

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1745 F.M. 2931
MONDAY, OCTOBER 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 7:01 p.m. Town Council members present were Alderman Lisa Garcia, Mayor Pro-Tem Earnest Law, and Alderman Mark McCullough. Alderman Mike Thompson and Alderman Eddie Army were 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

Mark Ballard with Edge Fellowship 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 Garcia moved to close open forum; Alderman McCullough seconded. Motion carried: 3 in favor; 0 opposed.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- a. Monthly Reports from Committees: Communications, HOA, Water, Ordinance, Finance and Law Enforcement

Communication Committee – Nothing to report.

HOA Committee – Nothing to report.

Water District Committee – Alderman Garcia provided a report regarding the Budget Impact Statement between DCFWD and PVWCID.

Ordinance Committee – Alderman Law reported that items will be addressed later in agenda action items.

Finance Committee – Alderman Garcia reported that items will be addressed later in agenda action items.

Law Enforcement Committee – Brief discussion regarding passing on right violations and previous HOA activities regarding same. Deputy Lively answered questions regarding the Transportation Code and passing on right violations. Mayor Roberson further added that numerous requests have been submitted to TxDOT about the installation of a right turn lane at Providence Village Blvd. and U.S. Hwy 380.

- b. Staff Reports

No reports from the Town Secretary or the Town Attorney.

Alderman Garcia motioned to close the committee and staff reports; Alderman McCullough seconded. Motion carried: 3 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: 10/10/11 Regular Session
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Alderman Garcia motioned to approve the Consent Agenda; Mayor Pro-Tem Law seconded. Motion carried: 3 in favor, 0 against.

VII. ACTION ITEMS

Mayor announced that in order accommodate law enforcement personnel's and other speaker's schedules, action items (h) and (c) would be moved.

- h. Consider, discuss and act upon approval of Special Event Ordinance.

There was a brief discussion regarding revisions to the first person references in the Ordinance that needed to be corrected. Alderman McCullough motioned to

close the Town Council regular session meeting and open a public hearing forum; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

i. Public hearing on Special Event Ordinance.

Mayor Roberson opened Public Hearing at 7:22 p.m. Philip Mack Furlow read aloud the Special Event Ordinance. Mayor Roberson opened the floor to anyone wishing to speak for or against the ordinance. Claire Miller addressed the Town Council and asked if the Town Garage Sale would be classified as a special event and was reassured that the garage sales are individual events and would not be subject to the Special Event Ordinance. There were no further requests to address the Town Council, Mayor Pro-Tem Law motioned to close the Public Hearing and reconvene Town Council regular session meeting; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 7:37 p.m.

Alderman McCullough motioned to approve the Special Event Ordinance as revised; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

c. Public hearing on Sales Tax propositions and upcoming election.

Mayor Pro-Tem Law motioned to close the Town Council regular session meeting and open a public hearing forum; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson opened Public Hearing at 7:39 p.m. Mayor Roberson gave a general summary of the sales tax propositions on the ballot for the upcoming Special Election. Mayor Roberson opened the floor to anyone wishing to speak for or against the propositions. Claire Miller addressed the Town Council and asked about AT&T sales tax on phone bills and further stated that many residents believe that the taxes proposed are property tax. The Town Council addressed the issues relating to the sales tax propositions being only applicable to retail sales in the corporate limits of the Town and is not an ad valorem tax on property. The Town Attorney addressed the issue relating to sales tax on AT&T phone bills. There were no further requests to address the Town Council, Alderman McCullough motioned to close the Public Hearing and reconvene Town Council regular session meeting; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 8:02 p.m.

a. Conduct a public hearing to receive input on the proposed FY 2011-2012 Town Budget and act upon same.

Alderman McCullough motioned to close the Town Council regular session meeting and open a public hearing forum; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson opened Public Hearing at 8:03 p.m. Mayor Roberson opened the floor to anyone wishing to speak for or against the proposed budget. Claire Miller addressed the Town Council and asked about the inclusion of sales tax revenue into the budget. Alderman Garcia responded that amendments would be made on a quarterly basis. Keith McGee asked about the code enforcement cost and start date. Mayor Pro-Tem Law stated that the Code Enforcer, Mike Carroll, official start date was in September. There were no further requests to address the Town Council, Alderman Garcia motioned to close the Public Hearing and reconvene Town Council regular session meeting; Mayor Pro-Tem Law seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 8:05 p.m.

- b. Consider, discuss and approve proposed FY 2011-2012 Town Budget.

Alderman Garcia motioned to approve the FY 2011-2012 Town Budget; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

- d. Consider, discuss and act upon approval of Contractor Registration Ordinance.

Mayor Pro-Tem Law gave a brief summary of the Contractor Registration Ordinance.

Alderman McCullough motioned to close the Town Council regular session meeting and open a public hearing forum; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

- e. Public hearing on Contractor Registration Ordinance.

