

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1745 FM 2931, PROVIDENCE VILLAGE, TEXAS 76227
MONDAY, SEPTEMBER 8, 2014
7:00 P.M. Regular Session

MINUTES

REGULAR SESSION 7:00 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Dave Shuck called the meeting to order at 7:01 p.m. Town Council members present were Alderman Steve Miller, Alderman Lynn Jaco, Alderman Justin Steiner and Alderman John Pugh, being a quorum. Mayor Pro-Tem Darren Vader was absent.

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:

Philip Mack Furlow led the invocation.

IV. OPEN FORUM:

Open Forum is for information only. The Council can take no action. No charges and/or complaints will be heard against any elected official, appointed official or employee of the Town unless presented in writing as prescribed in Chapter 22, paragraph 22.043 of the Local Government Code. Speaking time will be limited to three (3) minutes.

**Please note* Anyone wishing to furnish the Town Council with copies/handouts regarding their item of interest must provide 9 copies and present them to the Town Secretary for distribution to the Town Council.*

There were no requests to address the Town Council in open forum. Alderman Miller motioned to close open forum; Alderman Jaco seconded. Motion carried: 4 in favor; 0 opposed.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

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

Communication Committee –Alderman Pugh reported that the Communication committee met briefly and feels they should have monthly meetings on the third Tuesday of each month. The committee believes that additional time to see the agenda and agenda items and time to meet with the Mayor to discuss agenda items before having to vote on the items. Philip Mack Furlow, Town Attorney, explained that such request would be considered an official meeting that would require public notice. He further explained that that any item on the agenda can be tabled if the council members are uncomfortable about voting on the item. Mr. Furlow further stated that any briefing from the Mayor would have to be a regular meeting. Alderman Pugh also stated that the committee was looking into using media to get the residents involved. Alderman Pugh was informed that social media was already being used to communicate council meetings and the agenda details through MailChimp.

Emergency Preparedness Committee – Nothing to report.

HOA – Nothing to report.

Ordinance Committee – Alderman Pugh, as chairman of the committee, reported that the committee was working on revisions to Ordinance 2011-24 and 2011-29 and further reported that the ordinance committee would meet regularly on the third Tuesday of each month.

Public Safety Committee – Nothing to report.

Transition Committee –Nothing to report.

- b. Staff Reports

Code Enforcement – Mike Carroll provided a summary of his written report.

Law Enforcement – Deputy David Linnell reported an increase in patrol of the school zones.

Town Secretary/Municipal Court – Connie Hansen provided a brief summary of the municipal court activities

Alderman Steiner motioned to close the committee and staff reports; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

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 11, 2014 Regular Session Minutes
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Alderman Miller motioned to approve the consent agenda; Alderman Pugh seconded. Motion carried: 4 in favor, 0 opposed.

VII. ACTION ITEMS

- a. Consider, discuss and act upon final approval of the proposed 2014-2015 Fiscal Year Operating Budget.

Town Treasurer, Connie Hansen, gave a summary of the proposed 2014-2015 Fiscal Year Operating Budget and details relating to the calculations of income and expenses. Alderman Steiner motioned to close the Regular Session and open Public Hearing; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Shuck closed Town Council regular session meeting and opened public hearing at 7:37 p.m.

- b. Conduct a public hearing to receive input on the proposed 2014-2015 Fiscal Year Operating Budget and act upon same.

There were no request to address the council during public hearing. Alderman Miller motioned to close public hearing and reconvene Town Council regular session meeting; Alderman Steiner seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Shuck closed public hearing and reconvened Town Council regular session at 7:39 p.m.

- c. Consider, discuss and act upon approval of Ordinance No. 2014-063 Adopting the 2014-2015 Fiscal Year Operating Budget for the Town of Providence Village.

Alderman Miller motioned to approve the 2014-2015 Fiscal Year Operating Budget; Alderman Pugh seconded. The Town Secretary did a roll call of each Council Member's vote as follows:

Alderman Steve Miller – Voted In Favor
Alderman Lynn Jaco – Voted in Favor
Alderman Justin Steiner – Voted in Favor
Alderman John Pugh – Voted in Favor
Mayor Pro-Tem Darren Vader – Absent

Motion carried unanimously, with 4 votes in favor and 0 votes opposed and Mayor Pro-Tem Darren Vader was absent or abstained from voting.

