

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE COMMUNITY CENTER
9400 WATERMAN DRIVE
MONDAY, JANUARY 24, 2011
7:00 P.M. Regular Session

MINUTES

REGULAR SESSION 7:00 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

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

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. Alderman Army moved to close open forum; Alderman Law 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

Communication Committee – Nothing to report.

HOA Committee – Alderman McCullough reported that the HOA Board has asked for a commitment from the Town Council on attendance at the joint meeting. Mayor Roberson stated that no official approval is required regarding the council member’s attendance. Philip Mack Furlow reminded the council members not to discuss Town business while in attendance at the HOA Board meeting.

Water District Committee – Alderman Law stated that was nothing to report. Mayor Roberson is working on setting up a meeting between the WCID and Town liaison.

Ordinance Committee – Nothing to report. Items will be covered in actions items.

Finance Committee – Nothing to report.

b. Staff Reports

Town Secretary reported on progress for obtaining ticket book. Officer Carroll presented to the Town Council a copy of the current ticket book being used by the Denton County Sheriff’s office and offered comments on the Town Council’s needs relating to law enforcement and ticket issues.

Philip Mack Furlow, Town Attorney, reported that communications with Clay Crawford regarding law enforcement contracts continue. Stated that a draft should be completed and presented to the WCID for approval prior and ready for presentation to the Town Council by the next Town Council meeting on February 14, 2011. Philip Mack Furlow and Clay Crawford have been working on the structure of the agreement. Philip Mack Furlow further reported that discussion with the Denton County representatives regarding law enforcement and engineering services continue. Philip Mack Furlow reported that he has had telephone conferences with the Public Utility Commission (PUC) regarding franchise fee regulations for utility companies and he is still waiting for an answer from the PUC, before any further actions relating to pursuing franchise fees from AT&T. Franchise fees are strictly a state fee matter and answers from the PUC must be obtained before the Town can approach AT&T.

Alderman Army motioned to close the committee and staff reports; Alderman Law seconded. Motion carried, 4 in favor, 0 against.

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: 1/10/11

b. Pay Bills

Alderman Thompson motioned to approve the consent agenda as presented; Alderman McCullough seconded. Motion carried, 4 in favor, 0 against.

VII. ACTION ITEMS

- a. Consider and Act Upon Resignation from Alderman Clint Shipp

Mayor Roberson reported that Alderman Clint Shipp had tendered his resignation from the Town Council due to his employment relocation to San Antonio. Alderman Law motioned to accept Alderman Clint Shipp's resignation; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

- b. Discuss process for replacement of Alderman Place 2 on the Town Council

Philip Mack Furlow read aloud Texas Local Gov't Code § 22.010 regarding appointment process for council vacancy, reiterating that the alderman vote to elect the replacement and the Mayor only votes to break a tie. It was also noted that the proposed replacement will need to run again for the position in the May 2011 election. Mayor Roberson stated that the vote on the replacement for Alderman Place 2 and the appointment of a new Mayor Pro-Tempore will be conducted at the February 14, 2011 Town Council meeting.

Alderman Law motioned to close the Town Council regular session meeting and open public hearing on curfew ordinance; Alderman Thompson seconded. Motion carried: 4 in favor, 0 against.

- c. Conduct Public Hearing on Curfew Ordinance

Mayor Roberson opened Public Hearing at 7:24 p.m.

Philip Mack Furlow read aloud the Ordinance of the Town of Providence Village, Texas Establishes a Curfew for Sub-Minors within the Corporate Limits of the Town. Mayor Roberson opened the floor to anyone wishing to speak for or against the ordinance. There were no public comments. Alderman Army motioned to closed Public Hearing and reconvene Town Council regular session meeting; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session at 7:29 p.m.

- d. Consider and Act Upon Curfew Ordinance

Alderman Army motioned to approve the Ordinance of the Town of Providence Village, Texas Establishes a Curfew for Sub-Minors within the Corporate Limits of the Town; Alderman McCullough second. Motion carried: 4 in favor, 0 against.

Alderman Thompson motioned to close the Town Council regular session meeting and open public hearing on noise and nuisance ordinance; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

e. Conduct Public Hearing on Noise and Nuisance Ordinance

Mayor Roberson opened Public Hearing at 7:30 p.m.

Philip Mack Furlow read aloud the Ordinance of the Town of Providence Village, Texas Establishes Restrictions on Noise within the Corporate Limits of the Town. Mayor Roberson opened the floor to anyone wishing to speak for or against the ordinance. There were no public comments. Alderman Law motioned to closed Public Hearing and reconvene Town Council regular session meeting; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session at 7:33 p.m.

f. Consider and Act Upon Noise and Nuisance Ordinance

Alderman Law motioned to approve the Ordinance of the Town of Providence Village, Texas Establishes Restrictions on Noise within the Corporate Limits of the Town; Alderman McCullough second. Motion carried: 4 in favor, 0 against.

g. Discuss Interlocal Agreement with County regarding Engineering Services for Inspection of Roads and Drainage

Discussion previously conducted in Staff Report.

Alderman Law motioned to close the Town Council regular session meeting and convene into executive session; Alderman Army seconded. Motion carried: 4 in favor, 0 against. Mayor Roberson convened Executive Session at 7:35 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 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.

Alderman McCullough motioned to close executive session and reconvene into Town Council regular session; Alderman Thompson seconded. Motion carried: 4 in favor, 0 against.

IX. RECONVENE INTO OPEN SESSION

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

Mayor Roberson closed executive session and reconvened Town Council regular session at 7:47 p.m. with no action required.

- 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 authorized by the Texas Government Code, Chapter 551.

Alderman Thompson motioned to adjourn the Town Council meeting; Alderman Army seconded. Motion carried, 4 in favor, 0 against.

Meeting was adjourned at 7:48 p.m.

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

Date Minutes Approved

Connie Hansen
Town Secretary

Date Minutes Approved