also reported that she was finalizing the details for the website to provide defendants with additional information on how to handle their citation.

Philip Mack Furlow, Town Attorney, reported that he had transferred responsibility for pursuing AT&T access line fees and communicating with Steven Mendoza of the PUC to Connie Hansen and that substantial progress was made in obtaining, completing and submitting the necessary application to the PUC and obtaining access line numbers from AT&T personnel.

Alderman Law motioned to close the committee and staff reports; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

**VI. CONSENT AGENDA** – Items are considered self-explanatory and will be enacted with one motion. There will be no separate discussion of these items unless so requested by at least one member of the Town Council.

- a. Minute Approval: 7/25/11  
b. Treasury Report  
c. Pay Bills  
d. Approve Purchase Orders

Alderman McCullough motioned to approve the Consent Agenda, including the correction identified on page 2 of the 7/25/11 minutes; Alderman Law seconded. Motion carried: 3 in favor, 0 against.

## VII. ACTION ITEMS

- a. Consider, discuss and act upon designation of Code Enforcement Officer.  
*(Presentation by Mike Carroll)*

Alderman Law introduced Mike Carroll as an individual to be considered as the Code Enforcement Officer for the Town. Mike Carroll addressed the Town Council and reiterated his experience, qualifications, and philosophies, including his objective in striving for a win-win situation as often as possible. Mr. Carroll also reported that he had substantial experience in courtroom testimony. Following inquiry from Mayor Roberson, Mr. Carroll reported that he had experience in creating ordinances and would be happy to assist the Town in creation of any ordinances anticipated in the future. There was continued discussion regarding Mr. Carroll's compensation arrangements, including a flat fee contractual arrangement and minimal hours for reactive services. Mr. Carroll further stated that if he was considered for the appointment, that he would like to be directly involved in final drafting of ordinances.

Alderman Law motioned to approve the appointment of Mike Carroll for a one year term, with the start date and compensation arrangements to be finalized in the services contract; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

- b. Consider, discuss and act upon City of Aubrey Library request for designation and funding.

Mayor Roberson announced that additional information was needed before the Council could move forward on the funding and designation request of the Aubrey Library. Alderman Garcia moved to table the item additional information is obtained; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

- c. Consider and discuss ordinance requiring golf cart registration.

There was brief discussion regarding lack of information relating to cost of decals, initial registration time frame and pro-rating registrations throughout the year. Alderman Law suggested that the notice to citizens should include a referenced that golf carts must be registered "by" January 1, 2012 to allow citizens the opportunity to register early. There was also discussion regarding an inspection procedure and the issues relating to physical inspection versus affidavit of compliance.

- d. Consider, discuss and act upon Ordinance Authorizing Special Election to be held on November 8, 2011 for consideration by voters of adopting a sales and use tax.

Philip Mack Furlow report that an ordinance was needed to call a special election for the voters to approve the proposition for a general sales tax. He further reported that there was the potential for an additional 1/2% sales tax but that the Denton County Transit Authority existence prevented approval of this tax. There was further discussion regarding potential sales tax options through Municipal Development District tax and EDC tax, but that these tax options involved the Town Council creating a designated board and appointment of members, which was not feasible at this time. Mayor Roberson discussed the cost of the election.

Alderman Garcia moved the approve the ordinance calling the special election for voters to adopt a sales and use tax; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

- e. Consider, discuss and act upon Ordinance Establishing Municipal Court Security Fund.

Connie Hansen reported that the ordinance establishing Municipal Court security fund was required for the Municipal Court to charge a \$3.00 fee as court costs.

Alderman Garcia motioned to close the Town Council regular session meeting and open a public hearing forum; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

- f. Public hearing on Ordinance Establishing Municipal Court Security Fund.

Mayor Roberson opened Public Hearing at 7:45 p.m. Philip Mack Furlow read aloud the Ordinance Establishing Municipal Court Security Fund. Mayor Roberson opened the floor to anyone wishing to speak for or against the ordinance. No one requested to speak for or against the ordinance. Alderman Garcia motioned to close the Public Hearing and reconvene Town Council regular session meeting; Alderman Law seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 7:47 p.m.

