

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 18, 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.

III. PLEDGE OF ALLEGIANCE

- a. United States Flag
- b. Texas Flag

IV. OPEN FORUM:

Karlene Smith, a resident who resides in the Town's ETJ at 10060 Liberty Rd., Aubrey, Texas, stated that her fence was torn apart by a backhoe operated and that Jim Bell, a representative for History Maker Homes, told her that he would repair it. Ms. Smith believes to fix the fence, they would need to replace it. Ms. Smith further went on to make claims that neighbor's property was damaged and that she has 9 horses that are in danger and that she wants the Town to force the developer to fix her fence. Ms. Smith provided the Town Secretary with photographs of the damage.

John Okonski, a resident who resides at 2225 Rodgers Ln., Providence Village, Texas, accused the Council of failing to enforce all the ordinances or forcing law enforcement to do the same. He stated that his complaints are intended to make the community better by making it safer. Mr. Okonski brought in a piece of concrete he had removed from the street and stated that it was a deadly harm when the Town failed to repair damaged curbs. He stated that he had contacted the Town regarding his complaints and that he was told there was no money in the budget to cover the repairs. Mr. Okonski further alleged complaints

that water meters had missing covers and were set at a low grade that was presenting danger to pedestrians.

Town Secretary distributed copies of the photographs provided by Ms. Karlene Smith to the Town Council and Bruce French, the representative from History Maker Homes and Jabez Development, stated that Jim Bell did contact him regarding the matter and he wants to meet with Ms. Smith, if possible. Mr. French further stated that they are going to erect a 10-12-foot retention wall.

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

Brian Roberson reported that there were no committee reports, but that there were action items on the agenda from the ordinance committee. Mr. Roberson also reported that Aldi will be holding their grand opening on October 11, 2018 at 9:00 a.m. He also reported that he expected to have a written request for voluntary annexation and an application for PD zoning change later in the week. The new development is Enclave at Pecan Creek and will be for single family residential.

Mike Carroll gave a summary of the permit report and the code compliance report. Connie Hansen gave a summary of the Municipal Court report and the current collection totals for Omni.

Brian Roberson gave a summary of the Aubrey/Providence Village PD report, Aubrey fire report and Aubrey Library report. Brian Roberson further noted that the Library summer program was a success and commented on the inclusion of a therapy dog in the reading program.

Clay Taylor provided a summary of the Inframark report. There was discussion regarding the SCADA signal issue that could not be changed because the initial work was performed by Mustang SUD. It is now changed and Inframark can now control.

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 – September 4, 2018 Town Council Regular Session Minutes

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

VII. ACTION ITEMS

- a. Conduct second 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 stating that it was going down from .833688 to .799718. He stated that this was a 20% reduction over the last 4 years. Mayor Jordan closed the Town Council Regular Session meeting and opened Public Hearing at 8:05 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 8:05 p.m.

- b. Conduct second 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 Budget and reported that the budget would not completely cover the debt service expenses and that we would be dipping into the debt services reserves over the next 14 years, which has been the plan since the refunding that was done earlier in the year.

Brian Roberson further reported that the budget was filed on August 15, 2018 and the first public hearing was held on September 4, 2018, and that this is the second public hearing required. Mr. Roberson further discussed the capital plan. Mayor Pro-Tem Newton asked if there were funds in the budget for curb repair and Mr. Roberson reported that contractors will not submit a quote to repair 1 foot of damaged curb, but instead, since the Town does not have its own Public Works Department, it was much more efficient to procure contract repair quotes when there was enough work to warrant the cost. Competitive quotes are intended to ensure that we get the best price on repairs. Alderman Connor stated that Brian Roberson has done a great job with the budget and it is nice to see a projection plan instead of all the problems building up.

Mayor Jordan closed the Town Council Regular Session meeting and opened Public Hearing at 8:12 p.m.

Don Fisher, a resident who resides at 10200 Nantucket Dr., Providence Village, Texas, asked if there were any funds budgeted for donations to the Hope Foundation or for the front entrance. Mayor Jordan stated that he was not aware of any. Brian Roberson did report that there was a meeting scheduled recently and that History Maker was the only one who showed up. Brett Greer and RPM xConstruction representative did not make the meeting. Alderman Blue inquired about the current balance of the Hero Park fund. Mayor Pro-Tem Newton noted that the Hero Fund is not part of the Town's budget. There was further discussion regarding the front entrance and the visibility issues related to the structure. Alderman Blue asked if there were funds in the budget to replace the front entrance and Brian Roberson reported that there was not. Brian Roberson then explained the visibility issue of having the monument at the entrance and the negative effect it has on traffic safety.

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 8:29 p.m.

- c. Consider, discuss and act upon proposed Fiscal Year 2018-19 Budget for the Town of Providence Village.

Mayor Pro-Tem Newton moved to approve the Fiscal Year 2018-19 Budget for the Town; Alderman Connor seconded.

