

NOTICE OF  
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING  
TOWN OF PROVIDENCE VILLAGE, TEXAS  
PROVIDENCE VILLAGE TOWN HALL  
1745 F.M. 2931  
**MONDAY, OCTOBER 22, 2012**  
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 Mike Thompson, and Alderman Kate Julian, being a quorum. Alderman Chris McCroskey and Mayor Pro-Tem Earnest Law 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**

Rev. Liz Moen of Oak Grove United Methodist Church 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.*

Rev. Liz Moen of Oak Grove UMC provided an update on the current status of the Community Garden Project and is hopeful that everything will be ready for a spring planting. She also reported that a Punkin Chunkin and bed box building weekend was scheduled for November 3<sup>rd</sup> and extended an invitation to the community and counsel to

attend. There were no further requests to address the Council in open forum. Alderman Garcia motioned to close open forum; Alderman Thompson seconded. Motion carried: 3 in favor; 0 opposed.

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

- a. Monthly Reports from Committees: Communications, HOA, Water, Ordinance, Finance and Law Enforcement

Communication Committee –Still currently 177 MailChimp subscribers.

Emergency Preparedness Committee – Alderman Garcia reported that the ordinance is not currently set on the County Commissioners Court agenda, but expects that it will be in the near future.

Finance Committee – Nothing to report.

HOA – Nothing to report.

Ordinance Committee – Noting to report.

Transition Committee – Will be discussed later in the agenda.

- b. Staff Reports

Town Secretary, Connie Hansen, summarized written municipal court report.

Code Enforcer, Mike Carroll, summarized his written activities report and report additional activity of 29 CO's, 7 registered contractors, and 9 building permits with 5 being new construction.

Law Enforcement – Nothing to report.

Alderman Garcia motioned to close the committee and staff reports; Alderman Julian seconded. Motion carried: 3 in favor, 0 opposed.

**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
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Alderman Garcia motioned to approve the consent agenda; Alderman Thompson seconded. Motion carried: 3 in favor, 0 opposed.

## VII. ACTION ITEMS

- a. Consider, discuss and act upon options for traffic island and fire lane issues relating to emergency vehicle passage and access.

Alderman Thompson reported that he has talked with Denton County Engineer, Bennett Howell, and has come back with a few items to be considered, including the fact that the distance between the islands and the curbs on either side is only 15 feet and the code requirements are 20 feet. Alderman Thompson further stated that Mr. Howell had two recommendations which were (1) remove islands completely and (2) designate no parking areas around the islands. Alderman Thompson further stated that the option of “no parking” around the islands on Cherry Hill, Lexington and Wethers Field would be problematic due to the front drive entry and prohibiting parking in front of these homes would be a problem. The only area where the “no parking” would be an option are the islands on Cambridge Dr. Alderman Thompson further stated that Mr. Howell voiced an engineering concern about the islands on Cambridge and the trees located in those islands. They are young oak trees and have many years of growth ahead of them and Mr. Howell is concerned about them damaging the road as they grow. In summary, Mr. Howell recommends taking all of the islands out. There was additional discussion regarding the types of trees in the other islands.

Alderman Garcia reported that she is expecting an estimate from a concrete vendor for removal and repairs of the roads after islands are removed. Further discussion regarding the potential for transplanting the trees currently in the islands.

No action taken at this time.

- b. Consider, discuss and approve the Town’s preservation of authority to exercise the power of eminent domain within the Town’s corporate limits and the State of Texas pursuant to Senate Bill 18.

Alderman Garcia motioned to approve the Town’s preservation of eminent domain authority pursuant to Senate Bill 18; Alderman Julian seconded. Motion carried: 3 in favor, 0 opposed.

- c. Consider, discuss and approve Interlocal Cooperation Agreement for Fire Marshal services to the Town of Providence Village with Aubrey Fire Department.

Tabled to next meeting.

- d. Consider, discuss and approve Joint Interlocal Cooperation Agreement for Full Time Law Enforcement Patrol Services between Denton County and Town of Providence Village.

Mayor Roberson provided a brief explanation to the audience about the contract with the Denton County Sheriff’s Office, including a brief history regarding the PVWCID

and the Town's various authorities to contact with the county for law enforcement. Alderman Garcia motioned to approve the Joint Interlocal Cooperation Agreement with Denton County for law enforcement patrol services; Alderman Thompson seconded. Motion carried: 3 in favor, 0 opposed.

- e. Consider, discuss and act upon application by History Maker Homes to remove a tree in excess of 18" DBH located at 10025 Concord Dr.

Bruce French, Vice President of Land Acquisitions with History Maker Homes, addressed the Town Council regarding History Maker Home's request to remove a protected tree with a BHD of 4.6' in order to build a home on the site. The protected tree is directly in the foundation plan of the house.

There was additional discussion regarding the number of trees in question to be removed, with one Hackberry which is not protected, and another tree that had been cut down to the main base of the tree before a stop work order was issued. It was agreed that the tree that resembled a "totem pole" could be approved to removal by the Code Enforcer issuing a citation which serves as a permit. Alderman Garcia motioned to approve application for removal of the 4.6' Oak Tree; Alderman Thompson seconded. Motion carried: 3 in favor, 0 opposed.

- f. Consider, discuss and act upon Interlocal Agreement between Providence Village Water Control and Improvement District and Town of Providence Village for law enforcement and property protection.

Town Attorney, Philip Mack Furlow, stated that the guts of the agreement were very simple. There was discussion regarding the need for minor changes. Alderman Garcia motioned to approve the Interlocal Agreement between Providence Village Water Control and Improvement District and the Town for law enforcement and property protection; Alderman Thompson seconded. Motion carried: 3 in favor, 0 opposed.

- g. Consider, discuss and act upon Town's acquisition of roads, right-of-ways and franchise fees.

Mayor Roberson stated that this matter would be addressed in Executive Session and that no action anticipated.

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

Mayor Roberson stated that this matter would be addressed in Executive Session and that no action anticipated.

- i. Identify agenda items to be discussed at future meeting.
  - 1. Fire lane and traffic island issues.
  - 2. ICA with Aubrey Fire Department for local fire marshal inspections.

Alderman Thompson motioned to closed regular session and open executive session; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

Mayor closed regular session and opened executive session at 7:35 p.m.

## **VIII. EXECUTIVE SESSION**

The Town Council will convene into executive session pursuant to Texas Government Code Sections 551.074, Personnel Matters, and 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.

- a. Consider, discuss and approved Interlocal Cooperation Agreement for Fire Marshal services to the Town of Providence Village with Aubrey Fire Department.
- b. Consider, discuss and act upon Interlocal Agreement between Providence Village Water Control and Improvement District and Town of Providence Village for law enforcement and property protection.
- c. Consider, discuss and act upon Town's acquisition of roads, right-of-ways and franchise fees.
- d. Discuss legal and administrative status involving CCN transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

Alderman Thompson motioned to closed executive session and reconvene into regular session; Alderman Julian seconded. Motion carried: 3 in favor, 0 opposed.

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

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

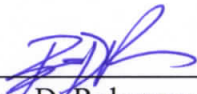
Mayor closed executive session and reconvened regular session meeting at 8:41 p.m.

No action taken.


**X. ADJOURNMENT**

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

Meeting was adjourned at 8:41 p.m.

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

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November 12, 2012  
Date Minutes Approved

  
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Connie S. Hansen  
Town Secretary

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November 12, 2012  
Date Minutes Approved

