

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, SEPTEMBER 6, 2016
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 7:31 p.m. Town Council members present were Alderman Steve Miller, Alderman J. Eric Newton, Alderman Linda Applin, Mayor Pro-Tem Jordan, and Alderman Chris Blue, 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 invocation.

IV. ACTION ITEMS

Mayor Shuck moved Action Item (c) up to accommodate guest Eric Matteson.

- c. Consider, discuss and act upon authorizing memorial statue at Lakeview Park for armed services.

Brian Roberson gave a brief presentation of the proposed memorial for armed services at the park located at the corner of Lakeview Dr. and Devonshire Dr. and further stated that he had been working directly with the Town Attorney on procedures for getting the ball rolling.

Mayor Shuck acknowledged Eric Matteson and introduced him to the Council. Mr. Matteson gave a brief presentation of his idea for a hero's memorial and honor the first

responders and unsung heroes. Mr. Matteson gave a description of his proposed memorial. He also described the shrubbery he wants to include in the memorial site. Financing is being worked on by Mr. Matteson. There was discussion regarding a PayPal account for fundraising. Mr. Matteson stated that he did not feel comfortable with holding the funds and asked if the Town could handle it for him. Mayor Shuck reiterated his initial meeting with Mr. Matteson back in May. After further discussion, Mayor Shuck suggested that the Town Council approve and that the staff pursue means for monitoring financing and sought acknowledgement from Town Attorney, who responded that the Town Council could authorize staff to pursue a development plan for final approval.

Alderman Miller moved to authorize the Town staff to work with Mr. Matteson to develop a plan for final presentation and approval; Alderman Newton seconded. Motion carried: 6 in favor, 0 opposed.

Mr. Matteson stated that he is available to work on the plans now.

V. OPEN FORUM:

Don Fisher, a resident and President of the Providence HOA, reported that the Providence HOA currently had a vacancy on their board which was filled by Carlos Urquidez and further reported that the upcoming Saturday would be the last pancake breakfast for the year.

Joyce Vann, a resident of Providence Village, asked why the Town was not taking care of having the acreage in front of Providence Village on Hwy 380 mowed. Mayor Shuck noted that the property was privately owned.

There were no further requests to address the Town Council. Mayor Pro-Tem Jordan moved to closed Open Forum; Alderman Blue seconded. Motion carried: 6 in favor, 0 opposed.

VI. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- a. Monthly Reports from Committees: Communications, EDCEC, Emergency Preparedness and Ordinance

Communications Committee – Nothing to report.

EDCEC Committee – Nothing to report.

Emergency Preparedness Committee – Nothing to report.

Ordinance Committee – Nothing to report.

- b. Staff Reports: Administration

Administration – Brian Roberson stated that the Town was still working with our neighbors on boundary issues and hopefully there would be something in a month.

Mr. Roberson further reported that developers have been interested in the Planned Development, commonly called a "PD", option in our zoning ordinance. Mayor Shuck gave a summary of a PD and Mr. Roberson added that every available tract in the Town is being looked at from a PD prospective.

Brian Roberson reported on water items as of today's date include 47 issues over a two-month period of time, with 35 from previous billing and 12 from current. Mayor Pro-Tem Jordan asked if any of the current 12 were repeats from the previous month's 35 and Mr. Roberson replied that he did not believe so. He stated that they had received 6 new complaints in the past couple of days. There was extensive discussion regarding Mr. Roberson's efforts to read meters and assist residents with sprinkler system resets and dysfunctional sprinkler heads. Mayor Shuck asked Mr. Roberson if he had seen any changes since he starting helping people reset their irrigation systems and he responded that there's been a decrease in usage since he began helping residents. Mayor Shuck also asked if there have been any defective meters identified in this recent cycle and Clay Taylor responded that there was 2 discovered and replaced. There was discussion regarding the amount of expense and charges to the Town for each of rereads requested. Alderman Miller requested that Mr. Roberson reiterate the lack of cooperation from Mustang SUD and how we did not have access to data being held by Mustang and therefore there was a longer period of transition for hardware or software due to the number of months we were forced to conduct manual reads of meters to develop a baseline. The Town was unwilling to bill residents for water usage until they could confirm that the resident had actually used the water. Mayor Shuck read aloud a message found on Mustang's website relating to higher water bills in the preceding summer. There was further discussion regarding accountability of the water being received from Upper Trinity in comparison to the water being consumed by residents. Clay Taylor reported that there is a 95% accountability of the water received from Upper Trinity and that the remaining 5% is accounted for through hydrant flushes and other testing. Clay Taylor further stated that the accountability helps keep the system in check.