Mayor Roberson opened Public Hearing at 8:15 p.m. Philip Mack Furlow read aloud a summary of the Contractor Registration Ordinance. Mayor Roberson opened the floor to anyone wishing to speak for or against the ordinance. Michael Jordan asked if there was an exemption from the ordinance requirements for an individual resident hiring a contractor for their own personal use. Town Attorney stated that all contractors must register and pay the required fees. There was an additional question relating to the registration fee being annual and the Town Council stated that the registration fees are on an annual basis. There were no further requests to address the Town Council, Alderman Garcia motioned to close the Public Hearing and reconvene Town Council regular session meeting; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 8:20 p.m.

Alderman Garcia motioned to approve the Contractor Registration Ordinance; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

- f. Consider, discuss and act upon approval of Building Permit Ordinance.

Mayor Pro-Tem Law gave a summary of the Building Permit Ordinance and stated that most builders in the area have been using the Denton County Codes, which are minor. Certificate of Occupancy permits on home will be assisted by Co-Serv who will not connect electrical services without a certificate of occupancy from the Town.

Alderman Garcia motioned to close the Town Council regular session meeting and open a public hearing forum; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

- g. Public hearing on Building Permit Ordinance.

Mayor Roberson opened Public Hearing at 8:29 p.m. Philip Mack Furlow read aloud a summary of the Building Permit Ordinance. Mayor Roberson opened the floor to anyone wishing to speak for or against the ordinance. There were no requests to address the Town Council, Mayor Pro-Tem Law motioned to close the Public Hearing and reconvene Town Council regular session meeting; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 8:36 p.m.

There was discussion regarding fees and allowing building inspector to approval delays. Town Attorney stated that the building inspector should handle such issues because the building inspector is doing what is in the best interest of citizens. Mayor Pro-Tem Law motioned to approve the Building Permit Ordinance, as revised; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

- j. Consider, discuss and act upon approval resolution designating LW's Towing, Inc. as the primary towing service provider for the Town and authorize the notification of Sheriff's Department of the Town's designation.

Following a brief discussion regarding the need for one towing service provider to avoid confusion for residents when and if a vehicle is towed, Mayor Pro-Tem motioned to approve the resolution designating LW's Towing, Inc. as the primary towing service provider for the Town; Alderman Garcia seconded. Motion carried: 3 in favor, 0 against.

- k. Consider, discuss and act upon the opening a depository account with First Security Bank for the processing of credit card transactions.

Following a brief discussing regarding the need for a separate depository account for processing of credit card transactions, Alderman Garcia motioned to approve the opening of the depository account with First Security Bank; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

- l. Consider, discuss and act upon Providence Village Alley Inspection Report.

Town Council discussed the details relating to the Engineering Report received from Denton County and referral of some of the identified problems to the Code Enforcer for further handling.

Alderman Garcia motioned to accept the Engineering Report; Mayor Pro-Tem Law seconded. Motion carried: 3 in favor, 0 against.

- m. Consider, discuss and act upon approval of business card design and purchase of same.

Following review and discussion regarding the business card designs, Mayor Pro-Tem Law motioned to approve Option No. 3 as the business card design; Alderman McCullough seconded. Mayor Pro-Tem Law and Alderman McCullough voted in favor, Alderman Garcia voted against. Motion carried by majority: 2 in favor, 1 against.

Mayor Pro-Tem Law motioned to approve the purchase of business cards for the Mayor, Council Members, Town Secretary, Code Enforcer and Building Inspector at a total cost not to exceed \$250.00; Alderman McCullough seconded. Mayor Pro-Tem Law and Alderman McCullough voted in favor, Alderman Garcia voted against. Motion carried by majority: 2 in favor, 1 against.

- n. Consider, discuss and act upon approval of design of Town Hall Building sign and purchase of same.

Mayor discussed potential options for permanent Town Hall sign. A temporary sign has been ordered. No further action taken at this time.

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

Mayor Roberson announced that this would be discussed in Executive Session.

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

Discussion regarding child safety fund and issues relating to crossing guards at various locations.

Mayor Pro-Tem Law motioned to close Town Council regular session meeting and convene into Executive Session; Alderman McCullough seconded. Motion carried: 3 in favor, 0 against.

Mayor Roberson closed Town Council regular session at 9:00 p.m. and convened into Executive Session.

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 made a motion to close Executive Session and reconvene into Town Council regular session; Mayor Pro-Tem Law seconded. Motion carried: 3 in favor, 0 against.

IX. RECONVENE INTO OPEN SESSION

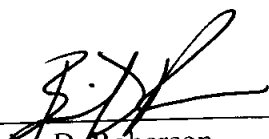
a. Consider and act upon items discussed in Executive Session.

Mayor Roberson closed Executive Session and reconvened Town Council regular session at 9:18 p.m. with no action required.

XI. ADJOURNMENT

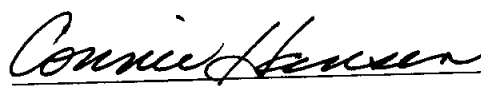
Mayor Pro-Tem Law motioned to adjourn the Town Council meeting; Alderman McCullough seconded. Motion carried, 3 in favor, 0 against.

Meeting was adjourned at 9:19 p.m.



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

11/14/11
Date Minutes Approved



Connie Hansen
Town Secretary

11/14/11
Date Minutes Approved