Alderman Miller motioned to approve Ordinance No. 2014-063 adopting the 2014-2015 Fiscal Year Operating Budget; Alderman Pugh seconded. Motion carried: 4 in favor, 0 opposed.

- d. Consider, discuss and act upon Providence Village Drainage Structures Inspection Report submitted by Denton County Public Works.

Mayor Shuck reported that representatives from the Denton Public Works department were unable to attend the current council meeting and suggested that this item be tabled until a representative could be present to answer questions. Alderman Steiner motioned to table this item to the next Town Council meeting; Alderman Miller seconded. Motion carried: 4 in favor, 0 opposed.

- e. Consider and discuss Section 13.255 action against Mustang Special Utility District.

Philip Mack Furlow reported that the Section 13.255 notice letter to Mustang was sent on April 30, 2014 and that the Town has requested a list of assets and values from Mustang, that has not been received as of yet. The negotiation period ends October 27, 2014 and upon the expiration of the negotiation phase, the Town will need to institute and proceed with the next step, which is similar to a condemnation proceeding.

- f. Consider, discuss and act upon approval of the Second Amended and Restated Interim Allocation Agreement between Providence Village Water Control and Improvement District of Denton County and the Town of Providence Village dated September 15, 2014.

Mayor Shuck gave a brief summary of the intent and content of the Second Amended and Restated Allocation Agreement. Philip Mack Furlow provided additional details about the ICA with Denton County Sheriff's office. He stated that there are some small items in the agreement that are better handled by the Town. He further explained that the agreement between the parties keeps the Town from raising the taxes to cover expenses. Alderman Pugh questioned some of the details regarding the agreement and stated that the general concept is good, just needs some minor revisions. Mayor Shuck explained that there was no urgency to approve the agreement tonight. Alderman Steiner motioned to table this action item until the next meeting; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

- g. Consider, discuss and approve resolution authorizing the opening of additional bank accounts with Point Bank for deposit of funds and banking services for both interest-bearing and non-interest-bearing accounts.

Alderman Steiner motioned to approve resolution authorizing the opening of an additional bank account with Point Bank; Alderman Miller seconded. Motion carried: 4 in favor, 0 opposed.

- h. Discuss legal and administrative status involving CCN and asset transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

Philip Mack Furlow stated that this item would be discussed in Executive Session.

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

Mayor Shuck stated that the creation of the Joint Transition Committee needed to be added to the next agenda and further stated that he wanted to be part of the committee. He also stated that the merger of the Emergency Preparedness Committee and Public Safety Committee should also be added.

Alderman Steiner motioned to close Town Council Regular Session and convene into executive session; Alderman Pugh seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Shuck closed regular session meeting at 8:14 p.m. and convened into Executive Session at 8:22 p.m.

VIII. EXECUTIVE SESSION

The Town Council will convene into executive session pursuant to Texas Government Code Sections 551.074, Personnel Matters, and 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 and discuss Section 13.255 action against Mustang Special Utility District.
- b. Discuss legal and administrative status involving CCN and asset transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

Alderman Miller motioned to closed executive session and reconvene into Town Council regular session; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

IX. RECONVENE INTO OPEN SESSION

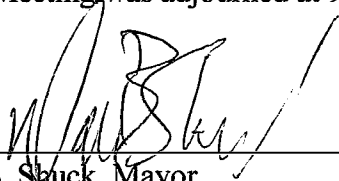
- a. Consider and act upon items discussed in Executive Session.

Mayor Shuck closed executive session and reconvened regular session meeting at 9:45 p.m.

X. ADJOURNMENT

Alderman Jaco motioned to adjourn the Town Council meeting; Alderman Steiner seconded. Motion carried: 4 in favor, 0 against.

Meeting was adjourned at 9:46 p.m.



David B. Shuck, Mayor

11/10/2014
Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

11/10/2014
Date Minutes Approved

