

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, NOVEMBER 1, 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, and Mayor Pro-Tem Jordan, being a quorum. Alderman Chris Blue 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**

Philip Mack Furlow led invocation.

**IV. OPEN FORUM:**

Don Fisher, reported that the Providence HOA reported that HOA softball is sponsoring a fundraiser for Special Olympics in Aubrey. Don Fisher praised the Mayor for all of his accomplishments and wished him and his family the best.

Mayor Shuck made a general comment regarding the election designation of the Community Center and requested grace and mercy for the workers of the election locations.

There were no further requests to address the Town Council. Alderman Miller moved to close 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, Emergency Preparedness and Ordinance

Communications Committee – NTR

EDCEC Committee – NTR

Emergency Preparedness Committee - NTR

Ordinance Committee – Mayor Pro-Tem Jordan stated there is an ordinance on the agenda.

- b. Staff Reports: Administration

Administration – Brian Roberson reported that the primary focus for the past couple of weeks has been getting past the approval of Phase 6C. Still working on issues with the detention pond. Hope to have it buttoned up within the next couple of weeks.

Erosion project is scheduled to begin this week but there is rain in the forecast. If the rain does keep them out this week, they will begin next week. There is discussion regarding the contractor obtaining additional resources to stay on schedule for completion timeline.

Additional notice regarding services and public hearing notices have gone out.

Alderman Newton moved to closed Committee/Staff Reports; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

**VI. ACTION ITEMS**

- a. Consider, discuss and act upon Ordinance 2016-093, ratifying the establishment of the Planning and Zoning Commission, adopting regulations, and adding alternate member(s) on the Planning and Zoning Commission.

Brian Roberson gave a summary regarding the ordinance and the changes made from the last meeting, including the return to 5 members and add 3 alternate members. Mayor Pro-Tem Jordan stated this ordinance lines up more with the Board of Adjustments. A redlined copy of the ordinance was handed out to the Council Members. Mayor Shuck asked the Town Attorney, Philip Mack Furlow, if he has approved the changes.

Mayor Shuck asked about conflict of interest regulation in the ordinance, specifically what happens if it is not disclosed before a vote. Philip Mack Furlow stated that it would taint the action and gave examples of ownership and abstaining from voting.

Mayor Pro-Tem Jordan moved to approve Ordinance 2016-93; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

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

Current membership is full, but we now have openings for alternate members. Mayor Pro-Tem Jordan nominated Kelly Nelson as an alternate to expire in December 2018; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

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

No action due to no new applications. Table for future agenda as there are still 2 alternate positions open.

- d. Mayor presentation.

See attached Farewell Speech given by Mayor Shuck on November 1, 2016.

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

Philip Mack Furlow stated it would be discussed in Executive Session.

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

Will be discussed in executive Session and action is expected after Executive Session.

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

Alderman Newton moved to recess Town Council regular session for cake; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Shuck recessed Town Council regular session at 8:16 p.m.

Alderman Newton moved to close Town Council regular session and convene into Executive Session; Alderman Miller seconded. Motion carried: 6 in favor, 0 opposed. Mayor Shuck closed Town Council Regular Session and convened into Executive Session at 8:51 p.m.

## **VII. 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.

Mayor Pro-Tem Jordan moved to closed Executive Session and reconvene into Town Council Regular Session; Alderman Applin seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Shuck closed Executive Session and reconvened into Town Council Regular Session at 9:12 p.m.

**VIII. RECONVENE INTO OPEN SESSION**

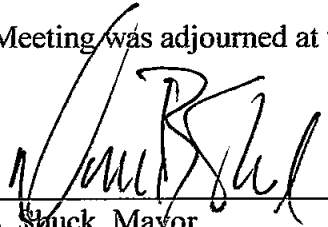
- a. Consider and act upon items discussed in Executive Session.

No action was taken.

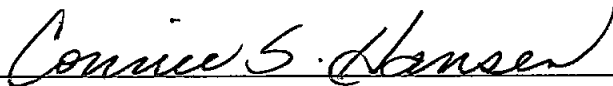
**IX. ADJOURNMENT**

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

Meeting was adjourned at 9:13 p.m.

  
\_\_\_\_\_  
David B. Shuck, Mayor

11/15/16  
Date Minutes Approved

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

11/15/16  
Date Minutes Approved

