

NOTICE OF  
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING  
TOWN OF PROVIDENCE VILLAGE, TEXAS  
PROVIDENCE VILLAGE TOWN HALL  
1745 F.M. 2931, PROVIDENCE VILLAGE, TEXAS

**TUESDAY, AUGUST 18, 2015**

7:30 P.M. Regular Session

**MINUTES**

**REGULAR SESSION 7:30 p.m.**

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

Mayor Dave Shuck called the meeting to order at 7:34 p.m. Town Council members present were Alderman Steve Miller, Alderman J. Eric Newton, Alderman Andy Goin, and Mayor Pro-Tem Michael Jordan, being a quorum. Alderman Darren Vader was 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**

David Bruce led invocation.

**IV. OPEN FORUM:**

There were no requests to address the Town Council. Alderman Miller motioned to closed Open Forum; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

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

- a. Monthly Reports from Committees: Communications, EDCEC, JPAC, Ordinance and Public Safety

**Committee Reports** – Nothing to report from any of the committees.

- b. Staff Reports: Code Enforcement, Permit Department, Law Enforcement, Municipal Court

Mike Carroll gave a report on the car study conducted of vehicles parked in the wrong direction of the traffic. Mr. Carroll reported that there was a 99% voluntary compliance of the tree pruning initiative.

Andrew Dunn reported that there were 10 registered contractors, 86 CO's and 31 residential building permits issued in July.

Law Enforcement has nothing to report and Jenny Sawyers gave the municipal court report.

Alderman Newton motioned to close Worksession/Committee/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
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Mayor Pro-Tem Jordan motioned to approval the Consent Agenda; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

**VII. ACTION ITEMS**

- a. Presentation of achievement award to members of the Providence Village Water Control and Improvement Board for their services to the residents of the Town of Providence Village.

Mayor Shuck presented achievement awards to Randall Bush, Greg Hugie and John Mitchell, for their services to the Town on the WCID board.

- 1. Consider, discuss and act upon acceptance of the Tax Assessor/Collector report.

Mayor Shuck moved action items (l) and (m) to accommodate Michelle French's attendance. Ms. French gave a summary of what the Denton County Tax Assessor's office can do for the Town, including consolidated billing, discounted rates and disbursements on a daily basis. Alderman Miller motioned to accept the Tax Assessor/Collector report; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

- m. Consider, discuss and act upon acceptance of the 2015 Tax Roll, as certified by the Denton Central Appraisal District, and calculations regarding the Town's 2015 Tax Rates.

Philip Mack Furlow gave an explanation regarding acceptance of the 2015 Tax Roll, as certified by the Denton CAD, to be used in calculating the Town's 2015 Tax Rate and recommended that the documentation be modified to reflect same. Alderman Miller motioned to change Denton Tax Assessor to Denton Central Appraisal District as the official tax roll; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

Alderman Goin motioned to accept the 2015 Tax Roll, as amended; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

- b. Consider, discuss and act upon approval of Ordinance No. 2015-075 relating to the Certificate of Occupancy Program.

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

Mayor Shuck closed Town Council Regular Session and opened Public Hearing at 8:02 p.m.

- c. Conduct second public hearing to receive input on Ordinance No. 2015-075 relating to the Certificate of Occupancy Program.

Philip Mack Furlow read aloud a summary of Ordinance No. 2015-075, stating that this was the second reading and gave a summary of why this has been placed as a separate ordinance.

Mayor Shuck opened the floor to public comment. Randall Bush asked about the current policy and how the new ordinance change the current policy. Mr. Furlow informed Mr. Bush that there was no change in the policy, only a means of clarifying the policy without the cumbersome use of the building code manual. There were no further request to address the Council. Alderman Miller motioned to close Public Hearing and reconvene into Town Council Regular Session; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Shuck closed Public Hearing and reconvened into Town Council Regular Session at 8:15 p.m.

- d. Consider, discuss and act upon approval of engagement letter with William C. Spore, P.C. for audit of financial records for the Town for 2014-15 fiscal year.

Brian Roberson gave a summary of Mr. Spore's contract and asked for an additional approval of \$22,000 to be used to audit the WCID financial records up to dissolution. Alderman Miller motioned to approve the engagement letter with William C. Spore, P.C. for 2014-15 fiscal year audit and authority for the Town Manager to select an auditor and use additional funds from reserves for audit of WCID financial records; Alderman Goin seconded. Motion carried: 5 in favor, 0 opposed.

- e. Consider, discuss and act upon authorizing Town Treasurer and/or Town Manager to enter into Depository Pledge Agreement, Deposit Direct Equipment Lease Agreement, Treasury Services Form – DepositDirect Authorization, Treasury Services Account Modification Form, Authorized User Security Questions Form and any other authorization necessary to finalize and secure public fund accounts with Plains Capital Bank and Independent Bank.

Alderman Newton motioned to approve authorizing the Town Treasurer and/or Town Manager to enter into agreements and other arrangements to secure public fund accounts with PlainsCapital Bank and Independent Bank; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- f. Consider, discuss and approve amendment to Upper Trinity Regional Water District Northeast Regional Water Reclamation System Participating Customer Contract with Denton County Fresh Water Supply District No. 9, dated August 29, 2011, as amended, to increase wastewater subscription.

Philip Mack Furlow reported that they had not received the agreement yet, therefore no action can be taken.

- g. Consider, discuss and act upon Developer's Report.

