

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1755 MAIN ST., PROVIDENCE VILLAGE, TEXAS

TUESDAY, SEPTEMBER 3, 2019

7:30 P.M. Regular Session

MINUTE

REGULAR SESSION 7:30 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Michael Jordan called the meeting to order at 7:30 p.m. Town Council members present were Mayor Pro-Tem Eric Newton, Alderman Kelly Nelson, Alderman Linda Inman, and Alderman Jesse Rodriguez, being a quorum.

II. INVOCATION

Dwayne Brawner led invocation.

III. PLEDGE OF ALLEGIANCE

- a. United States Flag
- b. Texas Flag

IV. OPEN FORUM:

Don Fisher, a resident who resides at 10200 Nantucket Dr., as President of Providence HOA and is speaking on behalf of HOA. Don discussed how the land was divided among the Town, HOA and PVWCID. Recently learned that 3 of the parks in Creek Village are no longer controlled by the HOA but are owned by the Town. Did survey and residents want Serenity Park and the Dog Park improved, which are no longer owned by the HOA. Offering on behalf of HOA, to improve Serenity Park with the excess reserves they have in their budget. HOA wants the property deeded back to them from the Town. Doesn't care about big lake. Dog park needs new water fountains and resodded. Mayor asked if they wanted all three parks back, third being Cambridge Park and Mr. Fisher acknowledged they did.

Joyce Vann, a resident who resides at 10204 Franklin Dr., wants the Town to work with Little Elm to get flashing pedestrian signs for FM 2931 like the ones in Grapevine on Main Street.

John Okonski, a resident who resides at 2225 Rodgers Ln., stated that the quarterly publications from the Town, also known as Providence Experience, was a great resource

and acknowledged repairs made to the mud hole. Trip hazard is a 1-3/4 inches and can't be repaired because its not 2 inches. Green fencing on Dr. Sanders needs to be replaced and wanted to know why the Pilot Post Signal did not publish information regarding crime in Providence Village. Stated there is nothing about Providence Village in police blotter.

There were no further requests to address the Town Council.

Mayor Pro-Tem Newton noted that the Town did not direct the newspaper as to what they should publish.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

a. Committee Reports

No committee reports.

b. Staff Reports

Brian Roberson reported that Landing had 40 permits. He also reported that regarding FM 2931, the County Commissioner and Jared Patterson have been coordinating to do work on FM 2931 and it usually takes about 10 years before TxDOT gets started on a project being planned. They plan to do a speed study and a signal study. They don't like to put cross walks in the middle of road without an intersection. Been working with Little Elm for over a year trying to figure out how to get kids from apartments to Providence Elementary. They are currently using a bus to get them from the apartments to the school, but this is a short term arrangement. Hillstone Point at Lakeview will also have kids trying to get across 2931. TxDOT controls the road, so we must get their buy in.

The property at 380 and 2931 is being cleaned and worked on and the owners have acquired a demolition permit. Med Spa poured fire lane.

Brian Roberson introduced Marty Coursey, the new interim finance manager who is working as a contractor. He stated that Ms. Coursey was a wealth of knowledge from her experience with several cities and we will be keeping her at least through the end of the year.

Eric Newton presented to Chris Blue the street sign.

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 – August 20, 2019 Town Council Regular Session Minutes

b. Approve Administrative Actions

- (1) Consider, discuss and act upon Interlocal Cooperation Contract for the Failure to Appear Program Collection Agreement between the Texas Department of Public Safety and Providence Village Municipal Court for

FTA program and collections and authorize Court Administrator to execute same.

Alderman Nelson moved to approve Consent Agenda; Alderman Inman seconded. Motion carried: 5 in favor, 0 opposed.