Brian Roberson further reported that new homeowners in the new construction phase area will be informed about sprinkler management through History Maker as well as the Town staff. He further stated that the Town staff will be working towards educating the residents on these issues. Clay Taylor reiterated his statement that Severn Trent is still willing to offer training. Mayor Shuck pointed out that next year we will have historical data to use whereas this year we did not have a full year of historical data from Mustang. Mayor Pro-Tem Jordan asked Clay Taylor how well the education sessions were attended and received and Mr. Taylor stated that they were beneficial. Mr. Roberson further discussed customer service issues and how a local representative is currently addressed in the proposed budget.

Mr. Roberson reported on the Creek Erosion Project and stated that the Town Engineer, Jason Pool, has approved plan and the project is scheduled to begin

October 3rd. Mayor Shuck suggested that a letter be sent out to the residents who reside near the creek to inform them of the begin data.

Alderman Blue moved to closed Committee/Staff Reports; Mayor Pro-Tem Jordan seconded. Motion carried: 6 in favor, 0 opposed.

VII. ACTION ITEMS

- h. Consider, discuss and act upon resolution authorizing Town Manager to implement a revised policy relating to adjustments in water billing for customers who receive excessive water bills due to leaks.

Brian Roberson gave a summary of the resolution proposed by Alderman Eric Newton to help allow the Town Manager to specifically address and adjust excessive water bills due to leaks.

Alderman Newton moved to approve the resolution; Alderman Applin seconded. Alderman Newton gave his summary of his propose ordinance. Philip Mack Furlow gave a brief summary of the rate order and there was extensive discussion regarding the fact that the current rate order already addressed adjustments for excessive bills due to water leaks and that there may be a need to identify other means for adjustments and procedures and that this activity needed to be addressed by the Ordinance Committee.

Alderman Newton withdrew his motion.

- a. Consider, discuss and act upon appointment of additional member(s) to the Planning and Zoning Commission.

Mayor Shuck asked Mayor Pro-Tem Jordan if he was prepared to move forward on this item. There was discussion regarding the need for an ordinance to address this matter. Alderman Miller moved to table this item; Mayor Pro-Tem Jordan seconded. Motion carried: 6 in favor, 0 opposed.

- b. Consider, discuss and act upon appointment of members to the Board of Adjustments.

Alderman Applin moved to table this item; Alderman Miller seconded. Motion carried: 6 in favor, 0 opposed.

- d. Consider, discuss and act upon proposed Tax Rate for 2016 Tax Year for property tax rate for the Town of Providence Village.

Brian Roberson gave a summary of our current tax rate. Mayor Pro-Tem Jordan moved to closed Town Council Regular Session and convene into Public Hearing; Alderman Newton seconded. Motion carried: 6 in favor, 0 opposed.

Mayor Shuck closed Town Council Regular Session and convened into Public Hearing at 8:59 p.m.

- e. Conduct first public hearing to receive input on proposed Tax Rate for 2016 Tax Year.

Mayor Shuck opened the floor to those wishing to speak for or against the Tax Rate. Tyler Weiland, a resident who resides at 9164 Blackstone Dr., spoke in favor of the proposed tax rate.

Don Fisher, a resident who resides at 10200 Nantucket Dr., agrees with Mr. Weiland's position and supports the tax rate.

Bob Abbott, a resident who resides at 9221 Waterman Dr., spoke in favor of the lower tax rate.

Klaus Dausmann, a resident who resides at 9037 Benevolent Ct., stated that he was concerned that lowering the tax rate would dip into the reserves. Mayor Shuck stated that the proposed Budget included a 30-year capital improvement plan and that the lowered tax rate supported same.

There were no further requests to address the Town Council. Alderman Newton moved to closed Public Hearing and reconvene into Town Council Regular Session; Alderman Miller seconded. Motion carried: 6 in favor, 0 opposed.

Mayor Shuck closed Public Hearing and reconvened into Town Council Regular Session at 9:03 p.m.

Mayor Pro-Tem Jordan moved to approve the Tax Rate for 2016 Tax Year; Alderman Newton seconded.

Mayor Shuck stated that we as a Town have the dubious honor of the highest tax in Denton County and he reiterated how we lowered the tax rate last year. Alderman Newton stated that the Town Manager, Brian Roberson, should be congratulated on the fine work done on the tax rate and the proposed budget. Mayor Shuck stated that there was a motion on the floor and that each member would be required to verbalize their vote to the Town Secretary. The Town Secretary conducted roll call vote:

Alderman Steve Miller – Aye
Alderman Eric Newton – Aye
Mayor Dave Shuck – Aye
Alderman Linda Applin – Aye
Mayor Pro-Tem Michael Jordan – Aye
Alderman Chris Blue – Aye

Motion passed: 6 in favor, 0 opposed.

