

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, DECEMBER 20, 2016
7:30 P.M. Regular Session

MINUTES

REGULAR SESSION 7:30 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Pro-Tem Michael Jordan called the meeting to order at 7:32 p.m. Town Council members present were Alderman Steve Miller, Alderman J. Eric Newton, and Alderman Chris Blue, being a quorum. Alderman Linda Applin was absent due to a death in the family.

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:

There were no requests to address the Town Council.

V. 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 – Michael Jordan stated that the ordinance committee is the only committee that has met and will be discussed later in the meeting.

- b. Staff Reports: Code Compliance, Building Permits, Municipal Court, Law Enforcement, Water & Sewer, Administration

Code Compliance – Mike Carroll apologized that there was only one report provided.

Municipal Court – Connie Hansen gave a summary of the municipal court report including the OCA annual report.

Law Enforcement – Brice Hicks said that November was a busy month for vehicle reports. The Christmas light slashing has been rectified and the culprit apprehended.

Water & Sewer – Clay Taylor gave a summary of his written report. Lead and copper reports are mailed to the individuals residents. Still working on getting a permanent person at Town Hall.

Administration – Brian Roberson reported that its been busy. The creek erosion project is coming to conclusion. Working on the rod iron fences. Lots of developer type folks here tonight. SW corner of Fishtrap with annexation of sliver in ETJ. Mr. J.T. McCarroll.

Blue Wave auto laundry permit request received and building inspector is currently reviewing.

Stop sign at Cape Cod and Prospect. Had law enforcement and engineer review the request and right now it does not appear to be feasible.

Town has finally received its approved CCN for water and sewer effective December 8, 2016.

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
- e. Approve Administrative Actions

Alderman Blue moved to approve Consent Agenda, as amended; Alderman Newton seconded. Motion carried: 4 in favor, 0 opposed.

VII. ACTION ITEMS

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

Alderman Blue nominated Parker Hicks; Alderman Miller seconded. Motion carried: 4 approved, 0 opposed.

- b. Consider, discuss and act upon appointment of alternate member(s) to the Board of Adjustments.

No additional candidates but Mayor Pro-Tem Jordan stated there were still 2 vacancies.

- c. Discuss and consider Ordinance No. 2016-97 - Annexing the hereinafter described territory known as Denton CAD Property ID 52639, located at 10213 Liberty Road and being an approximate 7.26 acre tract of land situated in the J. Bridges Survey, Abstract No. 36a, Tract 41 as described in a Warranty Deed from the Estate of Brady E. Starr, Garry Glen Starr, Terry Don Starr, Jerry Wayne Starr, Ronnie Dale Starr and Jerall Holzer to David W. Harvey and spouse, Carol A. Harvey and Francis Leo Harvey and spouse, Mary Ann Harvey, as recorded in Instrument Number 1997-26113 of the Deed Records of Denton County, Texas; and the proposed annexation of the portion of Liberty Road adjacent to said territory, extending the boundary limits of the City so as to include the described property, and adopting a Service Plan.

Brian Roberson that in the charter there is a mechanism for annexation and it will require 3 concurring votes, but all members must be present.

- d. Discuss and consider Resolution No. 2016-65 – Granting a petition for annexation from Property Owner R & M Materials, LLC of property identified as Denton CAD Property ID 38033, generally located at the southwest corner of FM 2931 and Fishtrap Road and being an approximate 29.979 acre tract of land situated in the M. Jones Survey Abstract 662A, Tract 38, Denton County, Texas; and the proposed annexation of the portion of Fishtrap Road and FM 2931 adjacent to said territory; setting a date, time, and place for public hearings on the proposed annexation of certain property by the Town of Providence Village, Texas; authorizing and directing the Town Secretary to have published notice of such public hearings; and directing the preparation of a service plan.

Alderman Miller moved to approve Resolution No. 2016-65; Alderman Blue seconded. Motion carried: 4 in favor, 0 opposed.

- e. Discuss and consider Resolution No. 2016-66 – Granting a petition for annexation from Property Owner Mescal Juniper Properties, LLC of property identified as Denton CAD Property ID 77061, generally located at the northeast corner of Dr. Sanders Road and Fishtrap Road and being an approximate 38.657 acre tract of land situated in the J. Bridges Survey, Abstract 36A, Tract 72, Denton County, Texas; and the proposed annexation of the portion of Fishtrap Road and Dr. Sanders Road adjacent to said territory; setting a date, time, and place for public hearings on the proposed annexation of certain property by the Town of Providence Village, Texas; authorizing and directing

the Town Secretary to have published notice of such public hearings; and directing the preparation of a service plan.

Alderman Blue moved to approve Resolution No. 2016-66; Alderman Newton seconded. Motion carried: 4 in favor, 0 opposed.

- f. Consider, discuss and act upon approval of Preliminary Plat of Providence Phase 7B.

Brian Roberson stated that the P&Z recommended to accept the preliminary plan with the recommended conditions. Jason Pool spoke to the detention pond until they obtain a permit from Denton County and the offsite sanitary sewer has not been constructed and there may be issues relating to offsite storage.

Alderman Newton moved to accept P&Z recommendation with conditions; Alderman Blue seconded. Motion carried: 4 in favor, 0 opposed.