Alderman Law motioned to approve the Ordinance Establishing Municipal Court Security Fund; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

- g. Consider, discuss and action upon Ordinance Establish Municipal Court Technology Fund.

Connie Hansen reported that the ordinance establishing Municipal Court technology fund was required for the Municipal Court to charge a \$4.00 fee as court costs.

Alderman McCullough motioned to close the Town Council regular session meeting and open a public hearing forum; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

h. Public hearing on Ordinance Establishing Municipal Court Technology Fund.

Mayor Roberson opened Public Hearing at 7:49 p.m. Philip Mack Furlow read aloud the Ordinance Establishing Municipal Court Technology Fund. Mayor Roberson opened the floor to anyone wishing to speak for or against the ordinance. No one requested to speak for or against the ordinance. Alderman Law motioned to close the Public Hearing and reconvene Town Council regular session meeting; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 7:51 p.m.

Alderman Garcia motioned to approve the Ordinance Establishing Municipal Court Technology Fund; Alderman Law seconded. Motion carried: 3 in favor, 0 against.

i. Consider, discuss and act upon ordinance amending Ordinance 2010-09, which established prima facie speed limits within the Town of Providence Village.

Alderman McCullough motioned to approve the Ordinance amending Ordinance 2010-09; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

j. Consider, discuss and act upon ordinance amending Ordinance 2010-12, which established sub-minor curfew within the Town of Providence Village.

Alderman Garcia motioned to approve the Ordinance amending Ordinance 2010-12; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

k. Consider, discuss and act upon establishment of Law Enforcement committee.

Mayor Roberson reported that a law enforcement committee needed to be created in conjunction with the PVWCID. There was brief discussion relating to council members volunteering to be appointed to the committee.

Alderman McCullough motioned that a Law Enforcement Committee be established and that Alderman Garcia and Alderman Law are appointed as members of the committee; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

l. Consider, discuss and act upon installation of ADA accessible ramp for Town building.

Mayor Roberson reported that additional information regarding options and costs were needed and that the matter needed to be finalized by the next Town Council meeting. Alderman Garcia motioned to table the item; Alderman Law seconded. Motion carried: 3 in favor, 0 against.

- m. Consider, discuss and act upon installation of protective wall/counter to separate Municipal Court Clerk office from general public in Town Hall building.

No action taken at this time.

- n. Discuss legal and administrative status involving CCN transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

Mayor Roberson announced that this item would be discussed in Executive Session.

- o. Identify agenda items to be discussed at future meeting

Following brief discussion, it was stated that the Nuisance Ordinance and Sign Ordinance would be added to the next agenda.

Alderman McCullough motioned to close Town Council regular session and convene into Executive Session; Alderman Law seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson closed Town Council regular session at 8:13 p.m. and convened into Executive Session.

## **VIII. EXECUTIVE SESSION**

The Town Council will convene into executive session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, to seek the advice of the Town Attorney or other legal counsel concerning pending or contemplated litigation or on a matter in which the duty of the attorney(s) to the Town under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

Alderman McCullough made a motion to close Executive Session and reconvene into Town Council regular session; Alderman Law seconded. Motion carried: 3 in favor, 0 against.

## **IX. RECONVENE INTO OPEN SESSION**

- a. Consider and act upon items discussed in Executive Session.

Mayor Roberson closed Executive Session and reconvened Town Council regular session at 8:48 p.m. with no action required.

X. **ADJOURNMENT** - The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Chapter 551.

Alderman McCullough motioned to adjourn the Town Council meeting; Alderman Garcia seconded. Motion carried, 3 in favor, 0 against.

Meeting was adjourned at 8:49 p.m.



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Brian D. Roberson  
Mayor, Town of Providence Village, Texas

8/22/11

Date Minutes Approved



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Connie Hansen  
Town Secretary

8/22/11

Date Minutes Approved