- f. Consider, discuss and act upon proposed Fiscal Year 2016-17 Budget for the Town of Providence Village.

Brian Roberson gave a summary of the proposed budget and the services it would provide. Mayor Shuck noted that Mr. Roberson has done a tremendous job in a very short period of time.

Alderman Applin moved to close Town Council Regular Session and convene into Public Hearing; Alderman Newton seconded. Motion carried: 6 in favor, 0 opposed.

Mayor Shuck closed Town Council Regular Session and convened into Public Hearing at 9:14 p.m.

- g. Conduct first public hearing to receive input on proposed Fiscal Year 2016-17 Budget for Town of Providence Village.

Mayor Shuck opened the floor to those who wished to speak for or against the proposed 2016-17 Budget.

Cat Parker, a resident who resides at 9164 Blackstone Dr., asked about taxes for the local school. Mayor Shuck explained to Ms. Parker that the taxes for schools were handled through the Aubrey ISD.

Klaus Dausmann spoke in favor of the budget and was glad to see that the Town was looking forward towards the future.

Damian Polk, a resident at 9117 Benevolent Ct., asked if they could ask questions about the budget instead of just speaking for or against. Mayor Shuck stated that any questions could be answered in discussion outside of public hearing.

Alderman Newton moved to close Public Hearing and reconvene into Town Council Regular Session; Mayor Pro-Tem Jordan seconded. Motion carried: 6 in favor, 0 opposed.

Mayor Shuck closed Public Hearing and reconvened into Town Council Regular Session at 9:19 p.m.

Brian Roberson gave a summary of the budget items. There was discussion regarding the Child Safety Fund, the Fire Fund and the Utility Fund. Mr. Roberson stated that Upper Trinity RWD increased their rates but acknowledged that we should be able to absorb the increase in this proposed budget.

Alderman Blue moved to approve the Proposed 2016-17 Fiscal Year Budget; Alderman Miller seconded. Mayor Shuck stated that this item would need to be voted on in roll call by the Town Secretary. The Town Secretary conducted a roll call vote as follows:

Alderman Chris Blue – Aye
Mayor Pro-Tem Michael Jordan – Aye
Alderman Linda Applin – Aye
Mayor David Shuck – Aye
Alderman Eric Newton – Aye
Alderman Steve Miller – Aye

Motion carried: 6 in favor, 0 opposed.

- i. Consider, discuss and act upon boundary and ETJ matters of Providence Village, including water and sewer rights, duties and obligations.

Brian Roberson reported that this would be addressed in Executive Session and there was no action anticipated.

- j. Consider, discuss and act upon Interlocal Cooperation Agreement pertaining to law enforcement.

Brian Roberson stated that he did not expect any action on this item, but it would be discussed in Executive Session. He did report that they were discussing expanding the DCSO contract, cooperative agreement with Aubrey or a hybrid thereof.

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

1. Planning & Zoning Ordinance and appointments
2. Board of Adjustments Ordinance and appointments
3. Committee assignments
4. Rate Order
5. 2015-16 Budget Amendment

Alderman Miller moved to close Town Council regular session and convene into Executive Session; Alderman Applin seconded. Motion carried: 6 in favor, 0 opposed. Mayor Shuck closed Town Council Regular Session and convened into Executive Session at 9:51 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 act upon boundary and ETJ matters of Providence Village, including water and sewer rights, duties and obligations.

- b. Consider, discuss and act upon Interlocal Cooperation Agreement pertaining to law enforcement.

Alderman Applin moved to closed Executive Session and reconvene into Town Council Regular Session; Alderman Miller seconded. Motion carried: 6 in favor, 0 opposed.

Mayor Shuck closed Executive Session and reconvened into Town Council Regular Session at 11:22 p.m.

IX. RECONVENE INTO OPEN SESSION

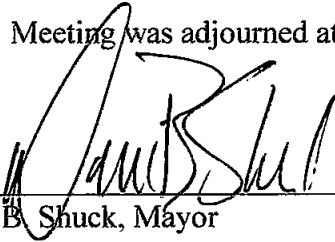
- a. Consider and act upon items discussed in Executive Session.

No action was taken.

X. ADJOURNMENT

Alderman Newton moved to adjourn; Alderman Applin seconded. Motion carried: 6 in favor, 0 opposed.

Meeting was adjourned at 11:23 p.m.



David B. Shuck, Mayor

11/15/14

Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

11/15/14

Date Minutes Approved