- g. Consider, discuss and act upon approval of replat from M84 Enterprise for property located at 1440 F.M. 2931, Providence Village, Texas.

Brian Roberson gave a summary of M84 Enterprise's plans.

Blue moved to close Town Council Regular Session and convene into Public Hearing; Miller seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Town Council Regular Session and convened into Public Hearing at 8:00 p.m.

- h. Conduct public hearing to receive input on replat from M84 Enterprise for property located at 1440 F.M. 2931, Providence Village, Texas.

There were no request to speak in favor or against. Alderman Miller moved to close Public Hearing and reconvene into Town Council Regular Session; Alderman Newton seconded. Motion carried: 4 in favor, 0 opposed.

Alderman Miller moved accept recommendation from P&Z and approve replat for M84 Enterprise's plans; Alderman Newton. Motion carried: 4 in favor, 0 opposed.

- i. Consider, discuss and act upon approval of Resolution No. 2016-67 Designating an Official Newspaper for the Town of Providence Village for Fiscal Year 2017.

Alderman Miller moved to approve Resolution No. 2016-67; Alderman Blue seconded. Motion carried: 4 in favor, 0 opposed.

- j. Consider, discuss and act upon reappointment of Arthur Maldonado as Municipal Court Judge.

Brian Roberson gave a summary of Arthur Maldonado's contributions to the Municipal Court.

Alderman Miller moved to reappoint Arthur Maldonado as Municipal Court Judge; Alderman Newton seconded. Motion carried: 4 in favor, 0 opposed.

- k. Consider, discuss and act upon appointment of members to the Planning and Zoning Commission to fill the positions which expire on January 1, 2017.

Brian Roberson gave a summary of Don Kiker and John Gaug being the first two members appointed to the Planning & Zoning Commission and their seats are currently up for reappointment in January 2017. Alderman Miller moved to approve John Gaug and James Conner to the Planning & Zoning Commission; Mayor Pro-Tem Jordan seconded. Alderman Blue asked about moving James Connor from alternate to permanent position. Blue asked if it would create a vacancy on the alternative and Mayor Pro-Tem Jordan stated that it would. Alderman Newton asked if we were changing just for change and Steve Miller stated it was more an issue he has with current members. Mayor Pro-Tem Jordan stated the discussion should be more regarding the appointment of John Gaug and James Connor rather than who is not nominated. Mayor Pro-Tem Jordan put the current motion to a vote. Motion did not carry: Alderman Miller and Mayor Pro-Tem Jordan voted in favor, Alderman Newton and Alderman Blue voted against.

Alderman Blue moved to appoint John Gaug and Don Kiker to the Planning & Zoning Commission; Alderman Newton seconded. Motion did not carry. Alderman Newton and Alderman Blue voted in favor, and Alderman Miller and Mayor Pro-Tem Jordan voted against.

Alderman Miller moved to appoint John Gaug to the Planning & Zoning Commission; Alderman Blue seconded. Motion carried: 3 in favor, Alderman Newton opposed.

Mayor Pro-Tem Jordan nominated Kelly Nelson to the Planning & Zoning Commission; Alderman Miller seconded. There was discussion regarding Kelly Nelson. Motion carried: 3 in favor, Alderman Newton opposed.

- l. Consider, discuss and act upon approval of Memorandum of Understanding from Waste Management regarding unusual accumulation of debris for commercial customers.

Brian Roberson explained about the commercial overload of the dumpsters and leaving debris all around the dumpster. Our commercial vendor scheduled additional pickups which eliminated the problem. The MOU would allow them to assess a fee for excessive debris and a means to address the problem with commercial customers. Alderman Blue asked about the frequency of problem in Providence and Brian Roberson stated its only happened a couple of time. There was discussion regarding the procedure for notifying the customer and forward a picture and there is a low level

impact. Alderman Miller moved to approve the MOU; Alderman Newton seconded. Motion carried: 4 in favor, 0 opposed.

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

Nothing for public consumption. Will be discussed in executive session.

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

Nothing for public consumption. Will be discussed in executive session.

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

- 1. BOA expiring terms.

Philip Mack Furlow addressed the Town Council with a farewell speech.

David Shuck spoke regarding Philip Mack Furlow.

Alderman Miller moved to close Town Council Regular Session and convene in Executive Session following a brief recess for cake in honor of Philip Mack Furlow; Alderman Newton seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Town Council Regular Session and convened in 8:29 p.m.

Alderman Newton moved to close Town Council regular session and convene into Executive Session; Alderman Blue seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Town Council Regular Session and convened into Executive Session at 8:17 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 Joint Interlocal Cooperation Agreement for Full-Time Law Enforcement Patrol Services Between Denton County and the Town of Providence Village.

Alderman Newton moved to closed Executive Session and reconvene into Town Council Regular Session; Alderman Applin seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Executive Session and reconvened into Town Council Regular Session at 9:00 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 Blue seconded. Motion carried: 4 in favor, 0 opposed.

Meeting was adjourned at 9:01 p.m.



Michael Jordan, Mayor Pro-Tem

1/19/2017

Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

1/17/17

Date Minutes Approved