VII. ACTION ITEMS

- a. Consider, discuss and act upon recommendation of Special Use Permit No. 19-01262-01 submitted by Providence/380 Partners, Ltd., as property owner, Guggenheim Partners, LLC, as applicant and Ryan Alcala of Jones/Carter, as representative, for a special use permit allowing automotive maintenance shop (Jiffy Lube) in the Business 2 District (B-2) of the property located at 26625 U.S. Highway 380, Providence Village, Texas and identified as approximately a 1.06 acre tract of land, Lot 4 of the Providence/380 Addition, a subdivision of record in Document No. 2015-216 of the Plat Records of Denton County, Texas, and further identified as Denton Property ID 64791, situated in the Marsella Jones Survey, Abstract 662, Denton County, Texas and approval of ordinance authorizing same.

Brian Roberson presented the slide show answering some of the questions presented at the last Town Council meeting including photometric issues, landscaping and images of the proposed building from both rear and front view. There are 6 minor auto repairs within a 5 mile radius.

Businesses that can be built without coming to Town were presented. Jiffy Lube falls within auto repair minor, which requires an SUP. Brian Roberson also noted the TCEQ report resource and stated that they were not able to locate a list of complaints against specific industries. The report on complaints were by group. Can find specifics for a particular vendor, but it looks like they are a minor.

Brian did go to Kwik Kar on a hot day and stood at the back of the parking lot, 10-15 feet from fence that separated the vendor from residents. Did not smell anything, did hear voices from the bay area, but could not make out what they were saying. Car wash significantly louder than noise from oil change side. Property values were discussed and projected revenue.

Stephen Miller, a resident who resides 10252 Franklin Dr., stated he has issues with Jiffy Lube going up. He is a mechanic in Frisco and says the noise will travel.

Juan Gonzales, a resident who resides at 10324 Nantucket Dr. and has resided there since 2005. Spoke against automotive business being the welcoming mat for Providence Village.

Leslie Evans, a resident who resides at 10328 Nantucket Dr., loves the research and data. Other cities have been able to keep out these businesses, doesn't know how, but they have. She wants to know what is going to happen to the land between the houses and the business sections.

Travis Bousquet, with Jones Carter Engineering at 4500 Mercantile Plaza Dr., Fort Worth, Texas, stated that they did hear the citizens' concerns at the last Council meeting, and they wanted to point out the beefed up landscape plans. There are gaps in the Photinia row, and they are willing to fill in the gap, in addition to the live oaks. Brian Roberson stated when he visited Kwik Kar, he was standing 115 feet, and the houses in Providence village are three times that distance.

Alderman Inman asked how tall the Photinias were and Brian stated they are tall, and you can see the roof tops of the two-story houses, but otherwise couldn't see. Alderman Inman stated she couldn't see anything.

Alderman Nelson asked if there were any hydraulic lifts, and the spokesperson for Guggenheim stated they have a lift for alignments.

Alderman Inman asked if the doors were up in the back when a car is being worked on and Mr. Hiegel stated that it would depend on the weather. There was detailed discussion regarding noise decibels and activities, including 80-100 decibels from road, 80 decibels for a car wash, pneumatic would be 100 decibels at the source. Honestly does not think noise is going to be more than the highway noise that is already present.

Stephen Miller asked if the shop was going to be changing tires and the representative stated that no tires will be changed.

Juan Gonzales stated that he forwarded to Mayor Pro-Tem Newton information about how some vehicles ignited after they left Jiffy Lubes. The response was that the locations lost their franchise.

Justin Hiegel reported that after checking with Jiffy Lube, they've never had any incidents of ignited vehicles and no facility is ever left vacant, they replace the operator and franchisee.

Eric Allsop, a resident who resides at 10252 Nantucket, discussed the landscaping matters. Would like the Town Council to take into consideration the inclusion of a fence along the entire area. Grateful that Jiffy Lube is willing to listen.

Alderman Inman asked about the purpose of an SUP and Julie Fort provided a review from the zoning ordinance. It was noted that State law considers the use and not the user. It should not matter who the owner is or anything about them personally. What you're allowed to evaluate under the law is the use they are requesting and there are many things that you take into consideration. Revenue is usually not a controlling factor in zoning changes, but things like size of road, and the project use, etc.

Mayor Jordan asked Travis Bousquet if Jiffy Lube accepts hazardous oil from others and he responded that by State law, any facility that does oil changes are required to accept oil and filters.

