

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, JANUARY 15, 2019
7:30 P.M. Regular Session

MINUTES

REGULAR SESSION 7:30 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Michael Jordan called the meeting to order at 7:31 p.m. Town Council members present were Mayor Pro-Tem Eric Newton, Alderman Linda Inman, Alderman James Connor and Alderman Chris Blue, being a quorum.

II. INVOCATION

Steven Barton from Providence Village Church led invocation.

III. PLEDGE OF ALLEGIANCE

- a. United States Flag
- b. Texas Flag

IV. OPEN FORUM:

Ted Lewis, an individual who resides at 2648 Liberty Circle, Aubrey, Texas commented that he is talking to TxDOT about potholes and then about a stop light being installed at Liberty Road and FM 2931. He commented on the long-haul trucks and the dangers associated with no traffic control device at this location. Mr. Lewis stated that the amount of traffic and going to cause problems and that the intersection was in the Town's city limits. Alderman Inman inquired from the Town Manager whether the intersection was actually in our jurisdiction or the City of Aubrey and Mr. Roberson explained that there are ongoing discussions amongst municipalities and authorities regarding that intersection, including other options to ease traffic flow. Mr. Roberson did state that nothing has been finalized at this time. Mayor Jordan asked if the trucks were from the new subdivision construction across the street, and after further discussions, it was determined that the trucks are coming from a variety of locations and using Liberty Road to cut through to FM 2931.

Gibrán Castillo, a resident who resides at 1621 Degnen Lane, Providence Village, Texas, wished to address the Council on behalf of his son, who is working on his Scout's merit

badge. Mr. Castillo stated that the assignment his son chose was human trafficking and stated that this is something that is happening in our country, as well as other countries. Alderman Inman stated that there are several anti-human trafficking operations being conducted within our community.

John Okonski, a resident who resides at 2225 Rodgers Lane, Providence Village, Texas, complained about vehicles being parked in the wrong direction and the Town's failure to do anything about it. He further complained about cars being parked in the same location for months at a time. Mr. Okonski accused the Town Council and the Aubrey/Providence Village Police Department of being lazy in their attempts to correct these problems.

There were no further requests to address the Town Council in Open Forum.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- a. Monthly Reports from Committees
- b. Staff Reports

Mayor Michael Jordan reported that the ordinance committee met and there were a couple of ordinances to be reviewed later in the agenda.

Mike Carroll gave a summary of the Permit Report and the Code Enforcement Report. Alderman Inman asked that the report be presented on one page in the future.

Connie Hansen gave a summary of the Municipal Court Report.

Cameron Robinson with Inframark reported that sample bills had been sent out in earlier mailings. Mr. Robinson also reported that the 200% calculation should have been corrected to 46%. There was extensive discuss regarding water leaks, loss of water and typographical errors in report, including 17K gallons that should have been 17M. Mr. Robinson further stated that they are working on the calculations relating to the water leak and determining the actual loss. There was further discussion and questions regarding contractors being held liable for water losses resulting from construction mishaps. Mr. Robinson stated that the decision would at the Town's discretion.

Mayor Jordan asked what other options would be available for recouping loss of revenue due to water leaks caused by construction companies instead of billing the property owner. Brian Roberson explained the different options and how the line was busted. Julie Fort, the Town Attorney, stated that the school district most likely had a retainage that could be used to cover the cost associated with the construction loss.

Brian Roberson provided a summary of the Law Enforcement report and provided a summary of the Aubrey Fire Department report. Brian Roberson also reported on the Planning and Zoning Commission meeting results and stated that David Culp was reappointed as Chairman, Rachel Tracy was appointed as Vice Chair and Lea Goin was appointed as Secretary for the 2019 term. Mr. Roberson also reported that the Planning & Zoning Commission was looking into non-residential façade changes and provided a

summary of the proposed changes. He further stated that it was planned for the public hearings to be held on February 19th whereby the P&Z and the Town Council would approve the recommended changes.

