

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE COMMUNITY CENTER
9400 WATERMAN DRIVE
MONDAY, SEPTEMBER 27, 2010
7:00 P.M. Regular Session

MINUTES

REGULAR SESSION 7:00 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Brian Roberson called the meeting to order at 7:00 p.m. Town Council members present were Mayor Pro-Tem Clint Shipp, Eddie Army, Earnest Law, and Mark McCullough. Alderman Thompson 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

Pastor Owen of Arc Church 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.*

Don Oldham, a resident at _____, Providence Village, Texas requested that the Town Council address illegal mulching issues. Mr. Oldham was informed that no action could be taken by the Town Council on any issues presented during Open Forum.

There being no requests to address the Council during the Open Forum, Alderman Army motioned to close the Open Forum; Mayor Pro-Tem Shipp seconded. Motion carried: 4 in favor; 0 opposed.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- a. Monthly Reports from Communications Committee, HOA Committee, Water Committee, Ordinance Committee and Finance Committee
- b. Staff Reports
 - a. Committee Reports
 - 1. Communications Committee – Alderman Army reported that the Town of Providence Village website was functional and requested contact information for each of the members of the Town Council to be added to the website.
 - 2. HOA Committee – Nothing to report.
 - 3. Water Committee – Nothing to report until current agenda items are passed.
 - 4. Ordinance Committee – Town Attorney, Philip Mack Furlow, discussed current status of map identifying all current stop signs within the town and completion of the safety ordinances. It was also reported that additional safety issues, i.e., curfews, etc., are being discussion.
 - 5. Finance Committee – Alderman Army reported on the RFP legal posting requirements for depository RFP. Mayor Pro-Tem Shipp discussed review of incoming RFP’s and procedure for committee to make recommendation for bank and then moving forward towards a contract. Outstanding action item is to post legal notice of RFP, which Philip Mack Furlow will handle.
 - b. Staff Report – Nothing to report.

There being no further committee and staff reports, Mayor Pro-Tem Shipp moved to close committee and staff reports; Alderman Law 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: 09/13/10
- b. Consider and act upon legal notice for Depository Request for Proposal

Mayor Pro-Tem Shipp motioned to approve the consent agenda; Alderman Law seconded. Motion carried: 4 in favor; 0 opposed.

VII. ACTION ITEMS

- a. Consider and act upon Transfer of Vehicle Registration fees from Denton County to Providence Village.

No action taken

- b. Public Hearing on Safety Ordinance pursuant to Agreement with Lincoln Park

Alderman Law motioned to close the Town Council regular meeting and open a public forum hearing; Mayor Pro-Tem Shipp seconded. Motion carried: 4 in favor; 0 opposed.

Mayor Roberson opened a public hearing at 7:20 p.m. on Safety Ordinance pursuant to Agreement with Lincoln Park. The Town Attorney, Philip Mack Furlow, read aloud the ordinance entitled “An Ordinance Prohibiting the Sale of Packaged Alcohol, Firearms, Tobacco, Flammable or Explosive Materials Within 1,500 Feet of the Boundary of any School Site Tracts of Land or any Tracts of Land Utilized as a Park or Playground.”

Mayor Roberson opened the floor to anyone who wished to speak for or against the proposed ordinance and the record reflected that no one spoke for or against the proposed ordinance.

Mayor Pro-Tem Shipp motioned to close the Public Hearing and open the Town Council regular meeting; Alderman McCullough seconded. Motion carried: 4 in favor; 0 opposed.

- c. Consider and Act upon Safety Ordinance pursuant to Agreement with Lincoln Park

Alderman Law motioned that the Safety Ordinance be approved and passed; Alderman McCullough seconded. Motion carried: 4 in favor; 0 opposed.

- d. Consider and act upon ordinance creating Municipal Court

Mayor Pro-Tem Shipp motioned to close the Town Council regular meeting and open a public forum; Alderman Law seconded. Motion carried: 4 in favor; 0 opposed.

Mayor Roberson opened a Public Forum session at 7:33 p.m. The Town Attorney, Philip Mack Furlow, read aloud the proposed ordinance entitled “An Ordinance Establishing and Maintaining a Court Designated as a Municipal Court for the Trial of Misdemeanor Offense, Powers and Duties Prescribed by the Laws of the State of Texas” and provided details relating to the passage of this ordinance.

Mayor Roberson announced that no action would be taken at this time on this ordinance and opened the floor to anyone who wished to speak for or against the proposed ordinance and the record reflected that no one spoke for or against the ordinance.

Alderman Army motioned to close the Public Forum session and reopen the Town Council regular meeting; Mayor Pro-Tem Shipp seconded. Motion carried: 4 in favor; 0 opposed.

- e. Consider and act upon scheduling a Fall Workshop

Mayor Pro-Tem Shipp motioned to approve the workshop scheduled for October 14, 2010 at 7:00 p.m.; Alderman Army seconded. Motion carried: 4 in favor; 0 opposed.

- f. Consider and act upon establishment of temporary depository

Mayor Pro-Tem Shipp discussed the selection of banks for opening a temporary account. Plains Capital Bank and Northstar Bank desired to serve as a temporary bank and bid on the Town's RFP. Northstar Bank requires an initial deposit to open the account and has a monthly fee. Both banks are familiar with collateralizing. Plains Capital does not require an initial deposit, will not charge a monthly fee and the account will be interest-bearing. There was discussion on a temporary bank versus a permanent bank selected from the RFP's. Philip Mack Furlow advised the council members on the process regarding opening a temporary account. There was additional discussion regarding the potential of fees for closing a temporary account.

Mayor Pro-Tem made a motion to select Plains Capital Bank as the temporary account bank for the Town of Providence Village; Alderman Army seconded. Mayor Pro-Tem Shipp and Alderman Army voted in favor; Alderman Law and Alderman McCullough voted against; Mayor Roberson voted in favor; the motion was carried by majority vote.

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 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.

Mayor Pro-Tem Shipp motioned to enter executive session. Alderman Law seconded. Motion carried: 4 in favor; 0 opposed. Executive session began at 7:47 pm.

Alderman Law motioned to close executive session and reconvene into regular session. Mayor Pro-Tem Shipp seconded. Motion carried: 4 in favor; 0 opposed. Open session reconvened at 7:59 pm.

IX. RECONVENE INTO OPEN SESSION

- a. Consider and authorize Town Attorney to finalize agreement with Providence Village Water Control and Improvement District regarding enactment of public safety ordinances for approval to Town Council.

Alderman Law motioned to authorize the Town Attorney to enter into discussions and assist in the draft of documents between the Town of Providence Village and the

Providence Village Water Control and Improvement District regarding public safety; Mayor Pro-Tem Shipp seconded. Alderman Army abstained from voting; Mayor Pro-Tem Shipp and Alderman Law voted in favor; Alderman McCullough voted against; motioned carried by majority vote.

- X. **ADJOURNMENT** - The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorize by the Texas Government Code, Chapter 551.

There being no further action required by the Council, Mayor Pro-Tem Shipp motioned to adjourn the meeting. Alderman Army seconded. Motion carried: 4 in favor; 0 opposed. Meeting adjourned at 8:02 pm.

“I, the undersigned authority do hereby certify that the Notice of Meeting was posted in the window at the Providence Community Center in Providence Village, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted at least 72 hours preceding the scheduled time of said meeting.”

Brian D. Roberson
Mayor, Town of Providence Village, Texas

Date Minutes Approved

Connie Hansen
Town Secretary

Date Minutes Approved