Mayor Pro-Tem Newton asked if the SUP was denied, would the matter go to the BOA and Julie Fort stated it would not.

Mayor asked if there was a reason a wall could not be built. Brian explained that the fence could only be built on the property in question and no other properties as we don't own them. There was discussion regarding the slope of the ditch owned by Town. Julie Fort stated a screening fence could be required in the ordinance but could only be built on the developer's property. Mike Carroll stated that the ditch is part of our storm water drainage system.

There was extensive discussion regarding potential uses for the land owned by the Town.

Alderman Inman asked if anyone who lives directly behind the car wash could hear noise and both Juan Gonzales and Eric Allsop both stated that they could not hear it from their house.

Mayor Pro-Tem Newton asked Don Fisher if there is something special needed from the HOA to get a higher fence. They would need to get a special permit to go higher. There was continued discussion regarding the Town building a wall in the ditch.

Mayor Pro-Tem Newton moved to approve SUP; Alderman Nelson seconded. Motion carried: 4 approved, Mayor Jordan opposed.

- b. Conduct second public hearing to receive input on proposed Tax Rate for 2019 Tax Year.

Brian Roberson read the rates.

Mayor Jordan closed the Town Council Regular Session and opened Public Hearing at 9:10 p.m. Stephen Miller questioned if the rate would increase people's taxes. There was discussion regarding Denton CAD protest. There were no further requests to speak during Public Hearing.

Mayor Jordan closed Public Hearing and reconvened into Town Council Regular Session at 9:15 p.m.

- c. Conduct second public hearing to receive input on proposed Fiscal Year 2019-20 Budget for the Town of Providence Village.

Mayor Jordan closed Town Council Regular Session and convened into Public Hearing at 9:15 p.m.

Brian Roberson provided a summary of highlights of changes made.

Mayor Jordan closed Public Hearing and reconvened into Town Council Regular Session at 9:17 p.m.

- d. Consider, discuss and act upon approval of Ordinance No. 2019-215 adopting the 2019-2020 Fiscal Year Operating Budget for the Town of Providence Village.

No action taken.

- e. Consider, discuss and act on ratifying the property tax increase reflected in the adopted 2019-2020 Fiscal Year Operating Budget for the Town of Providence Village.

No action taken.

- f. Consider, discuss and act upon appointment of nominee for Alderman Place 5 council position.

Alderman Inman wants to set up interviews. There was discussion regarding availability. No applications will be received after 5:00 p.m. on Tuesday, September 10th and interviews will be scheduled starting at 6:00 p.m. on September 11th.

- g. Oath of Office of nominee for Alderman Place 5 on the Town Council.

No action taken.

- h. Consider, discuss and act upon acceptance of resignations of Parker Hicks and Roy Gladson as alternates on the Planning & Zoning Commission.

Mayor Pro-Tem Newton moved to accept the resignations; Alderman Inman seconded. Motion carried: 5 in favor, 0 opposed.

- i. Consider, discuss and act upon appointment of alternate members to the Board of Adjustment.

No action taken

- j. Consider, discuss and act upon appointment of alternate members of the Planning & Zoning Commission.

No action taken

- k. Consider, discuss and act upon approval of Resolution No. 2019-219 repealing Resolution Nos. 2018-198 and 2018-198-02 in their entirety and dissolving the Ordinance Committee.

Newton stated that two of the three members of the ordinance committee are gone and reiterated that now that the Town was home rule charter, it was no longer necessary to have committees and the Town has staff to handle these items.

Mayor Pro-Tem Newton moved to approved Resolution No. 2019-219 dissolving the ordinance committee; Alderman Nelson seconded. Motion carried: 5 in favor, 0 opposed.

1. Identify agenda items to be discussed at future meeting.

No action taken

VIII. ADJOURNMENT

Mayor Pro-Tem Newton moved to adjourn; Alderman Inman seconded. Motion carried: 5 in favor, 0 opposed. Mayor Jordan adjourned the meeting at 9:30 p.m.



Michael Jordan, Mayor

9/17/2019

Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

9/17/19

Date Minutes Approved

