

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 3, 2017
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 7:31 p.m. Town Council members present were Alderman Steve Miller, Alderman J. Eric Newton, Alderman Linda Applin, and Alderman Chris Blue, being a quorum.

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

Julie Fort led invocation.

IV. OPEN FORUM:

Kathy Ramsey from Aubrey Public Library and came to say thank you and Philip Moore, Francis Carter current volunteer storyteller. Mira West, long running board members. Handed out thank you cards to the Council Members.

Joyce Vann spoke about kids with two wheeler motorized vehicles or scooters and request that the Town do something to ensure the safety and wellbeing of the children.

Klaus Dausmann still having problems with people parking over the sidewalk and wanting to know if its ok. April 1st from 10:30 a.m. to 6:30 p.m. he is hosting a home repair event at the Community Center. Wants to include in Town's email blast.

There were no other requests to address the Town Council.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- a. Monthly Reports from Committees: Communications, EDCEC, Emergency Preparedness, Ordinance and Public Safety

Communications Committee – Nothing to report
EDCEC Committee – Nothing to report
Emergency Preparedness Committee - Nothing to report
Ordinance Committee – Nothing to report
Public Safety Committee - Nothing to report

- b. Staff Reports: Administration

Administration – Brian Roberson reported that the creek erosion project is coming to a close. Phase 6C they are working on the flume, which is the final issues. January 18th there will be another core sample taken and if it passes, that should wrap up the project.

VI. ACTION ITEMS

- a. 1st Public Hearing – Proposed annexation of 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. – Owner: R&M Materials, LLC

Alderman Applin moved to close Town Council Regular Session and open Public Hearing; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Town Council Regular Session and opened Public Hearing at 7:39 p.m.

Mayor Pro-Tem Jordan opened the floor to anyone wishing to speak for or against the proposed annexation.

There were no requests to speak. Alderman Blue moved to close Public Hearing and reconvene into Town Council Regular Session; Alderman Applin seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Public Hearing and reconvened into Town Council Regular Session at 7:39 p.m.

- b. 1st Public Hearing – Proposed annexation of 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. – Owner: Mescal Juniper Properties, LLC

Alderman Blue moved to close Town Council Regular Session and open Public Hearing; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Town Council Regular Session and opened Public Hearing at 7:40 p.m.

Mayor Pro-Tem Jordan opened the floor to anyone wishing to speak for or against the proposed annexation.

Connie Hansen read the three comments received. There were no further requests to speak. Don George on Hope Dr. wants to know why they are being annexed into Providence Village instead of staying in Cross Roads. Mayor Pro-Tem Jordan stated that the property owners requested to be annexed and the property owner is the same owner that built in Phase 6C. Mayor Pro-Tem Jordan noted that houses could still be built, but this way the Town has some control.

Alderman Newton moved to close Public Hearing and reconvene into Town Council Regular Session; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Public Hearing and reconvened into Town Council Regular Session at 7:48 p.m.

- c. Consider, discuss and act upon timeline for annual renewal of committee and commission member(s) not currently delineated by Home Rule Charter or ordinances.

Chris Blue suggested that it be different than the P&Z. There was extensive discussion regarding how to reappoint without doing it all in one meeting. Alderman Blue moved to set renewal date to be January 1st; Alderman Applin seconded. Motion carried: 5 in favor, 0 opposed.

- d. Consider, discuss and act upon renewal of appointments to Board of Adjustments members and alternate member(s) whose terms expire in 2017.

Alderman Newton moved to approve reappointment of Catherine Bell, David Tidwell and Tyler Jones to two year term; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

- e. 2nd Public Hearing – Proposed annexation of 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. – Owner: R&M Materials, LLC

Alderman Blue moved to close Town Council Regular Session and open Public Hearing; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Town Council Regular Session and opened Public Hearing at 7:57 p.m.

Mayor Pro-Tem Jordan opened the floor to anyone wishing to speak for or against the proposed annexation. There were no requests to speak.

Alderman Miller moved to close Public Hearing and reconvene into Town Council Regular Session; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Public Hearing and reconvened into Town Council Regular Session at 7:57 p.m.