Mr. Roberson further reported that there was positive forward progress on the former Raphael's location. He reported that LaCima has requested a certificate of occupancy and that the owners are a family-owned operation and business venture. He reported that LaCima is planning to open in mid to late March.

Mr. Roberson further reported that hopefully there is movement forward on Hero Park and reported that a groundbreaking ceremony would be scheduled within the next couple of weeks.

Alderman Inman asked if the Republic representative would be attending the Town Council meetings and Mr. Roberson stated that they would report and attend on a quarterly basis.

VI. CONSENT AGENDA

- a. Minute Approval – December 18, 2018 Town Council Regular Session Minutes
- b. Approve Administrative Actions

Alderman Inman moved to approve Consent Agenda; Mayor Pro-Tem Newton seconded. Motion carried 6 in favor, 0 opposed.

VII. ACTION ITEMS

- a. Consider, discuss and act upon appointment of new alternates to the Planning and Zoning Commission to fill the vacant position which expires on December 31, 2020.

No new applications received. No action taken.

- b. Consider, discuss and act upon appointment of members to the Board of Adjustments to fill the positions which expire on December 31, 2020.

No new applications received. No action taken.

- c. Consider, discuss and act upon appointment of new alternates to the Board of Adjustments to fill the position which expires on December 31, 2019 and the positions that expire on December 31, 2020.

No new applications received. No action taken.

- d. Consider, discuss and act upon approval of Ordinance No. 2010-10-05 amending the Code of Ordinances to modify the traffic-control devices to include additional stop intersection designations; to modify the parking section to include prohibition of

parking derelict vehicles on a Town owned parking lot; providing an effective date; and providing for the publication of the caption.

Brian Roberson explained that the ordinance proposed covered the traffic devices in the Landing at Providence Village, Phase I and the traffic devices in the area recently annexed by the Town. There was discussion regarding one of the traffic device directions needed to be corrected from westbound Eaton to eastbound Eaton. Brian Roberson also reported that the ordinance revised the derelict parking to include municipal areas.

There was extensive discussion regarding abandon vehicles. Alderman Blue asked if there were any provisions in the Town's ordinances requiring that a vehicle be moved, and Mr. Roberson stated there were not. It is not illegal to leave a vehicle parked on a public road if it was not abandoned or derelict.

Alderman Blue moved to approve the Ordinance No. 2010-10-05 amending the Code of Ordinances to modify the traffic-control devices to include additional stop intersection designations; to modify the parking section to include prohibition of parking derelict vehicles on a Town owned parking lot with the recommended amendment to change westbound Eaton to eastbound Eaton; Alderman Connor seconded. Mayor Pro-Tem Newton asked that a representative from the Aubrey/Providence Village PD be at the next Town Council meeting to address Mr. Okonski's complaints so that the Town Council is not directing the police department on what citations they can write. The motion carried: 6 in favor, 0 opposed.

- e. Consider, discuss and act upon approval of Ordinance No. 2018-207 repealing Ordinance No. 2016-087 establishing a Record Management Program; designating a Records Management Officer; providing for the ownership, responsibilities, micrographics, imaging, destruction, and disposition of Town records; adopting a record retention schedule; providing for a penalty for the violation of the ordinance; providing for repealing, savings and severability clauses; and providing for the publication and effective date of the ordinance.

Brian Roberson explained that the Town currently has a Records Management Program and that this Ordinance will be repealing the original ordinance and replacing it with the revised version. Mr. Roberson further stated that the reason for the repeal of the original ordinance was due to the volume of changes made. Alderman Blue asked if there was going to be any additional training, and the response was that the training would be internal. Alderman Inman moved to approve Ordinance No. 2018-207 repealing Ordinance No. 2016-087 establishing a Record Management Program and designating a Records Management Officer; providing for the ownership, responsibilities and destruction of Town records and adopting a record retention schedule; Alderman Nelson seconded. Motion carried: 6 in favor, 0 opposed.

