

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, DECEMBER 8, 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 7:04 p.m. Town Council members present were Alderman Steve Miller, Alderman Lynn Jaco, Alderman Justin Steiner, Alderman John Pugh and Mayor Pro-Tem Vader, being a quorum.

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.*

Don Fisher with the Providence HOA reported that the Christmas Festival was scheduled for Saturday, December 13th. Further reported that the HOA had extra funds and used them to purchase a 75" TV to be installed in the Community Center.

Tom Dibley, a resident at 1601 Angel Ln., addressed the Council regarding the need for lawn service providers to be required to be registered with the Town as a contractor.

Joyce Vann, a resident at 10204 Franklin Dr., addressed the Council regarding the need for street lights at the entrance of Town Hall. Also discussed the need for painted house numbers on the curbs and wanted to know what the requirements would be for same.

Tom Dibley, a resident who resides at 1601 Angel Ln., further addressed the Council regarding removal of the leaves in the streets and yards.

Mayor Shuck reported that he had received a written request to address the Council regarding trailers being parked in front of houses and that they are hideous and wants the code enforcer to handle removal of same. Mayor Shuck further reported that recent changes to the Town's nuisance ordinance now prevents the Town from being able to do anything about this matter and requested that the Ordinance Committee members look into the matter further.

There were no further requests to address the Town Council in open forum. Alderman Miller motioned to close open forum; Alderman Jaco 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.

Ordinance Committee – Nothing to report.

Public Safety Committee – Nothing to report.

Transition Committee –Mayor Shuck announced that the committee had another good meeting. Mayor Shuck also suggested that the other committees attempt to meet on a regular basis.

- b. Staff Reports

Code Enforcement – Mike Carroll gave a summary of his written report.

Law Enforcement – Nothing to report.

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

Alderman Steiner motioned to close the committee and staff reports; Alderman Miller 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 Jaco motioned to approve the consent agenda; Alderman Steiner seconded. Motion carried: 5 in favor, 0 opposed.

VII. ACTION ITEMS

- a. Consider, discuss and act upon approval of TML MultiState Intergovernmental Employee Benefits Pool Rerate Notice and Benefit Verification Form, COBRA Continuation of Coverage Administrative Agreement, Section 125 Flexible Spending Arrangement (FSA) Account – Premium Only Service Agreement, and Interlocal Agreement for employee benefits during the Plan Year 2014-2015.

Alderman Miller motioned to approve the TML MultiState Intergovernmental benefit packet; Alderman Jaco seconded. Motion carried: 5 in favor, 0 opposed.

- b. Consider, discuss and act upon approval of Second Amendment to Lease Agreement between CHS Providence, L.P. and the Town of Providence Village for an extension of the lease period of the property located at 1745 F.M. 2931 for an additional twelve (12) months, expiring June 23, 2015.

Alderman Steiner motioned to approve the Second Amendment to Lease Agreement between CHS Providence, L.P. and the Town; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- c. Presentation update by Greg Hugie for the Joint Transition Planning and Advisory Committee.

Mr. Hugie made a presentation to the Town Council regarding the Transition Planning and Advisory Committee.

- d. Consider, discuss and act upon acceptance of the Joint Transition Planning and Advisory Committee's Mission Definition.

Mayor Shuck provided a summary of the JPAC mission statement. Philip Mack Furlow noted to the Council that the auto proxy vote would be in effect if one of the members of the committee could not make a meeting and it would automatically transfer to the member who did make the meeting.

There was extensive discussion regarding the need to reverse the presentation responsibility. The current mission statement has Mayor Shuck making presentations to the PVWCID board and Greg Hugie making presentations to the Town Council. The Town Council agreed that Mayor Shuck should be responsible for reporting any activity from the committee to the Town Council. Alderman Miller motioned to amend the mission statement to require Mayor Shuck to report to the Town Council and Greg Hugie to report to the PVWCID board; Mayor Pro-Tem Vader seconded. Motion carried: 5 in favor, 0 opposed.

Alderman Miller motion to accept the JPAC mission statement as amended; Mayor Pro-Tem Vader seconded. Motion carried: 5 in favor, 0 opposed.

- e. Consider, discuss and act upon acceptance of the Joint Transition Planning and Advisory Committee's Roadway and Drainage Management and Maintenance Program Direction, Requirements and Schedules.

Mayor Shuck reported to the Council that the JPAC's Roadway and Drainage Management and Maintenance Program Direction, Requirements and Schedules do not bind the Town to anything, but instead is nothing more than a recommendation. Philip Mack Furlow noted that section 4(c) relating to "inlet protectors" needed to be amended to include language relating to "exception as required by law." Alderman Jaco moved to approve the amendment to the document, section 4(c) to include the language "except where required by law" after the word "District"; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

Alderman Jaco motioned to approve the JPAC's Roadway and Drainage Management and Maintenance Program Direction, Requirements and Schedules as amended; Alderman Miller seconded. Motion carried by majority: 4 in favor, Alderman Pugh opposed.

