

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & SPECIAL MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1745 F.M. 2931, PROVIDENCE VILLAGE, TEXAS

MONDAY, NOVEMBER 28, 2016

7:30 P.M. Special Session

MINUTES

SPECIAL 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 7:30 p.m. Town Council members present were Alderman Steve Miller, Alderman Linda Applin, and Alderman Chris Blue, being a quorum. Mayor David Shuck and Alderman Eric Newton were absent.

II. PLEDGE OF ALLEGIANCE

- a. United States Flag
- b. Texas Flag

III. INVOCATION

Philip Mack Furlow led invocation.

IV. 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. Consider, discuss and act upon approval of amendment to Chapter 212 Local Government Code Development Agreement with Michael and Amber Shuey, as Owners of the property identified as Denton CAD ID 255717, located at 9988 Liberty Road and being an approximate 2.23 acre tract of land described as being Lot 7, Block 1, Pittsinger Addition, of Denton County, Texas, extending the term of the agreement and authorizing Town Manager to sign the same.
- b. Consider, discuss and act upon approval of Chapter 212 Local Government Code Development Agreement with Charles and Cheri Herp, as Owners of the property identified as Denton CAD ID 523415, located at 10270 Liberty Road and being an approximate 2.3 acre tract of land situated in the J. Bridges Survey, Abstract No. 36a, Tracts 45a and 45b, of Denton County, Texas, and authorizing Town Manager to sign the same.
- c. Discuss and consider Resolution No. 2016-57 - authorizing the Town Manager to execute a development agreement between the Town of Providence Village, Texas and Talkeetna, LLC, the owner of a tract of land known as 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, Pittsigner Addition, of Denton County, Texas, and authorizing the Town Manager to sign the same.

- d. Discuss and consider Resolution No. 2016-58 - authorizing the Town Manager to execute a development agreement between the Town of Providence Village, Texas and Ruth E. Carter, the owner of a tract of land known as Denton CAD Property ID 52511, generally located south of Liberty Road, west of FM 2931 and east of Dr. Sanders Road and being an approximate 17.7 acre tract of land situated in the J. Bridges Survey, Abstract No. 36a, Tract 45, Denton County, Texas, and authorizing the Town Manager to sign the same.
- e. Discuss and consider Resolution No. 2016-59 - authorizing the Town Manager to execute a development agreement between the Town of Providence Village, Texas and Ruth E. Carter, the owner of a tract of land known as Denton CAD Property ID 52520, generally located south of Liberty Road, west of FM 2931 and east of Dr. Sanders Road and being an approximate 21.78 acre tract of land situated in the J. Bridges Survey, Abstract No. 36a, Tract 46, Denton County, Texas and authorizing the Town Manager to sign the same.
- f. Discuss and consider Resolution No. 2016-60 – authorizing the Town Manager to execute a development agreement between the Town of Providence Village, Texas and Dennis and Lea Watson, the owner of a tract of land known as Denton CAD Property IDs 176543 and 164871, generally located south of Liberty Road, west of FM 2931 and east of Dr. Sanders Road and being an approximate 6.0 acre tract of land situation in the J. Bridges Survey, Abstract No. 36a, Tracts 43d and 43b, Denton County, Texas and authorizing the Town Manager to sign the same.
- g. Discuss and consider Resolution No. 2016-61 – authorizing the Town Manager to execute a development agreement between the Town of Providence Village, Texas and Dennis and Lea Watson, the owner of a tract of land known as Denton CAD Property ID 174924, generally located south of Liberty Road, west of FM 2931 and east of Dr. Sanders Road and being an approximate 3.0 acre tract of land situation in the J. Bridges Survey, Abstract No. 36a, Tract 43c, Denton County, Texas and authorizing the Town Manager to sign the same.
- h. Discuss and consider Resolution No. 2016-62 – authorizing the Town Manager to execute a development agreement between the Town of Providence Village, Texas and Roger and Karlene Smith, the owner of a tract of land known as Denton CAD Property ID 208255, generally located south of Liberty Road, west of FM 2931 and east of Dr. Sanders Road and being an approximate 2.74 acre tract of land situation in the J. Bridges Survey, Abstract No. 36a, Tract 43e, Denton County, Texas and authorizing the Town Manager to sign the same.
- i. Discuss and consider Resolution No. 2016-63 – authorizing the Town Manager to execute a development agreement between the Town of Providence Village, Texas and Roger and Karlene Smith, the owner of a tract of land known as Denton CAD Property ID 255718, generally located south of Liberty Road, west of FM 2931 and east of Dr. Sanders Road and being an approximate 2.23 acre tract of land described as being Lot 8, Block 1,

Pittsinger Addition, of Denton County, Texas and authorizing the Town Manager to sign the same.

