

NOTICE OF  
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING  
TOWN OF PROVIDENCE VILLAGE, TEXAS  
PROVIDENCE VILLAGE TOWN HALL  
1745 FM 2931, PROVIDENCE VILLAGE, TEXAS 76227  
**MONDAY, OCTOBER 13, 2014**  
7:00 P.M. Regular Session

**MINUTES**

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

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

Mayor Dave Shuck called the meeting to order at 7:00 p.m. Town Council members present were Alderman Steve Miller, Alderman Lynn Jaco and Alderman Justin Steiner, being a quorum. Alderman John Pugh and Mayor Pro-Tem Darren Vader 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:**

Philip Mack Furlow 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.*

Chief Starr from the Aubrey Fire Department made a presentation to the Town for the ISO certification.

Alderman John Pugh and Mayor Pro-Tem Darren Vader arrived late.

John Callow, a resident who resides at 9153 Cranston Ct., Providence Village, Texas, spoke regarding the need for additional four-way stop signs on Cranston Ct. at Myers Dr. Stated that the traffic needed to be slowed down because of the children playing.

Joyce Vann, a resident who resides at 10204 Franklin Dr., Providence Village, Texas, spoke regarding the need to readjust the stop sign at Fishtrap Rd. and FM 2931. Ms. Vann was informed by Deputy Linnell that the stop sign was the responsibility of the DOT and that he would contact them regarding the sign.

Chad Scott, a resident who resides at 9148 Cranston Ct., Providence Village, Texas, spoke in favor of additional stop signs on Cranston Ct.

Tom Muscle, a resident who resides at 9144 Cranston Ct., Providence Village, Texas, spoke regarding his opposition to the Providence Village Water Control & Improvement District bonds and tax rate issues.

There were no further requests to address the Town Council in open forum. Alderman Steiner motioned to close open forum; Alderman Miller seconded. Motion carried: 5 in favor; 0 opposed.

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

- a. Monthly Reports from Committees: Communications, Emergency Preparedness, HOA, Ordinance, Public Safety and Transition

Communication Committee –Nothing to report.

Emergency Preparedness Committee – Nothing to report.

HOA – Nothing to report. Don Fisher reported that the HOA board meets the last Tuesday of the month.

Ordinance Committee – Items to be discussed on the agenda.

Public Safety Committee – Nothing to report.

Transition Committee –Nothing to report.

- b. Staff Reports

Code Enforcement – Mike Carroll stated he has provided his written report and was available to answer any questions.

Law Enforcement – Deputy David Linnell gave a summary report of his activities for the months of August and September, including number of traffic stops and answered calls.

Town Secretary/Municipal Court – Connie Hansen provided a written summary of municipal court activities.

Alderman Steiner motioned to close the committee and staff reports; Alderman Jaco seconded. Motion carried: 5 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 – None
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Alderman Steiner motioned to approve the consent agenda; Alderman Jaco seconded. Motion carried: 5 in favor, 0 opposed.

**VII. ACTION ITEMS**

- a. Consider, discuss and act upon Providence Village Drainage Structures Inspection Report submitted by Denton County Public Works. (*Stephen Belknap*)

Stephen Belknap with Denton County Public Works department answered questions relating to the Providence Village Drainage Structures Inspection Report previously submitted to the Town. Alderman Pugh asked what could be installed to prevent future erosion and contamination. Mr. Belknap stated that silt fencing and inlet protectors could be installed. Mayor Shuck opened the floor to Art Barraza of the engineering firm Petitt & Barraza and Mr. Barraza stated that Phase 6B was the responsibility of the Providence Village WCID and Phase 6A was the responsibility of History Maker Homes and that steps were being taken to rectify the problems.

Alderman Jaco motioned to accept the Drainage Structures Inspection Report; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- b. Consider and discuss Providence Village WCID repair and maintenance project. (*Greg Hugie*)

Greg Hugie, President of the Providence Village WCID, provided a presentation regarding their proposed repair and maintenance project.

- c. Consider, discuss and act upon approval of the Second Amended and Restated Interim Allocation Agreement between Providence Village Water Control and Improvement District of Denton County and the Town of Providence Village dated September 15, 2014.

There was brief discussion regarding the transition committee and their approval of repairs based upon the shared expense provisions of the Second Amended and Restated Interim Allocation Agreement. Philip Mack Furlow pointed out that the joint transition committee would not have the authority to approve repairs or expenses, but would be able to present items for approval to their respective board and/or council for approval.

It was further discussed that the jurisdiction of the agreement needed to be changed from Travis County to Denton County.

Alderman Jaco motioned to approve the Second Amended and Restated Interim Allocation Agreement with the proposed revision to the county of jurisdiction; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- d. Consider, discuss and act upon approval of engagement letter agreement between the Town of Providence Village and William C. Spore, P.C. for financial audit of governmental activities for the fiscal year ending September 30, 2014.