- f. Consider, discuss and act upon approval and funding of contract with Cobalt Real Estate Services for annual street sweeping services.

Mayor Shuck gave a brief summary regarding the street sweeping services. Philip Mack Furlow noted that the Council could not approve the contract without a specific amount specified in the contract. Mr. Furlow further suggested that the Council will need an ICA for each project. Alderman Jaco questioned the issues relating to parked cars on the streets and the street sweeping equipment. Alderman Steiner suggested that reminder signs be used to inform residents.

Alderman Pugh motioned to table the action item until a contract amount is specified; Mayor Pro-Tem Vader seconded. Motion carried: 5 in favor, 0 opposed.

- g. Consider, discuss and act upon approval of proposal and funding of street directional markings located at southbound Providence Blvd. and U.S. Hwy 380 by Total

Highway Maintenance, LLC and approval of waiver of contractor registration fee for vendor to perform the proposed street markings.

Mayor Shuck gave a summary of the request for the street markings was generated by an Open Forum request from Joyce Vann, and reported that after further review, it was clear that the painted markings for the intersection had faded and/or vanished. Alderman Jaco asked about the paint requirements and Mike Carroll gave a summary of the quote and the necessary temperature requirements and procedures for remarking. Alderman Miller motion to approve the purchase order for Total Highway Maintenance, LLC to remark the intersection at a cost not to exceed \$2,100; Alderman Steiner seconded. Motion carried: 5 in favor, 0 opposed. Alderman Steiner motioned to approve waiver of the Contractor registration fee for said vendor; Alderman Miller seconded. Motion carried: 4 in favor, 0 opposed, Alderman Pugh was briefly absent.

- h. Consider, discuss and act upon Interlocal Agreements between the Town of Providence Village and the Town of Cross Roads regarding town limits and extraterritorial jurisdictions.

Philip Mack Furlow gave a brief summary of the progress between him and the Town of Cross Roads' staff and attorney. No action taken.

- i. Consider, discuss and act upon request from R. Stallings to annex into the town limits 19.58 acres in the Town of Providence Village extraterritorial jurisdiction.

Mayor Shuck announced that no action would be taken at this time. Philip Mack Furlow gave a brief summary regarding the statutory requirements and timeline for such action.

- j. Consider, discuss and act upon landscaping contest proposal for landscaping services for Town Hall, including guidelines and proposal requirements.

Alderman Jaco gave a summary of the rules that she had developed for the contest. Alderman Pugh motioned to approve the landscaping contest; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- k. Consider, discuss and act upon on the creation and posting of a full-time Code Enforcement Officer position, and authorizing the Mayor to interview and hire a candidate to fill the position after the posting period has expired.

Mayor Shuck gave a summary of the need for the creation and posting of a full-time Code Enforcement Officer position. Alderman Steiner motioned to post the position and to authorize the Mayor to interview and hire a qualified candidate following the expiration of the posting period; Alderman Pugh seconded. Motion carried: 5 in favor, 0 opposed.

- l. Consider and discuss Section 13.255 action against Mustang Special Utility District.

Philip Mack Furlow gave a summary and stated that there would be further discussion in executive session.

- m. 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 reported that the trial was set in May 2015 and that there would be further discussion in executive session.

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

- (1) Amended budget to adjust for interim allocation agreement.
- (2) Grant writing.

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 8:50 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. Discuss legal and administrative status involving CCN and asset transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

- b. Consider, discuss and act upon on the creation and posting of a full-time Code Enforcement Officer position, and authorizing the Mayor to interview and hire a candidate to fill the position after the posting period has expired.

Alderman Pugh left during the Executive Session. Alderman Steiner motioned to closed executive session and reconvene into Town Council regular session; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Shuck closed executive session at 9:15 p.m. and reconvened regular session meeting at 9:15 p.m.

IX. RECONVENE INTO OPEN SESSION

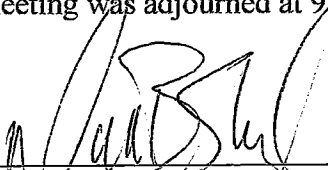
- a. Consider and act upon items discussed in Executive Session.

No action taken.

X. ADJOURNMENT

Alderman Miller motioned to adjourn the Town Council meeting; Alderman Jaco seconded. Motion carried: 4 in favor, 0 against.

Meeting was adjourned at 9:16 p.m.



David B. Shuck, Mayor

3/9/15

Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

3/9/15

Date Minutes Approved