- f. Consider, discuss and act upon directing Town staff to begin the publication and notice process regarding an ordinance changing the street name of FM 2931 to Main Street.

Brian Roberson stated that for several years there has been discussion about renaming FM 2931 through the Town to Main Street. He stated that it is the only road that goes all the way through the Town. There was discussion about the Town's ownership of the entire stretch of road to be renamed. Julie Fort suggested that Section 1 of the ordinance should be revised to say, "Town limits" as depicted in Exhibit "A". Alderman Connor stated that there would not be confusion of a Main Street for first responders because dispatch would also name the city. He also stated that both names could be placed on the street signs.

Brian Roberson explained that we need to have the ordinance before the Town could submit an application for a permit to TxDOT. Mayor Pro-Tem Newton stated that the biggest issue is for people and businesses on FM 2931 and inquired if they could continue to use the FM 2931 address. The response was that once the street name was changed, either address could be used.

Alderman Blue asked if there was a reason for doing it now versus later. Brian Roberson responded that with the new development currently in progress, the developers usually pay for the signs, so it would eliminate cost to the Town. He also stated that it would benefit the EDC and the new Town Hall would have a Main Street address. Mayor Pro-Tem Newton stated that from a marketing standpoint, it looks better when it says, "Main Street."

Mayor Pro-Tem Newton moved to approve directing Town staff to begin the publication and notice process regarding an ordinance changing the street name of FM 2931 to Main Street; Alderman Inman seconded. Motion carried: 6 in favor, 0 opposed.

- g. Consider, discuss and act upon approval of Town logo revisions and authorize filing a Trade or Service Mark Application with the Secretary of State.

Brian Roberson explained that there are problems with the current logo and the need to change it. Mr. Roberson gave a history of the logo. Mayor Pro-Tem Newton stated that the EDC would be selecting their own logo.

Mayor Pro-Tem Newton moved to approve logo #1 as the official Town logo and authorize filing a Trade or Service Mark Application with the Secretary of State; Alderman Inman seconded. Alderman Inman stated that option #1 was simpler. Alderman Blue asked Mayor Pro-Tem Newton why he stated he didn't like option #1 but then moved to approve it. Mayor Pro-Tem Newton stated that after hearing comments of difficulties reproducing the other options, and hearing option #2 as a reminder of a circus, he felt the simplicity of option #1 was best.

Motion carried: 6 in favor, 0 opposed.

- h. Discuss legal and administrative status involving condemnation proceedings and appraisal for a public utility easement on DCAD Property ID's 699640, 38118 and 147912.

Julie Fort stated that she received possible trial dates for a non-jury trial and that she is working with the other side to pick a date. Ms. Fort stated that she is pushing for the earliest date which is June 3rd or July 2nd.

- i. Identify agenda items to be discussed at future meeting.
 - 1. BOA and alternate appointments;
 - 2. Planning and Zoning Commission alternate appointments; and
 - 3. Calling May 4th Election.

Mayor Pro-Tem Newton moved to closed Town Council Regular Session and convene into Executive Session; Alderman Inman seconded. Motion carried: 6 in favor, 0 opposed. Mayor Jordan closed Town Council Regular Session and convened into Executive Session at 8:47 p.m.

VIII. EXECUTIVE SESSION

- a. Legal and administrative status involving condemnation proceedings and appraisal for a public utility easement on DCAD Property ID's 699640, 38118 and 147912.

Mayor Jordan closed Executive Session and reconvened into Town Council Regular Session at 9:05 p.m.

IX. RECONVENE INTO OPEN SESSION

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

No action taken.

X. ADJOURNMENT

Alderman Blue moved to adjourn; Alderman Connor seconded. Motion carried: 5 in favor, Mayor Pro-Tem Newton opposed. Mayor Jordan adjourned the meeting at 9:07 p.m.



Michael Jordan, Mayor

2/5/2019

Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

2/5/19

Date Minutes Approved

