

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 4, 2018
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 7:30 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. Alderman Steve Miller was on excused absence due to military duty.

II. INVOCATION

Dewayne Brawner with Cowboy Church of Cooper Creek led invocation and then as President of the Little Elm Rotary Club commented on their sponsorship of the 380 Rotary Club.

III. PLEDGE OF ALLEGIANCE

- a. United States Flag
- b. Texas Flag

IV. OPEN FORUM:

There were no requests to speak during open forum.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

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

Brian Roberson stated that there are no committee reports. He did report that Pecan Creek is still on tract and it is expected that plats will be submitted in the near future for review. Mr. Roberson also reported that another developer was looking at a potential residential project and stated that the developer was aware that the Town had recently rejected a PID request. Alderman Blue asked if the developer asked about a PID and was informed of the recent denial, or did they already know about the PID rejection. Mr. Roberson reported that the developer had heard that the PID was rejected. Mayor Pro-Tem Newton noted that

there is a sign in Oak Point for Bloomfield Homes that reads “No PIDs” or other assessments. There was discussion regarding PIDs and assessments and their lack of popularity with home buyers.

Brian Roberson also reported on the Hero Park project and stated that the Town currently has \$28,237 in donations and is aware that the Hope Foundation has friends that are wanting to donate time and/or materials. Mr. Roberson reiterated the current timeline of the Hero Park project, which originally began in May 2016 with Mr. Mattson’s original presentation plan and request for a location and permission to move forward. In September 2016 the first location was approved and in April 2017 a second location was approved. In August 2017 the Town hired an engineering firm to design the park and in September 2017 the community was invited to provide input on the initial plans. The initial plans were finalized in November 2017 and the construction documents were finalized in April 2018. In May 2018 the Town received a \$25,000 donation from History Maker for the project. Mr. Roberson reported that there is a planning meeting scheduled this month to begin work on the project and hopefully there will be collaboration of resources and some level of commitment from volunteers and potential providers.

There was continued discussion regarding the various phases of the Hero Park project and discussion regarding the cost of the various phases, including demolition, earthwork, etc. Mr. Roberson emphasized that the meeting will be focused on the first phase and would only deal with the front couple of acres and not the entire 8 acre tract. Mayor Jordan asked about the number of pavers being sold and Mr. Roberson reported that the pavers would be installed initially in the beginning and engraved stones could either be etched on site or stones replaced as they are sold and engraved. There was further discussion regarding engraved brick options. Alderman Blue asked about the meeting date and Mr. Roberson stated it was in the third week of September, but no date is specifically confirmed at this time. Alderman Inman asked how the other phases would be worked on and it was suggested that the Hope Foundation was raising funds. Mayor Jordan pointed out that the Hope Foundation will be raising money for a variety of charity activities and does not just focus on the Hero Park. Mayor Pro-Tem Newton stated that an organization should not take on more than they can handle.

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 7, 2018 Town Council Regular Session Minutes and August 21, 2018 Town Council Regular Session Minutes

Alderman Inman moved to approve Consent Agenda; Mayor Pro-Tem Newton seconded. Motion carried: 5 in favor, 0 opposed.

VII. ACTION ITEMS

- a. Conduct first public hearing to receive input on proposed Tax Rate for 2018 Tax Year.

Brian Roberson gave a summary of the current and proposed tax rates. Mayor Jordan closed the Town Council Regular Session meeting and opened Public Hearing at 7:52 p.m. There were no requests to address the Town Council and Mayor Jordan closed the Public Hearing and reconvened into Town Council Regular Session at 7:52 p.m.

- b. Conduct first public hearing to receive input on proposed Fiscal Year 2018-19 Budget for the Town of Providence Village.

Brian Roberson gave a summary of the 2018-19 Fiscal Year Project Budget. Mayor Jordan closed the Town Council Regular Session meeting and opened Public Hearing at 8:01 p.m.

Greg Fachner, a resident at 9140 Blackstone Dr., Providence Village, Texas, noted that while the city has lowered the tax rate, the appraisal district has raised the value, therefore they are paying 25% more each year because the rate has gone up. Mayor Pro-Tem Newton discussed how Austin legislature has been making a mess of the property tax system. Brian Roberson noted that the property values are being based on the prices paid for homes. He also pointed out how commercial property is not being appraised at the same rate as residential property. Alderman Connor talked about cities that border the Town are not dropping their tax rates because they are afraid of what Austin will do in the next legislative session.

There were no further requests to address the Town Council and Mayor Jordan closed the Public Hearing and reconvened into Town Council Regular Session at 8:07 p.m. The Town Attorney, Will Trevino, noted that pursuant to the Town's charter and State statute, there will need to be a Special Town Council meeting scheduled to approve the budget and tax rate, which is tentatively scheduled for September 25, 2018 at 7:30 p.m. and that the Council needs to announce same following the public hearings.

- c. Consider, discuss and act upon Resolution No. 2018-204 – Granting a petition for annexation from Property Owner, Jabez Development, LP, of property identified as that certain tract of land situated in the James Bridges, Jr. Survey, Abstract No. 36, in Denton County, Texas, and being part of those certain tracts of land described in the deed to Jabez Development, L.P., recorded in Instrument No. 2017-108227, Real Property Records of Denton County, Texas, and generally located north of Fishtrap Road, west of Dr. Sanders Road and east of FM 424; authorizing and directing the Town Secretary to have published notice of such public hearing.