Alderman Miller motioned to approve the engagement letter agreement with William C. Spore, P.C.; Alderman Steiner seconded. Motion carried: 5 in favor, 0 opposed.

- e. Consider, discuss and act upon approval of Special Event Permit Application No. 14-00097-02 from Providence HOA for Fall Festival/National Night Out event scheduled for October 25, 2014 from 4:00 p.m. to 7:00 p.m., including request from Providence HOA for prohibition of parking on designated residential streets during the event. (*Don Fisher*)

There was discussion regarding allowing the HOA to block certain roads and prohibit parking on the street in close proximity to the club house during the National Night Out Event. Alderman Jaco motioned to approve the Special Event Permit Application No. 14-0097-02; Alderman Steiner seconded. Motion carried: 5 in favor, 0 opposed.

- f. Consider, discuss and act upon approval of Ordinance No. 2011-24-02, amending Ordinance No. 2011-24 entitled "Parking Ordinance," modifying said ordinance to allow for authority discretion regarding parked "derelict" vehicles, removing the requirement that a vehicle or golf cart must have a current license and registration with a current Texas inspection sticker, removing a time period to prevent commercial vehicle parking on residential streets, and removing the restriction of parking and blocking access to a water meter.

Alderman Steiner motioned to approve Ordinance No. 2011-24-02 amending Ordinance No. 2011-24 entitled "Parking Ordinance"; Alderman Pugh seconded. Motion carried: 4 in favor, 0 opposed. Alderman Miller was absent during the vote.

- g. Consider, discuss and act upon approval of participation in the Regional Emergency Preparedness Program with North Central Texas Council of Governments for the fiscal year 2014-2015, including approval of the annual dues associated with said membership.

Alderman Jaco motioned to approval participation and payment of annual dues; Alderman Steiner seconded. Motion carried: 5 in favor, 0 opposed.

- h. Consider, discuss and act upon merging Emergency Preparedness Committee into the Public Safety Committee.

Alderman Miller motioned to merge the two committees into one Public Safety Committee; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed. Alderman Pugh was absent during the vote.

- i. Consider, discuss and act upon appointments to the Public Safety Committee and the Transition Committee.

Alderman Miller motioned to approve the appointment of Mayor Shuck and Alderman Steiner to the Transition Committee and Alderman Miller, Alderman Jaco and Alderman Steiner to the Public Safety Committee; Alderman Pugh seconded. Motion carried: 5 in favor, 0 opposed.

- j. Consider, discuss and act upon acceptance of resignations of Home Rule Charter Commission members and confirm appointment of members to replace resigning members.

Alderman Jaco motioned to accept the resignations of Will Floyd, Dana Wilson and Sean Jernigan from the Home Rule Charter Commission and the appointment of alternates C.B. Bell and Ken Kelly to the Home Rule Charter Commission; Alderman Steiner seconded. Motion carried: 5 in favor, 0 opposed.

- k. Consider, discuss and act upon appointment of additional alternate members to the Home Rule Charter Commission.

No action taken.

- l. Consider, discuss and act upon Town Council's participation in National Night Out Event on October 25, 2014.

Alderman Jaco motioned to approve the purchase of cards for MailChimp sign up to be distributed at the National Night Out event; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- m. Consider, discuss and take action regarding Section 13.255 action against Mustang Special Utility District.

Philip Mack Furlow stated that this matter would be covered in executive session and that further may be taken after executive session.

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

Philip Mack Furlow stated that this matter would be discussed in executive session and that no further action was expected.

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

Alderman Miller motioned to close Town Council Regular Session and convene into executive session; Alderman Steiner seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Shuck closed regular session meeting at 8:51 p.m. and convened into Executive Session at 8:57 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 take action regarding Section 13.255 action against Mustang Special Utility District.
- b. Discuss legal and administrative status involving CCN and asset transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

Alderman Miller motioned to closed executive session and reconvene into Town Council regular session; Alderman Jaco seconded. Motion carried: 5 in favor, 0 opposed.

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

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

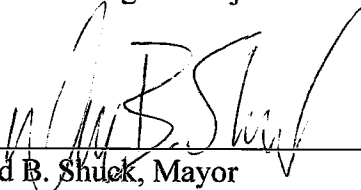
Mayor Shuck closed executive session at 9:45 p.m. and reconvened regular session meeting at 9:46 p.m.

Alderman Steiner motioned to approve filing of Section 13.255 application with Public Utility Commission; Alderman Jaco seconded. Motion carried: 5 in favor, 0 opposed.

**X. ADJOURNMENT**

Alderman Jaco motioned to adjourn the Town Council meeting; Alderman Miller seconded. Motion carried: 5 in favor, 0 against.

Meeting was adjourned at 9:48 p.m.

  
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David B. Shuck, Mayor

11/10/2014  
Date Minutes Approved

  
\_\_\_\_\_  
Connie S. Hansen, TRMC  
Town Secretary

11/10/2014  
Date Minutes Approved