Alderman Blue moved to approve Consent Agenda, as amended; Alderman Applin seconded. Motion carried: 4 in favor, 0 opposed.

V. ACTION ITEMS

- a. 1st Public Hearing – Denton CAD Property IDs 255715 and 255716, located at 9920 Liberty Road and being an approximate 4.48 acre tract of land described as being Lots 5 and 6, Block 1, Pittsinger Addition, of Denton County, Texas; and the proposed annexation of the portion of Liberty Road adjacent to said territory. – Owners: Robert and Valerie Palmer

Alderman Miller moved to close Town Council Special Session and open Public Hearing; Alderman Applin seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Town Council Special Session and opened Public Hearing at 7:33 p.m.

Mayor Pro-Tem Jordan opened the floor to anyone wishing to speak for or against the proposed annexation. Robert Palmer, the owner of the property located at 9920 Liberty Road, spoke stating that he was not entirely opposed to the annexation, but would like to know the process of the annexation. He stated that the property is currently a business and not residential and wants to understand how the Town will zone his business property and the process for how they do so.

There were no further request to speak during Public Hearing. Alderman Applin moved to close Public Hearing and reconvene into Town Council Special Session; Alderman Miller seconded. Motion carried: 4 in favor, 0 opposed. Mayor Pro-Tem Jordan closed Public Hearing and reconvened into Special Session at 7:38 p.m.

- b. 1st Public Hearing – 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, Denton County, Texas; and the proposed annexation of the portion of Liberty Road. – Owners: David Harvey

Alderman Blue moved to close Town Council Special Session and open Public Hearing; Alderman Miller seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Town Council Special Session and opened Public Hearing at 7:38 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 during Public Hearing. Alderman Miller moved to close Public Hearing and reconvene into Town Council Special Session; Alderman Blue seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Public Hearing and reconvened into Special Session at 7:39 p.m.

- c. 1st Public Hearing – Denton CAD Property ID 523415, located at 10270 Liberty Road and being an approximate 2.3 acre tract of land situated in the J. Bridges Survey, Abstract No. 36a, Tracts 45a and 45b, Denton County, Texas; and the proposed annexation of the portion of Liberty Road adjacent to said territory. – Owners: Charles and Cheri Herp

Brian Roberson stated that a public hearing was not needed on this item as the Chapter 212 Agreement with Charles and Cheri Herp was approved in the Consent Agenda.

- d. Consider, discuss and act upon vote for representative of the Denton County Transportation Authority.

Brian Roberson gave a summary all three candidates will ultimately be seated so it is not necessary for the County to nominate and vote for a representative unless they wanted to do so. Alderman Blue moved to nominate Skip Kalb; Alderman Miller seconded. Motion carried: 4 in favor, 0 opposed.

- e. Consider, discuss and act upon acquisition of property for storm drainage and utilities.

Philip Mack Furlow stated that this matter would be addressed in Executive Session.

- f. Consider, discuss and act upon approval of Ordinance No. 2016-94 confirming extraterritorial jurisdictional boundary of the Town of Providence Village to include 47 acre Grant tract per request of property owner and pursuant to Interlocal Agreement setting forth Corporate Boundaries and Extraterritorial Jurisdiction of the Town of Providence Village, Texas and the Town of Cross Roads, Texas and providing for certain agreements and adjustments to the boundaries and extraterritorial jurisdiction of the Towns.

Brian Roberson gave a summary regarding Cross Roads approving the ordinance last week. Mr. Roberson further reported that the property owner would like to move quickly on platting of the property. Alderman Blue moved to approve Ordinance No. 2016-94 confirming ETJ boundary of the Town of Providence Village to include the Grant 47 acre tract of land; Alderman Applin seconded. Motion carried: 4 in favor, 0 opposed.

Alderman Applin moved to close Town Council Special Session and convene into Executive Session; Alderman Blue seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Town Council Special Session and convened into Executive Session at 7:50 p.m.

VI. 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.

- a. Consider, discuss and act upon acquisition of property for storm drainage and utilities.

Alderman Blue moved to close Executive Session and reconvene into Town Council Special Session; Alderman Miller seconded. Motion carried: 4 in favor, 0 opposed.

Mayor Pro-Tem Jordan closed Executive Session and reconvened into Town Council Special Session at 7:52 p.m.

VII. RECONVENE INTO OPEN SESSION

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

Action taken in Executive Session only.

VIII. ADJOURNMENT

Alderman Applin moved to adjourn; Alderman Blue seconded. Motion carried: 4 in favor, 0 opposed.

Meeting was adjourned at 7:55 p.m.



Michael Jordan, Mayor Pro-Tem

12/20/2016

Date Minutes Approved



Connie S. Hansen, TRMC
Town Secretary

12/20/16

Date Minutes Approved