Brian Roberson reported that Barry Jameson was unable to attend tonight's meeting to present the report himself. Mr. Roberson provided a summary of the Developer's report which included 80 new homes in 2015. There's a total of 2,261 lots, of which 58 are to be built on, with 2,111 units occupied. Alderman Newton motioned to accept the Developer's Report; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- h. Consider, discuss and act upon approval of Professional Services Agreement with Petitt & Barraza.

Mayor Pro-Tem Jordan motioned to approval the Professional Services Agreement the Petitt & Barraza; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

- i. Consider, discuss and act upon approval of Professional Services Agreement with Petitt & Barraza.

Action take on action item (h). No additional action needed.

- j. Consider, discuss and act upon engineering report from Petitt & Barraza, including necessary and/or appropriate actions relating to:
  - a. Status of erosion repairs at 9936 Martha's Vineyard Circle, 9941 Martha's Vineyard Circle, and 9946 Wethers Field Circle; and
  - b. Approval or acceptance of proposals/award of contracts, construction pay application(s) and change order(s) to construction contracts.

Art Barraza gave a brief summary of the repairs made. Mayor Shuck noted that while these repairs were originally approved by the WCID board previously, any additional expenses could not be approved until the Town Council had additional information. Item was tabled.

- k. Consider, discuss and act upon constructing a facility to increase water storage capacity and/or additional water storage.

Philip Mack Furlow reported that WCID had an agreement with TCEQ for another year to resolve the storage capacity issue. An agreement with TCEQ which would allow the WCID another year to construct or acquire additional water storage capacity. This item will need to be on the agenda to ultimately conclude the matter with the TCEQ.

Mayor Shuck asked if we knew the year or date when the WCID was to be have the work done, but no one knew the exact date.

- n. Consider, discuss and act upon approval of ordinance setting public hearing dates and authorizing notice of public hearing regarding adoption of tax rate.

Philip Mack Furlow stated than an ordinance was not required for setting the public hearing dates. Following discussion regarding potential dates, Alderman Newton motioned to set the public hearing dates for September 1<sup>st</sup> and September 15<sup>th</sup>; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- o. Consider, discuss and act upon approval of Resolution to impose Additional Penalty for Collection Costs.

Alderman Goin motioned to approve the resolution imposing additional penalty for collection costs; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- p. Consider, discuss and act upon approval of Contract for the Collection of Delinquent Property Taxes and Public Improvement District Assessments with McCreary, Veselka, Bragg & Allen, P.C.

Alderman Goin motioned to approve the contract for collection of delinquent property taxes with McCreary, Veselka, Bragg & Allen, P.C.; Mayor Pro-Tem Jordan seconded. Motion carried: 5 in favor, 0 opposed.

- q. Consider, discuss and act upon approval of bookkeeping report from Dye & Bloomfield, including collection summary, payment of bills, status of investments, budget comparison report, and budget amendments, as recommended.

Lisa Bloomfield gave a summary of the financial reports. No action required.

- r. Consider, discuss and act upon customer utility service and billing complaints and special requests and authorize actions to address such matters.

Item addressed in action item (s).

- s. Consider, discuss and act upon contract for solid waste management and services.

Brian Roberson reported on his ongoing efforts to work with Waste Management to improve services and customer satisfaction. There was extensive discussion regarding Waste Management and weekly recycling services. No action required.

- t. Consider, discuss and act upon maintenance and operations contract for water and sewer.

Philip Mack Furlow reported that this item would be discussed in executive session.

- u. Consider, discuss and act upon bid proposal from Gene's Construction, LLC relating to the removal of the traffic island located on Cherry Hill Lane.

Mike Carroll reported that this item was tabled at a prior Council meeting. Following additional discussion regarding the cost associated with removal of the traffic island, Alderman Goin motioned to deny the bid proposal and the request to have the traffic island removed; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

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

To be discussed in executive session.

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

To be discussed in executive session.

- x. Consider and discuss effects of dissolution of the WCID on existing contracts.

To be discussed in executive session.

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

1. Committee reassignments.
2. Dissolution of JPAC committee.

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

Mayor Shuck closed Town Council Regular Session and convened into Executive Session at 9:13 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. Section 13.255 action against Mustang Special Utility District.
- b. Legal and administrative status involving CCN and asset transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.
- c. Maintenance and operations contract for water and sewer.
- d. Effects of dissolution of the WCID on existing contracts.

Alderman Newton motioned to close Executive Session and reconvene into Town Council Regular Session; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Shuck closed Executive Session and reconvened into Town Council Regular Session at 10:38 p.m.

**IX. RECONVENE INTO OPEN SESSION**

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

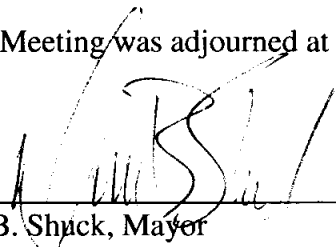
t. Consider, discuss and act upon maintenance and operations contract for water and sewer.

Alderman Newton motioned to authorize the Town Manager to enter into contracts and/or take whatever action was necessary to secure water and sewer services for the Town; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

**X. ADJOURNMENT**

Alderman Newton motioned to adjourn; Alderman Goin seconded. Motion carried: 5 in favor, 0 opposed.

Meeting was adjourned at 10:41 p.m.

  
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David B. Shuck, Mayor

10/6/15  
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Date Minutes Approved

  
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Connie S. Hansen, TRMC  
Town Secretary

10/6/15  
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Date Minutes Approved