Brian Roberson explained to the Town Council that this was the 5.5 acre tract involved in the recent boundary agreement with Cross Roads and is part of the realignment of Dr. Sanders. The resolution will set hearings and other activities relating to a voluntary annexation request. Alderman Blue moved to approve Resolution No. 2018-204 granting a petition for annexation from Property Owner, Jabez Development, LP; Alderman Connor seconded. Motion carried: 5 in favor, 0 opposed.

- d. Consider, discuss and act upon written agreement for services between Cheron Rentals, LLC and the Town of Providence Village and authorizing the Town Manager to execute said agreement on behalf of the Town.

Brian Roberson explained to the Town Council that recent legislative changes to the annexation process now require that service agreements for annexed property be approved and executed by the property owner and on behalf of the Town prior to the annexation of property. Mayor Pro-Tem Newton moved to approve the written agreement for services between Cheron Rentals, LLC and the Town; Alderman Inman seconded. Motion carried: 5 in favor, 0 opposed.

- e. 1st Public Hearing – Proposed annexation of that certain tract of land situated in the James Bridges, Jr. Survey, Abstract No. 36, in Denton County, Texas, and being part of those certain tracts of land described as Tract 1 and Tract 2 in deed to Cheron Rentals, LLC, recorded in Instrument No. 2009-101722, of the Real Property Records of Denton County, Texas, and being more particularly described in Exhibit “A” and depicted in Exhibits “B” to Resolution No. 2018-201A of the Town of Providence Village, Texas. – Owner: Cheron Rentals, LLC

Mayor Jordan read the action item caption and Brian Roberson explained that this is a slice of property on the back side of the Wedding Chapel that is being sold to Jabez Development to be included in The Landing at Providence development project. Mayor Jordan closed Town Council Regular Session and opened Public Hearing at 8:19 p.m.

Leslie Evans, a resident at 10328 Nantucket Dr., Providence Village, Texas, asked where the land was located, and she was informed of its location. There were no further requests to address the Town Council and Mayor Jordan closed Public Hearing and reconvened into Town Council Regular Session at 8:20 p.m.

- f. Consider, discuss and act upon authorizing Town Manager to initiate the bid process for 2019 mowing services for the Town.

Brian Roberson provided an upon and explained how the landscaping services were bid in the past when the PVWCID and Providence HOA had most of the property to be serviced. With the dissolution of the PVWCID and the Town’s acquisition of the property, the Town now owns a majority of the property to be service and since the cost will most likely exceed \$50,000, it will be necessary for the Town to utilize the sealed bid process. Mr. Roberson further stated that the Town has more stringent rules governing bids than the HOA, as well as tax-exempt status. It would be in the best interest of the Town and its residents for the Town and the HOAs to pursue the bid volume bid process with the understanding that not everyone would ultimately have to participate. There was additional discussion regarding the type of services to be provided, including fertilizing, change of color of flowers in medians, mowing, etc. there was also discussion regarding the length of a contract, not to exceed 5 years. Initial contract could be 2 years, with 3 annual renewals, since annual renewals will be time-consuming and cumbersome, and a longer period will help ensure a more competitive cost.

There was further discussion regarding the possibility of the Town bidding the entire work project and billing the HOAs for their portions of the project. Alderman Blue asked what the current billing arrangement entailed, and Mr. Roberson reported that each entity is billed separately. There was discussion about potential parties walking away from bid if they don't like the arrangements. Mayor Jordan also asked about the bid process and Brian Roberson provided a detailed explanation of the sealed bid process. Alderman Inman asked about the voting processing by the Town Council and the HOAs on the sealed bid and Alderman Connor asked about the "all-in" process and who would be responsible for billing. Mayor Jordan stated that he believed the project should be bid as a "stand-alone" for the Town and to let the HOAs go on their own. Brian Roberson reiterated that the Town was responsible for more than 50% of the property to be serviced and that it would help with the bid cost if a bid was sought for the entire Town project and that there could be arrangements for separate billing. There was further discussion regarding the fact that this action item was simply to invoke the seal-bid process and that the ultimate selection would be voted on by the Town Council at a later date.

Mayor Pro-Tem Newton moved to authorize the Town Manager to initiate the bid process for 2019 mowing services; Alderman Inman seconded. Motion carried: 5 in favor, 0 opposed.

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

To be discussed in Executive Session.

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

Nothing to be added.

Mayor Pro-Tem Newton moved to close Town Council Regular Session and convene into Executive Session; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Jordan closed Regular Session and convened into Executive Session at 8:43 p.m.

VIII. EXECUTIVE SESSION

The Town Council will convene into executive session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, to seek the advice of the Town Attorney or other legal counsel concerning pending or contemplated litigation, or a settlement offer; 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. 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 Regular Session at 9:01 p.m.

IX. RECONVENE INTO OPEN SESSION

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

No action taken.

X. ADJOURNMENT

Alderman Inman to adjourn; Mayor Pro-Tem Newton seconded. Motion carried: 4 in favor, Mayor Pro-Tem Newton opposed.

Mayor Jordan adjourned the meeting at 9:04 p.m.



Michael Jordan, Mayor

9/18/2018

Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

9/18/18

Date Minutes Approved