- f. 2nd Public Hearing – Proposed annexation of 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. – Owner: Mescal Juniper Properties, LLC

Alderman Miller moved to close Town Council Regular Session and open Public Hearing; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Town Council Regular Session and opened Public Hearing at 7:58 p.m.

Mayor Pro-Tem Jordan opened the floor to anyone wishing to speak for or against the proposed annexation. Connie Hansen reiterated the comments previously read. Don George once again asked questions about.

Julie Fort gave an explanation regarding the 20 day minimum and 40 day max for annexation and detailed explanation regarding the zoning.

Brian gave a brief review of the process for how the property became in the Providence Village ETJ and ultimately city limits.

There were no further requests to speak. Alderman Newton moved to close Public Hearing and reconvene into Town Council Regular Session; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Public Hearing and reconvened into Town Council Regular Session at 8:08 p.m.

- g. Discuss and consider Resolution No. 2017-068 - setting a date, time, and place for public hearings on the proposed annexation of certain property by the Town of Providence Village, Texas: Denton CAD Property IDs 255713 and 255714, generally located south of Liberty Road, east of Dr. Sanders Road and west of FM 2931 and being an approximate 4.49 acre tract of land described as being Lots 3 and 4, Block 1, Pittsinger Addition, of Denton County, Texas as recorded in Cabinet U, Page 957 of the Plat Records of Denton County Texas; and the proposed annexation of the portion of Liberty Road adjacent to said territory; authorizing and directing the City Secretary to have published notice of such public hearings; and directing the preparation of a service plan.

Brian explained the date issue on the contract and it was resolved. No action needed.

- h. Discuss and consider Resolution No. 2017-069 - authorizing the Town Manager to execute a development agreement between the Town of Providence Village, Texas and Robert H. Palmer and Valerie L. Palmer the owner of a tract of land known as Denton CAD Property ID 255715, generally located south of Liberty Road, east of Dr. Sanders Road and west of FM 2931 and being an approximate 2.24 acre tract of land described as being Lot 6, Block 1, Pittsinger Addition, 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.

Julie Fort gave an explanation on the error in the description is actually Lot 5 and not Lot 6. Alderman Miller moved to approve Resolution No. 2017-069 with the revision changing the property to Lot 5; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed.

- i. Discuss and consider Ordinance No. 2017-098 - Annexing the hereinafter described territory known as Denton CAD Property ID 255716, generally located south of Liberty Road, east of Dr. Sanders Road and west of FM 2931 and being an approximate 2.24 acre tract of land described as being Lot 6, Block 1, Pittsinger Addition, 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.

Alderman Applin moved to approve Ordinance No. 2017-098; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed.

- j. Discuss and consider Ordinance No. 2017-099 - 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.

Alderman Blue moved to approve Ordinance No. 2017-099; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

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

Brian Roberson stated that this would be discussed in Executive Session.

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

Brian Roberson stated that this would be discussed in Executive Session.

- m. Identify items to be discussed at future meetings.

Nothing to discuss.

Alderman Miller moved to close Town Council regular session and convene into Executive Session; Alderman Newton seconded. Motion carried: 5 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Town Council Regular Session and convened into Executive Session at 8:15 p.m.

VIII. EXECUTIVE SESSION

The Town Council will convene into executive session pursuant to Texas Government Code Sections 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 Interlocal Cooperation Agreement pertaining to law enforcement.

Alderman Applin moved to closed Executive Session and reconvene into Town Council Regular Session; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Executive Session and reconvened into Town Council Regular Session at 9:50 p.m.

VIII. RECONVENE INTO OPEN SESSION

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

No action was taken.

IX. ADJOURNMENT

Alderman Newton moved to adjourn; Alderman Blue seconded. Motion carried: 5 in favor, 0 opposed.

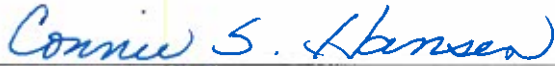
Meeting was adjourned at 9:50 p.m.



Michael Jordan, Mayor Pro-Tem

1/19/2017

Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

1/17/17

Date Minutes Approved