Alderman Inman thanked the staff for their hard work. Mayor Jordan called the roll vote:

Mayor Pro-Tem Eric Newton - Yes

Mayor Michael Jordan – Yes

Alderman Linda Inman – Yes

Alderman James Connor – Yes

Alderman Chris Blue – Yes

Alderman Steve Miller – Absent due to Military Leave

- d. 2nd Public Hearing – Proposed annexation of a 1.263 acre, more or less, 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 a 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 Exhibit “B” to Resolution No. 2018-201A of the Town of Providence Village, Texas. – Owner: Cheron Rentals, LLC

Brian Roberson reiterated the voluntary annexation petition for the 1.263 acres located on the east side of the Dr. Sanders that is to be included in the Landing at Providence, Phase 1 for 8 additional lots. Mayor Jordan closed the Town Council Regular Session and convened into Public Hearing at 8:24 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 8:25 p.m.

- e. Consider, discuss and act upon approval of Ordinance No. 2018-196 – Annexing the hereinafter described territory known as a 1.263 acre, more or less, 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.

Alderman Blue moved to approve Ordinance No. 2018-196 annexing 1.263 acres, more or less, tract of land situated in the James Bridges, Jr. Survey, Abstract No. 36, as described in deed to Cheron Rentals, LLC, recorded in Instrument No. 2009-101722 into the Town’s corporate limits; Alderman Inman seconded. Motion carried: 5 in favor, 0 opposed.

- f. Receive and consider recommendation from Planning and Zoning Commission regarding changing the zoning classification from Agricultural District (A) to Single Family Residential District (R) of a 1.263 acre, more or less, tract of land situated in

the J. Bridges Survey, Abstract Number 36, in Denton County, Texas, and being part of those certain tracts of land described as Tract 1 and Tract 2 in a deed to Cheron Rentals, LLC, recorded in Instrument No. 2009-101722, of the Real Property Records of Denton County, Texas.

Brian Roberson reported to the Town Council that the Planning & Zoning Commission moved to recommend changing the zoning district from Agricultural (A) to Single-Family Residential (R) upon annexation into the Town's corporate limits.

- g. Conduct Public Hearing to receive input, discuss and take action regarding an ordinance changing the zoning classification from Agricultural District (A) to Single Family Residential District (R) of the 1.263 acre, more or less, tract of land situated in the J. Bridges Survey, Abstract Number 36, in Denton County, Texas, and being part of those certain tracts of land described as Tract 1 and Tract 2 in a deed to Cheron Rentals, LLC, recorded in Instrument No. 2009-101722, of the Real Property Records of Denton County, Texas.

Mayor Jordan closed Town Council Regular Session and opened Public Hearing at 8:28 p.m. There were no requests to speak before the Town Council and Mayor Jordan closed the Public Hearing and reconvened into Town Council Regular Session at 8:29 p.m.

Mayor Pro-Tem Newton moved to approve the ordinance changing the zoning classification from Agricultural (a) to Single Family Residential (R) of the 1.263 acres; Alderman Connor seconded. Motion carried: 5 in favor, 0 opposed.

- h. Consider and act upon Ordinance No. 2011-25-13 amending the ordinance and amendments thereto which establish the schedule of fees to add utility rates and fees, trash service fees and fire protection fees.

Brian Roberson provided the Town Council with a summary of the proposed changes, including the reduction in the golf cart registration fee, removal of electrical contractor registration fee and including of water, sewer, fire and trash rates into the fee schedule. There was discussion regarding how the water and sewer rates were taken directly from the rate order and included in the fee schedule since they are not actually published in the Code of Ordinances. Mr. Roberson also explained that changes were required to remove the trash collection fee from the sewer rate and that the trash collection and fire rate needed to be separated so that the new developments who will be utilizing trash and fire services, but not actually using the Town's water services, could be billed. There was further discussion regarding sales tax collection on the trash services fee and notification process for information residents of the new changes. Alderman Connor suggested that a sample bill showing how the new bills will look would be beneficial. There was also discussion regarding the additional charge for extra garbage and recycle bins. Alderman Blue asked if we had the ability to know who has more than one. Brian Roberson stated that we are working with Waste Management on this issue. Brian Roberson also reported on the include of a right of way permit fee in the fee schedule.

Alderman Inman moved to approve Ordinance 2011-25-13 amending the Fee Schedule; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed.

- i. Consider and act upon Resolution 2018-205 ratifying the Town's Financial Investment Policy for the Fiscal Year 2018-2019.

Brian Roberson reported that this item would be moved to the September 25, 2018 Special Meeting agenda.

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

Brian Roberson reported that they were working on scheduling a hearing date and that all other matters would be discussed in Executive Session.

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

Mayor Jordan closed Regular Session and convened into Executive Session at 8:52 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 9:17 p.m.

IX. RECONVENE INTO OPEN SESSION

- k. 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 9:19 p.m.



Michael Jordan, Mayor

10/16/2018

Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

10/16/18

Date Minutes Approved

